

Association for Democratic Prosperity - Zid

VOLUNTARISM AND PUBLIC INSTITUTIONS



Project is sponsored by Fresta programme through SEEYN network

Podgorica, 2005.

PUBLISHED BY
ADP - Zid

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I EDITORIAL

1. GENERAL FACTS RELATING TO VOLUNTARISM

It is not an exaggeration to say that volunteers are one of the most important elements of every state. There are countless examples of volunteers and voluntarism contributing to the development of social and human potential; increasing citizens' participation in community development; contributing to reconciliation and reconstruction; and serving as a means for so called "long-life education" through the implementation of their ideas and programmes. In addition, in every country, voluntarism and volunteers represent enormous human potential with relevant knowledge and skills for communities and with an excellent knowledge of problems and people living in the local community. Therefore, one could say that voluntarism is an important actor in social life and economic development. Namely, voluntarism and volunteers can be important elements of GDP. For example, research implemented in Great Britain has shown that the value of their work

has been estimated to be around £40 billion, which put it at third place among budget participants in the national GDP.

However, apart from all these indicators, most of the countries in the world do not recognise volunteers as a strategic resource of the state that should be supported through the implementation of public policy. Examples of programmes where volunteers are included in the creation of national development programmes or national strategy referring to reduction of social differences and poverty are quite uncommon. One of the main problems that create this kind of attitude among official institutions is a lack of clear vision who the volunteers are and what kinds of voluntary work exist.

Namely, volunteers are, according to one of definition of voluntarism 'people of good will ready to commit their time, knowledge and skills working, without pay-

In Great Britain has shown that the value of the volunteers' work has been estimated to be around £40 billion...

The two main sorts of voluntary work are defined according to volunteers' devotion and time spent in realisation of volunteers' programmes. Therefore, long term and short term volunteers need to be recognised.

ment, in order to implement some social changes, either on micro or macro social level'.

There are several classifications of voluntary work depending on the level of development of voluntarism in different regions in the world. However, classification of voluntary work based on recognition of two main groups of voluntary work and their subgroups are generally accepted. The two main sorts of voluntary work are defined according to volunteers' devotion and time spent in realisation of volunteers' programmes. Therefore, long term and short term volunteers need to be recognised.

▶▶ Long-term volunteering

This group of volunteers represent people who devote their time, knowledge and experience to some idea or programme for a long period of time. People devoted to the target group, either because of their personal or humanitarian reasons of the volunteers' programmes, are considered to be in this group.

The basic characteristics of this kind of voluntary work are:

- ▶ Devotion to the idea or target group of the programme;
- ▶ Involvement of individuals in

this kind of voluntary work is usually based on their self initiative;

- ▶ Readiness to carry out most of the tasks contributing to the implementation of the idea, though those tasks are not a direct reason for their involvement in the volunteers' programme;
- ▶ A need for recognition of voluntary work and possibilities for improvement of both personal programmes participation in community development.

It is important to stress that long-term volunteering is usually present in humanitarian organisations or institutions working with socially disadvantaged people. However, in the last few years, this form of voluntarism has become ever more present across wider areas of society. It is becoming visible even in the business sector in developed countries.

▶▶ Short-term volunteering

Unlike long-term volunteering, people ready to devote a precisely defined, usually short, period of time to some idea or programme are considered to be in the group of short-term volunteers. For most of them, recognition of their personal involvement in the voluntary activity is the main motive for

their engagement and often when a particular period of volunteering comes to the end they continue their activities according to their current interests and desires.

The basic characteristics of this kind of voluntary work are:

- ▶ Devotion to the idea or programme but not as much as it is the case with long-term volunteers;
- ▶ Involvement of the volunteers is usually based on recruiting campaigns carried out by organisations that organise voluntary programmes;
- ▶ Clearly defined job description, emphasising working hours and duration of voluntary work are expected;
- ▶ Volunteers are interested only in jobs and tasks that are in accordance with their personal wishes and needs.

This sort of voluntary work is usually present during the implementation of campaigns, activities and projects with clearly defined time frame. Short-term volunteering is characteristic of the civil sector, although it is present in some other areas of society to a lesser extent.

Apart from the above-mentioned types of voluntary work there are

different subgroups of volunteers and their work, depending on type of their work, the way work is done and the way they are involved in the volunteers' programmes. There are:

Volunteers supported by employees - It is a characteristic of this group of volunteers that they are mostly professionally engaged with their companies, organisations, etc. but stimulated by the employee to devote a certain period of time to voluntary work in those areas where they may contribute to community development.

Old aged volunteers - mostly these are people who have finished their professional career but wish to pass on their knowledge by being active in a society in this way.

Volunteers carrying out an alternative sentence - the main characteristic here is that these are people who chose community work instead of prison or financial penalty. This sort of voluntarism is the most characteristic of highly developed societies and mostly for people who have committed small violations in the area of civil law.

Volunteers carrying out an alternative sentence - The main characteristic here is that these are people who chose community work instead of prison or financial penalty.

As the main criterion for recognition of voluntarism UN and EU organisations present an attitude that voluntarism is a means of contributing to change in society, thus an environment where voluntary work will be recognised, should be developed.

Unemployed volunteers - members of this group of volunteers treat voluntary work as a possibility to improve personal knowledge and capacity, and understand voluntarism as a step in their professional career, in the same or other area.

Thus, these are just some of the subgroups of voluntary work most present both in developed societies and in the countries in which institutional voluntarism is still at an early stage.

Recognition of voluntary work by the state and its institutions - after establishing who the volunteers are, and the ways in which voluntary work can manifest itself, it is necessary for voluntarism to be recognised by the state and those institutions that can have a significant influence on the creation of an environment for the development of voluntarism. As was already said, many countries in the world, both developed and developing ones, do not assess voluntary work as much as they should. In developed societies recognition of voluntary work is mainly visible through the implementation of some programmes that support the development of voluntarism,

whereas in less developed societies, recognition of voluntarism is on a very low level because of different socio-economic factors.

Therefore, in recent times global initiatives for the support of voluntary work and involvement of voluntarism in legal and institutional frameworks have been established. The EU and UN, including institutions operating within the frame of those organisations, are the biggest contributors to such initiatives. As the main criterion for recognition of voluntarism these organisations present an attitude that voluntarism is a means of contributing to change in society, thus an environment where voluntary work will be recognised, should be developed. This environment should emphasise that voluntary work is necessary for community development. Furthermore, voluntary work has to be stimulated in different ways, including the improvement of legislative and administrative systems.

Recommendations can be classified in a few categories:

- ▶ To provide infrastructure - either on a local or national level - that would enable greater mobility for volunteers, educa-

tion and appropriate activities;

- ▶ To increase public awareness of citizens - regarding the need for voluntary work, pointing out how much voluntarism contributes community development on this social and economic level. In addition, distribution of possibilities for voluntary work;

- ▶ To ensure participation in the volunteers' activities - for all social groups, emphasising the participation of youth, old people ethnic groups and individuals with special needs;

- ▶ Stimulation and implementation of the survey - regarding voluntary work, needs assessment and influence of voluntarism in a society;

- ▶ Promotion and stimulation of the private sector to provide support - through rising public awareness of the benefits of voluntarism for employed people as well as for employees in general.

Besides these basic recommendations, the UN especially stress that voluntary work is very sensitive to institutional regulation that is too strict. Therefore it is necessary to ensure that flexibility and independence are the most important characteristics of voluntarism. Hence, executive authorities have to work closely

with the civil sector and those organisations whose field of work is voluntarism, so as to establish the optimum legal and institutional framework for it and in that way avoid any negative consequences.

However, voluntarism and its recognition by the state have to be analysed through existing practice in both developed and developing countries, in this case, in the region of South Eastern Europe.

For example, in the countries of the EU, recommendations mentioned before have been thoroughly implemented and adopted, whereas in the region of South Eastern Europe this segment of society is still marginalised. A good example is the national volunteers' centres established in the Benelux countries, which work closely with state institutions on creating a supportive environment for voluntary work. At the same time, in the countries of the Balkans initiatives in this field are mainly those of the civil sector and lack the support of public and state institutions.

Why should the state and public institutions be interested in the

For example, in the countries of the EU, recommendations mentioned before have been thoroughly implemented and adopted, whereas in the region of South Eastern Europe this segment of society is still marginalised.

promotion of voluntarism when they know that some volunteers' activities present a challenge for governmental structures? There are two main benefits from volunteers. Firstly, it is an economic benefit: volunteers provide strong economic support to society because they do jobs that would be done otherwise by paid staff. The second, more important, benefit that communities receive from volunteers is the develop-

ment of strong and stable society. They build trust among citizens and enhance solidarity by their work - things that are essential for stable societies. - Justin Davis Smith (UN session on the occasion of the International Year of Volunteers 2001).

2. DESCRIPTION OF THE PROBLEM AND GOALS OF THE ANALYSIS

Support and assistance to the local community through volunteers' services is one of the ways for development of every society. One of the biggest and the most complicated challenges for the state is to stimulate citizens to devote their free time to the community. This is complicated because the period of transition brought many 'disappointments' to citizens, to a considerable extent imposing the issue of basic survival as their main problem. 'Red colours' of ex-working action, badges for the best worker and the development of a socialistic

system based on voluntary work including great disappointment brought by last wars and falling apart of 'big Yugoslavia' are all factors that still influence (affect) the perception of voluntarism, equating it with that period.

The transition process in the region gives priority to economic reform, and to reforms of political and democratic system, while neglecting some important segments of related to the functioning of society. The issue of voluntarism can be analysed from several angles (perceives). Besides

human and social aspects, voluntarism can be considered as a model of support to the Euro-integration process of Balkan countries. Economically speaking, it is a way of involving citizens in work and decision-making processes on the local level. All these aspects gave ADP-Zid the pretext for the regional survey. Together with the partners from the region, ADP-Zid wanted to investigate in detail to what extent voluntarism was recognised in public institutions; whether and how volunteers were involved in their work; and if there was a legal framework, what barriers or stimulating regulation existed in current legislation.

The goals set up for the implementation of the project are:

- ▶ To analyse types of volunteers' involvement;
- ▶ To analyse cooperation between organisations working with volunteers and public institutions;
- ▶ To investigate possibilities of volunteers' engagement in public institutions;
- ▶ To make recommendations for the further development of volun-

tarism and involvement of volunteers in public institutions;

- ▶ To present an overview of legislation in the region and in Europe that define voluntary work and the position of volunteers;
- ▶ To support the establishment of policies for the involvement of volunteers through different services offered by volunteers' centres or through direct engagement in the process of development and support of society;
- ▶ To educate the wider public and public institutions about voluntarism and voluntary work.

The strategic priority of the analysis 'Voluntarism and Public Institutions' is to offer comments and recommendations based on a comparative analysis of the situation in the region regarding legislation and survey done by questionnaires. It will be used in public institutions and the civil sector in the future. In addition, it will be used to improve the legal framework that defines voluntary work and to make the public sector interested in involving volunteers in its work.

Besides human and social aspects, voluntarism can be considered as a model of support to the Euro-integration process of Balkan countries. Economically speaking, it is a way of involving citizens in work and decision-making processes on the local level.

3. AIM OF THE ANALYSIS

The main aim of the comparative analysis 'Voluntarism and Public Institutions' is to collect and present information relating to the involvement and possibilities for involvement of volunteers in the work of public institutions in the countries of the Western Balkans taking part in the survey; and comparison with the EU Member States and other pre-accession countries that are in different stages in the process of negotiation with EU¹.

This analysis should be used as a relevant source of information and basis for further initiatives aiming to establish a legal frame-

work and to define state policies in this field for all Western Balkan countries individually using some positive experiences of the other countries presented in this analysis. Moreover, the results of the analysis and recommendations, including cultural code and specific characteristics of all nations in the Balkans, will enable free development of voluntarism and involvement of volunteers in the work of public institutions. This is a way of creating preconditions for investment in volunteers' initiatives and work, as well as for possibilities of its valorisation in many different ways.

4. PARTNER ORGANISATIONS TAKING PART IN THE REALISATION OF THE ANALYSIS

► **Association for Democratic Prosperity - Zid** (*hereafter: ADP - Zid*), is a non-governmental organisation founded 1996. The organisation is based in Podgorica, Montenegro. The governing body of the organisation is the independent Board of Directors.

The executive bodies are the executive director and the programme board; they carry out decisions of the board together with other staff and volunteers working in the organisation.

Association for Democratic Prosperity - Zid realises different kinds of projects within the following programmes:

- *Volunteers' Center program*
- *Community development programme*
- *Programme of information and culture*

¹ All pre-accession countries became the EU Member States in May 1, 2004 (trns. rmrk.)

ADP - Zid realises different kinds of projects within the following programmes:

- ▶ Volunteers' Center program;
- ▶ Community development programme;
- ▶ Programme of information and culture.

ADP - Zid started its work as a small student organisation interested in solving the problems of students at the University of Montenegro. In the meantime, the organisation has been developing gradually and has changed its range of interests and work through numerous different projects and activities.

ADP - Zid's vision is:

A developed and democratic society of equal citizens open to different initiatives and permanent changes aimed at improving the quality of life of its citizens.

ADP - Zid's mission is:

ADP - Zid promotes and strengthens the participation of individuals and organisations in the transition process through the implementation of innovative programmes that foster democratic processes and contribute to community development.

In 2001, ADP - Zid started the Volunteers' Center programme (VoC), which is engaged in the promotion and development of voluntarism in Montenegro. The aim of this programme is to increase the number of citizens, especially the young, actively participating in local community work, to improve their employability through education, exchange of volunteers and the promotion and development of voluntarism in general.

The community development programme is a field in which ADP - Zid has worked on from the very beginning. The main aim of this programme is to improve the quality of community life by inducing citizens, authorities and political parties to work together to take active responsibility for the development of the community.

The programme of culture and information has been an important part of organisation's activities ever since its foundation. The aim of this programme is to increase the influence of culture and objective information on civil society development in Montenegro.

Youth Communication Center - Banja Luka (YCC), *Through activities in the areas of education, voluntarism, media, psychosocial work, peace building and development of democracy programmes they contribute to increasing of quality of life of youth and to the development of a society of equal opportunities.*

Volunteers' Center Zagreb (VCZ), *is an organisation of civil society that, through the promotion of voluntarism and its values enabling all citizens to work voluntarily, contributes to problem solving, satisfying the needs and development of individuals, the community and society as a whole.*

►► **Youth Communication Center - Banja Luka (YCC)**, is a non-governmental organisation established on February 12, 1997 in Banja Luka (Republika Srpska), Bosnia and Herzegovina..

The Youth Communication Center (YCC) was established with the aim of promoting the values of civil society working on a local and regional level. Through activities in the areas of education, voluntarism, media, psychosocial work, peace building and development of democracy programmes they contribute to increasing of quality of life of youth and to the development of a society of equal opportunities.

The motto of the organisation is: "Empowering young people to reach their potentials".

Goals of YCC Banja Luka:

- Through peace education and conflict resolution, contribute to ethnic reconciliation and peace building activities in the region;
- Support the development of NGOs through trainings and seminars;
- Promotion of youth issues and third sector activities in our radio "Balkan";
- Development of programs for

increasing of youth participation in decision-making processes;

- To promote and develop voluntarism and youth mobility through voluntary programmes.

Youth Communication Center Banja Luka implements its activities through the following programme areas:

- Radio Balkan;
- Peace building and democracy development;
- Psychosocial programme;
- Education;
- Voluntary programmes;
- Partnership programmes.

►► **Volunteers' Center Zagreb (VCZ)**

The mission of VCZ is:

Volunteers' Center Zagreb (VCZ) is an organisation of civil society that, through the promotion of voluntarism and its values enabling all citizens to work voluntarily, contributes to problem solving, satisfying the needs and development of individuals, the community and society as a whole.

The vision of VCZ is:

A society in which voluntarism is an everyday resource for the

building and development of individuals and for the improvement of social conscience. A society in which voluntarism has the possibility to solve problems and satisfy the needs of the community as well as of society as whole. A society in which the basic values are solidarity, tolerance, multiculturalism, equality of sexes, non-violent communication and environmental protection.

VCZ was developed as an extension of the Anti-war campaign in Croatia in 1996, whose name it shares, although it was not officially registered until 1998. The arrival of foreign volunteers after the war in Croatia who helped in the areas affected by the war was the start of the project that was supported by Service Civil International (SCI).

VCZ's goals are:

- ▶ Promotion of voluntarism;
- ▶ Strengthening of youth initiatives;
- ▶ Making links between citizens and civil and peace initiatives in order to induce the development of civil society through voluntary work in local communities;
- ▶ Promotion of human rights, peace, non-violence, tolerance and non-violent communication,

communal spirit, multiculturalism, civil society, equality among sexes, environment protection and support of personal development.

VCZ has established strong contacts with other associations sharing similar goals, both in Croatia and across the world, and as such serves as an information and contact service for domestic and foreign volunteers and activists.

▶▶ **Youth Cultural Center - Bitola** (*YCC Bitola*) is an independent, non-governmental, non-partisan and non-profit youth organisation.

YCC was formed in 1997 as the Youth Cultural Association (YCA) - a non-formal group of enthusiasts, comprised of young artists, musicians, actors, and intellectuals - people wanting to organise and promote new ideas in the city. Soon YCA became a leading non-governmental organisation in Bitola and the surrounding area, with a number of activities and projects. In 2002 the association changed its name into YCC Bitola as a result of internal restructuring sponsored by the Kultura Nova Programme. YCC

Youth Cultural Center - Bitola (YCC Bitola) leads and coordinates a number of projects that bring young people of different backgrounds together in venues that highlight their potential through education, art and civic initiatives.

leads and coordinates a number of projects that bring young people of different backgrounds together in venues that highlight their potential through education, art and civic initiatives.

The mission of the organisation is:
To unite and develop the creative and artistic potentials of young people.

The main goals of the organisation are:

- ▶ Reinforcement, development and promotion of youth initiatives in the field of culture and art;
- ▶ Acceptance and implementation of the cultural management principles;

- ▶ Contribution to development of young people's cultural life;
- ▶ Development of democracy and civil society.

The main activities of the organisation are:

- ▶ Organisation of cultural events (concerts, exhibitions, promotions, debates, philosophical and film evenings, theatre, performances...);
- ▶ Education of youth (courses, workshops, seminars, trainings);
- ▶ Support to citizen's initiatives and campaigns;
- ▶ Networking and cooperation with other cultural institutions and non-governmental organisations.

II LEGISLATION RELATING TO VOLUNTARISM

Voluntarism, as an important segment in the functioning of every society, has its basis in different legal forms. In some cases these are special laws, but in other countries voluntarism and voluntary work are defined by legal clauses present in a number of different laws and sub-laws. The aim of this analysis is to present to a wider public and public institutions different types of existing legal frameworks and according to that, to initiate the preparation of new laws or adapting of existing legislation to European standards.

No matter how it is regulated, the issue of voluntarism and voluntary work is in most cases defined by the status of volunteers (social and health insurance, work experience, benefits, compensation, etc.), then by the status of international volunteers (social and health insurance, residence permit, taxation, work experience, benefits, etc.) and by types of involvement of volunteers in public institutions.

Besides legislation, the common practice is a policy for voluntarism that is in use in some ministries such as the Ministry of Education, Sport and Social Policy. Some of the segments included in this analysis are issues such as voluntarism and youth, the main or strategic areas of volunteers' engagement and policy for financial support to voluntarism.

Besides the above-mentioned segments, we undertook an effort to include in the analysis all relevant data needed for further harmonisation of the norms relating to voluntarism in the Balkan region with those in surrounding countries and Europe. Therefore, the analysis includes information relating to laws on voluntarism (if they exist and where, or whether it is being prepared), legislation on the national and local level, types of voluntary involvement in public institutions, status of volunteers, types of institutions engaging volunteers, examples of good practice and most of the inter-

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national declarations referring to voluntarism and voluntary work.

For the needs of analysis in the countries included (Bosnia and Herzegovina, Croatia, Macedonia and Montenegro), the survey was carried out in public institutions on the local level relating to their internal regulations and volunteers' practice. Included in the

survey were those institutions that are policy-makers or, according to good European practice, which have the biggest need for volunteers to be included in their work. First and last, these are municipalities, museums, state archives, libraries, different cultural institutions, educational institutions and those caring for the persons with special needs.

III COMPARATIVE LEGISLATION

1. SELECTION OF THE COUNTRIES FOR THE COMPARATIVE ANALYSIS

In order to choose a representative sample, the comparative analysis included countries three circles or groups.

The first circle of countries includes those from the area surrounding the Western Balkans - Bulgaria and Romania. Those countries have status of associate members of the EU and it is estimated that they would become full members by 2006. Albania was also included in this circle of countries, but unfortunately not through direct survey in the field because of objective reasons and a lack of relevant organisations working on the voluntarism issue.

In the second circle are countries from the group of 10 states that

would join the EU in 2004². From this group countries were selected that could be seen as parameters of the positive process of transition - Hungary, Czech Republic, Poland and Slovenia. In addition, the Czech Republic was selected because it has a law on voluntarism while Slovenia is the only county from ex-Yugoslavia.

The third circle is from EU countries - Great Britain, Italy and Denmark. Great Britain was selected as a representative of a specific legal system and a country with a long tradition in voluntarism; whereas Italy was selected as the country in Europe with perhaps the biggest number of laws treating voluntarism.

The comparative analysis included countries from the area surrounding the Western Balkans; countries from the group of 10 states that would join the EU in 2004; and EU countries

² All countries from this group became EU Member States in May 1, 2004. (trns. rmrk)

The institutionalisation of voluntarism in the first half of the twentieth century was largely connected with peace work. The biggest revolution caused by this kind of work was actually in operational principles - the fact that voluntarism was open to both sexes, the avoidance of military discipline and the importance of individual choice - principles that would become cornerstones of civilization by the end of the century.

2. INSTITUTIONALISATION OF VOLUNTARISM

The beginning of voluntary work and its institutionalisation was connected with two pacifists - Pierre Ceresole and Hubert Parris. In 1920, they organised the first international team of volunteers to renovate the village Esue near Verdun in France, which had been destroyed in the First World War. The main aims of that action were reconstruction of the village and peace building. Pierre Ceresole, the ideologist of voluntary work, thought that people from the countries that used to be enemies in the war could also work, through joint engagement, on peace-building and establishing good relations between neighbours and in such a way prevent possible conflicts in the future. In such a way, three leading volunteers' organisations in the world still working today were established: *Service Civil International*, *The Youth Action for Peace*, and *The International Reconciliation Union*.

The institutionalisation of voluntarism in the first half of the twentieth century was largely connected with peace work. The

biggest revolution caused by this kind of work was actually in operational principles - the fact that voluntarism was open to both sexes, the avoidance of military discipline and the importance of individual choice - principles that would become cornerstones of civilization by the end of the century.

Before 1945, international work camps for volunteers were being organised in Switzerland, Liechtenstein, England, Sweden, Spain, Norway, the Netherlands and Italy. After 1945 and the latest war, the situation was very similar to that after the First World War - most volunteers' programmes were aimed at the reconstruction and renovation of devastated areas. Later, the need arose for volunteers to be included in social work (hospitals, homes for the aged and weak, orphanages). Voluntary work became an alternative to obligatory military service thanks to the fact that it was a matter of free will and was based on non-violence.

In 1948, UNESCO established CCIVS (Co-ordinating Committee

of International Voluntary Service) that has since then acted as an umbrella organisation of all NGOs dealing with volunteers. The role of CCIVS is to spread experience and information and to lobby for better conditions of volunteering. It played a key role in establishing volunteers' organisations in Eastern Europe (behind the 'Iron Curtain') and in other countries. In the period up to 1960, volunteers' organisations were spreading out of Europe - in Pakistan, Algeria, India, Lebanon, Jordan, and Tunisia, and after 1960 also in Africa and Far East.

After The Second World War, the number of conscious objectors increased - these are defined as individuals who did not want to serve military service, choosing voluntary work instead. In such a way social institutions became dependent on volunteers' assistance. An example was Great Britain in the era of Margaret Thatcher when volunteers' organisations took part in fulfilling the role of state services in the field of social care. After military service in most Western European countries ceasing being obligatory, governments in those countries became aware

of how important voluntary work in social field was and began to support it financially through special programmes. If we take into consideration all voluntary work and calculate its economic value, we would get an enormous amount. Hence, although it appears that voluntary work is free of costs, today many social institutions in Western Europe exist thanks to voluntary work. The value of voluntary work for the state is recognised today in addition to the educational importance of this kind of work for volunteers themselves.

In 1990 the Council of Europe and the European Commission began to work on programmes for volunteers and their mobility. Then, in 1996 EVS (European Voluntary Service) was established - the programme that subsidises long-term volunteering of youth aged between eighteen and twenty five.

In 2000 the Council of Europe adopted the 'Convention of the Promotion of a Trans-national Long-term Voluntary Service for Young People'. The southeast European countries did not ratify this convention..

If we take into consideration all voluntary work and calculate its economic value, we would get an enormous amount. Hence, although it appears that voluntary work is free of costs, today many social institutions in Western Europe exist thanks to voluntary work.

In a textbook "History of Albania" that: 'During competitions on the occasion of 1st May, 1946, the whole nation was organised in a new battle for the reconstruction of the country. More than half a million people, men and women, mostly youth from all over Albania, were engaged in volunteer work, offering their efforts and sweat.

3. HISTORY OF VOLUTARISM IN THE COUNTRIES INCLUDED IN THIS COMPARATIVE ANALYSIS

► Albania

Until the beginning of the 20th century, volunteering in Albanian traditional culture was considered an aid that every adult should offer to his family, his relatives, friends, neighbours and acquaintances, especially when they were in difficulty or in case of misfortune. The Albanian Canon (an ancient code of laws in Albania) has a number of cultural norms, which in general define the duties of members of society when assisting others, especially the relatives from both the mother's and the father's line. In Albanian traditional society, voluntary work was generally used for the construction of objects for the community (village) or district needs, then for the building of bridges, irrigation canals, systems for the protection of drinkable water springs and others. The peasants often helped each other in seasonal work such as planting and harvests, the construction of houses, etc. Such activities were organised under the patronage of the "functional" family or friend-

ship relations, as a substitute for initiatives characteristic of functional state society in developed civil societies, which was not the case with Albania at that time.

After the Second World War, the ruling communist government structure organised a wide range of voluntary activities for the reconstruction of the war devastated country - finishing capital objects which had started to be constructed during the war and building new objects of economic importance for the entire country and in accordance with communist principles and plans of new authority. People of different ages took part in such works (working actions) but certainly the most active group was youth. Relating to this issue, it was written in a textbook 'History of Albania' that: 'During competitions on the occasion of 1st May, 1946, the whole nation was organised in a new battle for the reconstruction of the country. More than half a million people, men and women, mostly youth from all over Albania, were

engaged in volunteer work, offering their efforts and sweat. During 1946, around 22 thousand volunteers were engaged just in the drying up of the Maliq swamp. Tens of thousands of others were engaged all over the country in producing building materials, cleaning towns of war ruins, in renovating burned out houses, schools, bridges, in building new irrigation canals, etc. The wave of working actions continued even in the following years and became a common form of building of the country'. (1983:59-60).

In the period from 1945 until 1990, voluntary work in Albania was organised for different purposes and in different ways. One-day actions within different works in agriculture or in the case of natural disasters became numerous and widespread. This method of action was also implemented in programmes of education and culture such as the eradication of illiteracy among adults under 40 years old, hygiene in villages and the wholesale improvement of quality of life of villagers, the building of local roads and water supplies, etc. It was in this period that the National Centre for Working

Actions operated on so-called 'grands projects' within the framework of five-year plans, such as road and railtrack construction, terraced cultivated fields and the planting of lemon and other fruits trees. During the time of totalitarian regime, two month working actions engaged around 527 thousand people (this data is available from the archive of PR Albania). These figures also include numerous pupils and students who worked in a school time period (part of the curricula for secondary schools and universities). Every young man or woman who graduated from one of the faculties was obliged to work for 6 -10 months at a job position in production (on average one month per year) and mainly on working actions at the national or local level. The official propaganda of party-governmental structures categorised such kinds of voluntary activities as schools of revolution which strengthened youth, as a bridge that brought them closer to the working classes (who were considered the most revolutionary force in society), and as a "shield" protecting youth from dangerous bourgeois influence, reactionary ideology, etc.

voluntarism and public institutions

Particularly after Enver Hoxha's death, the scope of voluntary work was increased to an extreme effort in order to stop the rapid economic collapse. One-day actions became massive and they were named "the days of Enver".

In these circumstances compulsory 'voluntary work' imposed by party-governmental structures became an extremely tiring activity, disturbing people's private lives all the time.

Particularly after Enver Hoxha's death, the scope of voluntary work was increased to an extreme effort in order to stop the rapid economic collapse. One-day actions became massive and they were named 'the days of Enver'. In periods of corn and cotton harvesting especially, working actions were organised during weekends, which meant a working week without break both for students, pupils and workers, no matter what their age - even workers on the point of retirement. In these circumstances compulsory 'voluntary work' imposed by party-governmental structures became an extremely tiring activity, disturbing people's private lives all the time.

►► Romania

The term 'voluntarism' still has negative connotations in Romania, as in many other post-Communist countries. Therefore when we are trying to understand voluntarism in Central and Eastern European countries, it is very important to view it in the context of the recent political history of the region and the different position that voluntarism enjoyed during communism.

An important part of communist ideology was the idea that every citizen should participate in the development of the community and do something for society. According to this concept, people were 'forced' to volunteer - that is to say, it was not a free decision. Citizens who volunteered often held feelings of hostility and mistrust.

However, there was hope that the International Year of Volunteers 2001 (declared by decision of UN) would play an important role in the development of voluntarism in Romania and that Romania as a state would both realise the importance of an active civil society and try to increase public trust in this kind of social activity.

►► Czech Republic

In common with most post-Communist states, there still persists a negative image of voluntary work. This is due to the fact that during the communist era, "voluntary work" was a euphemistic term applied to forced or obligatory work done without benefit - indeed, it stood for "working under political pressure or being servile to the regime."³ Almost

³ AGNES & NROS Report Summary, Volunteering in the Czech Republic: Survey Results, p. 1

all 'voluntary' activities that took place could be defined as being within public institutions, inasmuch as almost everything fell under that category within a monolithic state.

Since 1989 much effort has been put into expanding voluntary work. Naturally this has been in the face of an (initial) steep decline in the sector. Such an effort can be seen as a necessary part of the effort to re-establish an active civil society. Ironically, while people's negative perception of volunteering is due to its close links to the former regime, nowadays voluntary work is starting to be viewed "in line with the contemporary European trend of following the principle of subsidiarity (that is, to act where State intervention would not be as effective and where it is not possible for State authorities to act) and the creation of a socially respectful environment."⁴

►► **Great Britain - From Philanthropy to Community to Citizenship**

There is a long tradition of voluntary work in the United Kingdom. Up to the Second World War, it

generally took the form of philanthropy, that is to say, patronage from the wealthy or relatively well-off elements of society. The Victorian era and before were very much characterised by wealthy benefactors setting up hospitals, schools or foundations for the poor or disadvantaged. In terms of who actually volunteered in this period, it was mainly middle aged, middle or upper class women. As will be further explained later on in the book, although voluntary work is today to be found among all sectors of British society, there remains a slight lingering prejudice of it being the preserve of patronising rich people.

The establishment of the welfare state soon after World War 2 fundamentally changed the landscape of voluntary work in the UK ⁵. Before the establishment of the National Health Service in 1948, many hospitals and similar institutions were staffed by volunteers. Many positions would now be replaced by professionals. Despite this, right from its inception, the creators of the welfare state emphasised that it was vital for voluntary work to complement the welfare state's work.

In Czech Republic nowadays voluntary work is starting to be viewed "in line with the contemporary European trend of following the principle of subsidiarity".

⁴ Tutr V., A Draft Law for Czech Volunteers, HESTIA National Volunteer Centre, Prague

⁵ The main elements of the British Welfare State are comprehensive social protection, provision of welfare services on the basis of right and a guarantee of some form of minimum income.

In 1969 the Aves Report on The Voluntary Worker in the Social Services has been seen as an important turning point in the development of voluntary work in the UK. It recommended an increasingly professional approach to volunteering - in terms of how they were recruited, trained and supported.

In fact, within a decade or so of the establishment of the welfare state, it had become clear that there was little chance of professional staff working in this sector being able to cope with the challenges in society on their own. Voluntary work was thus seen as being able to remedy existing problems, not simply in terms of quantity (numbers of support staff), but also, crucially, quality (increased motivation and a more human, less bureaucratic approach)⁶.

The increasingly important role of young people in British society became apparent from the 1960's onwards. This was also reflected in changes to the nature of voluntary work. This 'Volunteer Boom' has been characterised as "a transition from middle class altruism to an "industry" for the unsuccessful working class young"⁷. Many socially inclusive organisations were set up in this period, allowing for the first time the involvement of broader sections of society in voluntary work, such as the Young Volunteer Force Foundation (YVFF). The focus of such organisations lay in the idea of self-development for young people.

Another significant side effect of the radical changes in society later in the 1960's was the 'politicisation' of much of the volunteer movement. That is to say, voluntary work was no longer to be found only in hospitals and social services, but had expanded into pressure groups and campaign organisations, such as the Child Poverty Action Group.

In 1969 the Aves Report on The Voluntary Worker in the Social Services has been seen as an important turning point in the development of voluntary work in the UK. It recommended an increasingly professional approach to volunteering - in terms of how they were recruited, trained and supported. Indeed, this led to the creation of the Voluntary Services Unit in the Home Office (Ministry of Interior), professional volunteer managers, as well as volunteer offices nationwide.

Although the above structural changes have had a very positive effect on voluntary work in the UK, in the shorter term, public sector voluntary work in was threatened by the huge economic problems of the 1970's. Social services and the NHS had to

⁶ Sheard J., Volunteering and Society 1960-1990, in, Volunteering in Society: Principles and Practice, Heldley R. and Davis Smith J. (Eds.), Bedford Square Press, London, 1992, p.12
⁷ Ibid., p.14

make big staff cutbacks, meaning that the traditional role of volunteers simply supporting professionals was increasingly challenged. Indeed, this trend continued into the 1980's, when the Conservative Government championed volunteering as an altogether superior means of dealing with social services. The government's polemical position was that it would be better if paid social services were to support volunteers, rather than the other way around⁸. Clearly this exacerbated tensions within the public sector and beyond.

The Labour government, which came to power in 1997, has been making positive steps to redress the balance. It has also placed emphasis on volunteering not simply as a means of dealing with vulnerable or neglected parts of the community, but also as a way of making young people understand their role as citizens who should positively contribute to society as a whole. New measures have included introducing a "Citizenship Curriculum" to the national school curriculum⁹.

⁸ *Ibid.*, p.18

⁹ Lukka, P., *Youth Volunteering in the United Kingdom*, in, *Volunteering: an Opportunity for Youngsters in Europe*, IRIV, Paris, 2001

I METHODOLOGY OF THE RESEARCH

The analysis was implemented by combining the survey with a defined survey sample carried out in public institutions and by collecting and analysing existing legislation in the countries of the region.

The survey in public institutions was carried out in order to collect information about the possibilities of voluntary work in public institutions, and to investigate how much management teams in public institutions know about voluntarism and how open they are to volunteers. The computer program SPSS 10.0 was used for data processing.

A legal analysis of existing legislation in the countries of the region was done in order to get a clear picture of the legal frame-

work in which voluntarism operates at the moment and how that legal framework stimulates voluntary work.

For the purposes of the survey the following data relating to the situation in the countries of the region were presented:

1. Demographic data and socio-economic situation;
2. History of voluntarism;
3. Sample of the survey;
4. Legal framework (state legislation and policy relating to voluntarism, status of volunteers, principles of engagement of volunteers in public institutions, and status of international volunteers);
5. Results of the survey - presentation of complete survey in tables;
6. Examples of good practice.

RESEARCH SAMPLE AND COMPOSITION OF THE QUESTIONNAIRE

The survey of public institutions was carried out in approximately one hundred and fifty institutions across Montenegro, Croatia, Bosnia and Herzegovina and Macedonia. Sample of the survey was defined so as to cover bigger centres and cities in given countries and public institutions there that, according to the nature of their activities and work, could be expected have an interest in the cooperation and engagement of volunteers.

The questionnaire, which consisted of thirty-five questions, was designed by YCC Banja Luka. The questions can be divided into the following five sections:

▶ Relationship and knowledge of the institutions relating to voluntarism - questions used to find out the level of understanding of the institutions relating to voluntarism and their readiness and openness for engagement of volunteers;

▶ Scope, needs and way of engaging volunteers - a group of questions looking at previous practice of cooperation with the organisations recruiting volunteers and with volunteers themselves, needs for engagement of volunteers and how they work with them;

▶ Engagement of volunteers - questions relating to jobs on which volunteers are engaged and their intentions relating future engagement;

▶ Internal regulations relating to work with volunteers - answers to these questions give us data relating to internal regulations in public institutions, as well as existing obstacles for the engagement of volunteers;

▶ General information about institution - information about the institution that filled out the questionnaire and personal data of the individual responsible on behalf the institution to do it.

II MONTENEGRO

1. DEMOGRAPHIC DATA AND SOCIO-ECONOMIC SITUATION

- Total number of inhabitants of Montenegro: 672.656.

- National structure:

- ✓ Montenegrins 273.366 ili 40,64%,
- ✓ Serbs 201.892 ili 30,01 %,
- ✓ Bosnians 63.272 ili 9,41 %,
- ✓ Albanians 47.682 ili 7,09 %,
- ✓ Muslims 28.714 ili 4,27 %,
- ✓ Croats 7.062 ili 1,05 % i
- ✓ Gypsies 2.875 ili 0,43 %
- ✓ Others 7.1%

Source:

Number and national structure of inhabitants in Montenegro:
(*Census 2003, Republic Bureau of Statistics of Montenegro*)

Age	15 - 29	%
Men	76751	25.09%
Woman	71495	23.13%
Total	148246	24.10%

Structure of Youth: (census 1991; Republic Bureau of Statistics of Montenegro)

EDUCATION LEVEL	TOTAL	
	Total	Women
1. No education	1098	756
2. Unfinished primary school	2198	1460
3. Primary school	27354	17348
4. School for qualified workers	19548	10077
5. School for other qualified personnel	341	312
6. School for high qualified workers	2365	844
7. Gymnasium	2506	1691
8. High school for qualified personnel	16458	10377
9. Specialised training in secondary school	4345	3280
10. Advanced school	1642	888
11. University degree/ 1st level	57	32
12. University degree	2007	1192
13. University degree and art academies	41	20
TOTAL	79960	48277

Educational structure, unemployed people according to level of education, age and gender (situation 31.12.2001, State Employment Office of Montenegro)

- Total national GDP:
1.185.714.285 EUR (2002)
- GDP per citizen: **1762.74 EUR (2002)**
- Unemployment rate: **official unemployment rate in 2002 was 41.5 % (ISSP); actual unemployment rate was 18 % (ISSP)**
- Currency: **EURO**

- State budget planned for 2003: **407.5 million EUR** (Government of Republic of Montenegro, Ministry of Finances)

The general appraisal of the socio-economic situation in Montenegro depends on the source and parameters used for comparison. A good example would be the rate of industrial growth. The Government of Montenegro is satisfied because

a growth of 6 % was recorded in 2003, which was much higher than the planned growth of 2 % for 2004. According to the independent analyst and expert on the transition process, Mr. Nebojsa Medojevic, planned growth is very far from satisfactory, because with that tempo of industrial growth, Montenegro would still take 50 years to reach the levels of 1989. This tells its own story about the scale of economic decline in the past 15 years.

Certainly, the estimation of the socio-economic situation presented by the government is nonsense, as can be seen by the position of Mr. Slavoljub Stijepovic, Minister of Labour and Social Care, who is quoted as saying 'When this government took on the job, we found to a great extent an objectively created difficult economic and social situation, inherited huge problems that included, among other things, problems in the functioning of the economy and the inability to implement defined economic policy in the previous years, in particular in the last year, which was additionally burdened by several election cycles when it was objectively impossible to manage long-term eco-

nomical and social policy.' This statement would not have been odd if the same group of people had not been in power for last fifteen years.

However, we will not enter in different analysis because GDP is a sufficient indicator of the low standard of living; we would present some data that registers a slightly positive trend of economic development. Thus, the GDP of Montenegro increased in 2003 by 2.5 %. Industrial growth achieved 3.7, agriculture 3 % and tourist turnover 9.2 %. In November 2003, inflation rate was 6.7 % whereas government estimate was 8.4 % annually. The volume of goods turnover with foreign countries was 6 % higher than the same period last year, and the deficit was almost 15 % less. The total GDP growth in Montenegro for 2003 was 2.5 %, which is more than 1.5 % than had been planned. The Government estimates that GDP would actually increase by 2.7 % and inflation decline to 4.5 %. It is estimated that EUR 120 million of foreign investment and EUR 13.2 million of loans are provided by Montenegrin banks as a support to employment and the development of tourism and agriculture.

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According to the judgment of the Deputy Prime Minister, Mr. Branimir Gvozdenovic, Montenegro has a lack of workers; it must break from the mentality of wanting to save non-existent jobs. He reminds us that the black market economy is still operating at a high level, despite the positive initial results achieved through the implementation of the Agenda of Economic Reforms in Montenegro.

When we talk about the social picture of Montenegro, it is important to present data about the budgetary scope of the Government in this area. In 2003, budgetary spending through the Ministry of Labour and Social Care was a little over EUR 40 million. Of that amount, 18 % was spent on maternity insurance of the family; 7 % on children's allowance; 6 % on care of other people; 5.8 % on support of protégés, etc. For financial support occurring once this percentage was around 2 %, whereas at the state Employment Office EUR 2,663,571.02 was provided for the salaries of beginning employees and allowances for unemployed people who were in the registry of the Employment Office of Montenegro. The Ministry of Labour and Social Care dir-

ected EUR 10,229,157.73 towards solving the problem of technological surplus of manpower, paying severance pays and buying additional length of service.

According to the government, the labour market and employment is one of the priority areas it has been working on over the course of the past year. In order to reduce unemployment, the government adopted the Programme of Legalisation of Black Market Work and Opening New Jobs as well as several regulations and legal acts to implement this programme. By implementing these measures, the government legalised the positions of 31.399 unemployed people during 2003. These people had previously been working in the grey economy. The effects of government policy in the field of the labour market and employment can be seen the best through comparing the situation in this area with the same period in the previous year. The number of those employed for indefinite period of time grew by 119 % in comparison with 2002 (from 5.470 in 2002 up to 11.984 in 2003). Besides the reduction of the number of unemployed registered in the Employment Office, it

was engaged 20.355 non-residential individuals for the needs of Montenegrin economy. Furthermore, 4.832 employers paid 788.990,37 euro taxes for them to the Employment Office. After all these measures designed to stimulate the legalisation of jobs, on January 1st 2003 there were 76.293 unemployed people in the registry of the Employment Office, while in December 1st 2003 that number was 67.000 - that is 9.293 less, or in percentage terms 13,1%. During 2003, according to the Agenda of the Economic Reforms of Montenegro, the very questionable Labour law and Law of strike were adopted, as well as the systemic Law of pension and disability insurance, Law of veterans and disability

protection, Law of inspection of labour and Law of registry in the area of labour and employment. The adoption of the above-mentioned laws, the permanent fall in living standards and the stagnation of salary rate, either because of fear or because of situation of general mistrust, have passed without bigger turbulences or political tensions in Montenegro.

Though the same thing could hardly happen anywhere else in the world, everything is happening with just a few workers' protests lasting several months in a small number of companies. Their demands are covered by private donations from wealthy people in Montenegro in the name of general stability.

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2. HISTORY OF VOLUNTARISM

The history and roots of voluntarism in Montenegro, as in most South-Slavic countries, are connected with the tradition of solidarity as one of the most recognisable cultural characteristics of these nations. The tradition and nature of this solidarity is the closest to the relations between fa-

milies and neighbours developed and based on the principles of mutual support that became moral code in Montenegrin culture.

Starting from those principles and without going deeper in history, the most developed kind of voluntary work was "moba"¹ wh-

¹ Moba - volunteer, cooperative work group (on a farm), mass harvest

Analysing the history of Montenegro before the Second World War, we find numerous examples of voluntary work. In Mrkojevici (Bar), during the construction of religious buildings that belonged to no matter which of the three confessions, all local residents participated, whatever their religion.

"Komunica" - common property of the tribe such as drinkable water, roads, temples, etc. were done voluntarily

ich even today is still very characteristic of rural areas. This type of work is based on mutual help between neighbours during work that is too large in scale for one family on its own (moving harvesting and all other work that a family is not able to do alone in the required period of time). The Montenegrin state used to consist of tribes and tribal communities governed by chiefs - the most prominent representatives of the tribes. However, all the bigger decisions were made during the tribal assembly. "Komunica" - common property of the tribe such as drinkable water, roads, temples, etc. were done voluntarily, based on the proposal of the chief of the tribe or a decision by the tribal assembly. Besides building common properties, there were some forms of voluntary engagement in the education process - so called missionary work. Because of the lack of schools, the Archbishopric of Bar, the Diocese of the Metropolitan in Cetinje and the Islamic Meshihat used to send missionaries/teachers who went voluntarily into regions and tribes to educate local people. Although it was mainly theology that was taught, secular education was not uncommon.

Analysing the history of Montenegro before the Second World War, we find numerous examples of voluntary work. Members of both the Orthodox and Catholic communities built churches for common use. These churches had two altars and both communities held services there. In Mrkojevici (Bar), during the construction of religious buildings that belonged to no matter which of the three confessions, all local residents participated, whatever their religion. Moreover, they even conducted some religious services together. Sometimes even the ruling class in Montenegro voluntarily participated in the construction of roads. Indeed, Scepan the Little, the false emperor who ruled in Montenegro from 1767 until 1774, was one of the biggest supporters and participants of voluntary activities. On one occasion he was severely injured while participating in such work. His arm and eye were injured during construction of road and mining activities.

After the Second World War and the establishment of one-party communist rule in the territory of ex-Yugoslavia, voluntarism in Montenegro gained additional

strength. The so-called 'Youth working action' became a matter of representation in society and the 'outstanding worker badge' a measure of value. Besides clear voluntary engagement, they also had patriotic character and contained significant elements of political belief. Through 'Youth working action' organised annually until the 1950's (later only in summertime), young people from all regions of the country contributed to the renovation of the devastated country. They worked in shifts for a month and sometimes ever longer. In the 1970's, working actions retained, albeit only partly, socialist traits and became places of genuine voluntary work and friendships; this lasted until the late 1980's, when this practice was completely abandoned.

In that period, such actions had an international character and several hundred young people from Europe participated in the biggest ones. Besides "Youth working actions", voluntarism was stimulated and developed through community organisations during the communist period in Montenegro. The Scout Association, "Gorani" Association, Youth Hostels Association,

Red Cross, etc. used to have thousands of members who offered services to common citizens on a voluntary basis. These associations received support from the state for their work.

With the beginning of the conflict and the disintegration of SFRY, interest in voluntarism fell suddenly, both in community organisations (transformed into NGO's in the middle of the 1990's) and in other types of community engagement. This loss of interest can be linked to several factors. The first was the drastic fall in living standards, meaning for many people having to just concentrate on basic survival. Low standards, examples of corruption, the sudden enrichment of some individuals, economic collapse, etc. all resulted in the huge, loss of trust of people in state and public institutions. In most cases it contributed to the feeling that voluntarism was an 'illusion for naive people' or 'work for nothing'. The link between the democratic system and the development of civil society and voluntarism is still a concept that is very distant to the average citizen. This situation has resulted in the fact that most non-governmental organisations today have

no clear vision or knowledge necessary for working with volunteers. When you add to this the resistance and misunderstanding that exist in the governmental sector and public institutions towards establishing more

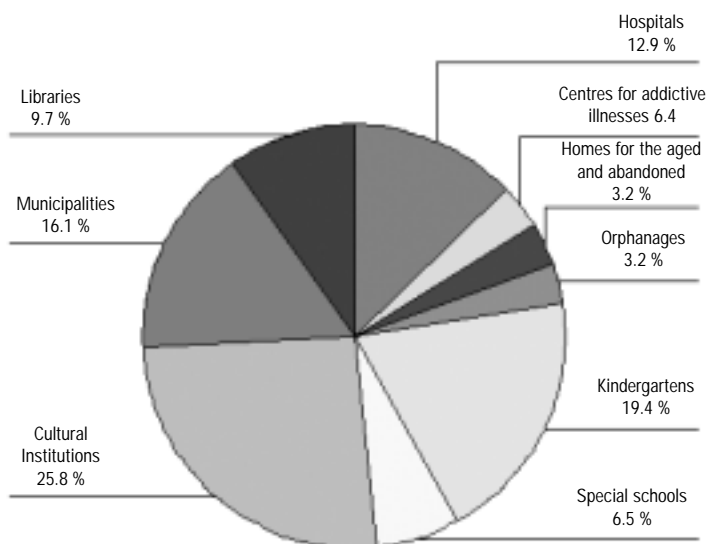
solid cooperation with volunteers' centres and organisations offering services to citizens, it is very easy to explain why voluntary work as a community value almost does not exist today.

3. SURVEY ON VOLUNTARISM IN PUBLIC INSTITUTIONS

► Survey sample

The survey was carried out using a standardised questionnaire with thirty-five questions; the sample consisted of thirty public institutions that were selected according to the place and activity they were doing. As well as

public institutions, the survey was carried out in the local municipal offices of several of the most important towns in Montenegro in order to build a picture of the relationship of these institutions to voluntary engagement (Graphic 1).



Graphic 1 - Types of institutions included in the survey

The questions were mostly answered by people in the highest positions in certain institutions - in 29% of cases these were directors, 51,6% deputy directors; in less than 5% of cases were the questionnaires answered by those responsible for public relations.

In order to make a correct overview of the results that were collected, it is necessary to stress that most of these institutions are 100% financed from state or municipal coffers. Additionally, these funds mostly go towards the salaries of employees and the basic needs of institutions, which do not open possibilities for creativity and initiative in any case. Some of these institutions generate funds by charging for services (libraries, kindergartens, cultural institutions...) but the share of these funds out of the total budget is very small in percentage terms. Both the current economic situation in the aforementioned institutions and their budgeting problems has contributed to the present situation, in which the general state of public institutions could be characterised as rather bad and lethargic. This means that low levels of initiative and developing projects - including low motivation levels among employees, - have significantly

diminished the possibility of volunteers' involvement in public institutions. Aggravating circumstances include the centralised management system and the appointment of management staff by centres of political power. This practice is slowing down the acceptance of any kind of innovations in the institutions' work.

► **Missing data and problems that occurred during the implementation of the survey**

The conclusions mentioned above, in particular the centralised management system, have caused many difficulties for the collection of data. Given the relatively small number of institutions (only thirty), more than two months was spent collecting answers from the questionnaires, a sign of how much institutions are interested in these issues in the first place! In most cases we were faced with many tests, both us as the organisation as well as checking of the content of the questionnaire before interviewed organisations began answering questions. Some institutions were selected and interviewed later on as replacements for those, which were initially selected but had then refused cooperation.

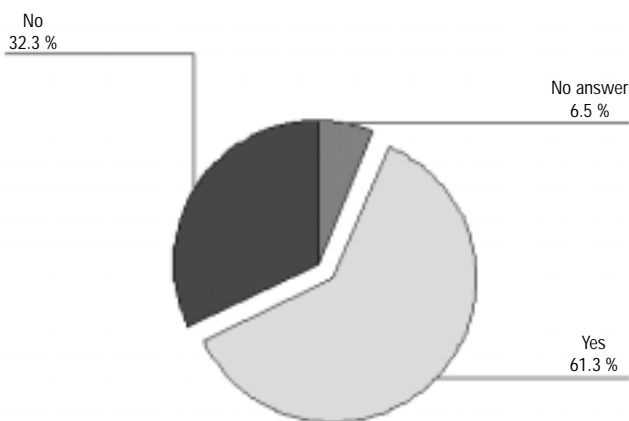
Besides these problems, some institutions did not answer all questions from the questionnaires, although the percentage of missing answers was mostly below 10%. There are groups of questions where more than 30% of those interviewed did not give the answers, however in these cases it is clear that a lack of knowledge and understanding was the reason for not answering, rather than unwillingness to answer.

► **Openness of institutions to volunteers' engagement**

Based on the survey carried out in public institutions, the impression is that sufficient levels of understanding of the general concept of voluntarism do exist. Furthermore, there is high readiness, interest, and openness among intervi-

ewed institutions for the engagement of volunteers in their institutions. This can be clearly seen in the answers to the question whether their institution was open to volunteers - 61,3% of those interviewed answered affirmatively (Graphic 2). This also shows a positive attitude of institutions towards voluntarism in general.

A somewhat smaller number, 51% of them, showed a readiness to enable volunteers to work part of their time voluntarily in their institutions, while 41% would gladly enable volunteers to assist in some simple jobs. It can be therefore said that it is characteristic of institutions to show readiness and openness toward volunteers; however it is important to add that 70% of respondents agreed that they do not know how to enga-



Graphic 2 - Our institution is open for volunteers

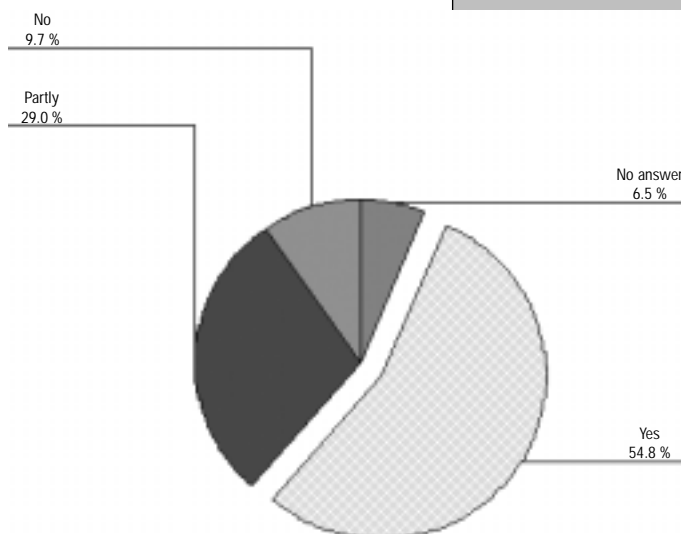
ge volunteers. This can be clearly seen from the data where 12,6% of those interviewed currently have volunteers; 35% of institutions do not have volunteers now but they had them before; and even 25% of institutions have never engaged volunteers. When we talk about need for engagement of volunteers, the trend is partly the same. 38% of respondents expressed a need for volunteers, while 19% thought they had no need for them.

It can therefore be concluded that the openness of institutions toward volunteers is only superficial. There are a number of reasons for this situation. Certainly, one of them is of economic nature because these are institutions financed from the state budget with a very small material base and bad economic standard of employees. Therefore, voluntary (unpaid) engagement for them is, in most cases, simply an abstract idea. Other reasons include the social situation, which could be best described as depressed, and the lack of initiative in all areas, including voluntarism. If we add to all this the fact that, according to the position or internal regulations of institutions (47% interviewed), the basic

precondition for the engagement of volunteers is their previous working experience, then we can say it is really just a superficial attitude when we talk about being open towards volunteers.

►► **Informed of institutions about voluntarism**

The general level of information that institutions have about voluntarism is satisfactory. One positive indication is the fact that 54,8% of those interviewed thinks that voluntarism contributes to the creation of a stable and cohesive society. (Graphic 3)



Graphic 3 - Voluntarism creates stable and cohesive society

In addition, the great majority of respondents, 87,1%, think that voluntarism is an expression of free will; 82% of institutions consider voluntarism to be unpaid work that contributes to better cooperation among people. According to respondents, increasing the popularity of voluntarism would contribute to a more stable society because, for them, volunteers are neither people with psychiatric problems, nor those with nothing else to do.- On the contrary, a volunteer, according to them, is a stable and mature person who is willing to work.

The differences expressed by respondents are primarily a result of not understanding which activities represent voluntary work. It can be seen that those interviewed did not distinguish between

humanitarian jobs and helping friends. However, they mostly agreed that voluntarism was a completely non-profit activity or job with minimum material compensation. As an illustration of the misunderstanding of the concept of voluntary work, we can see the data showing that 41,9% of institutions think that helping a neighbour to put a roof on a house counts as voluntary work (Graphic 4), while the same percentage think that helping a friend to move out is not voluntary work.

The treatment of volunteers during their engagement in the institution is also an indicator of the level of knowledge about voluntarism and volunteers in general. Here, first of all, we think about types of compensation for volunteers during their work in institutions;



Graphic 4 - Helping in putting the roof on a neighbour's house

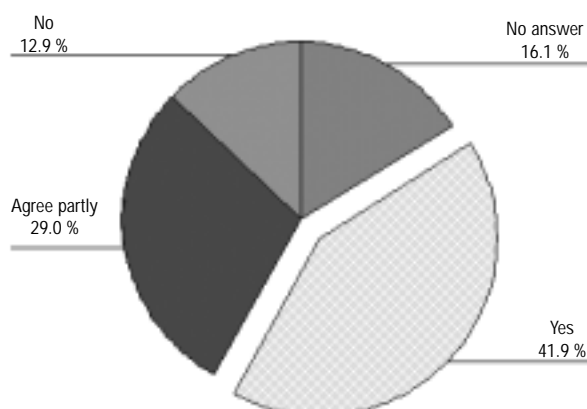
for 30% of respondents, the participation of volunteers in planning activities in the institutions themselves was seen as one of them; different educative programmes and courses are rewarding practice for 25% of those interviewed. The data indicates that 30% of institutions from the representative sample do not compensate or reward volunteers in any way.

The reason for this sample being as it is should be looked for in the lack of legislation that would clearly define the scope and type of compensation of volunteers on the one hand, and on the other hand, in the shortcomings of internal regulation, differing from case to case, which is not based in specific law. Moreover, a lack of communication between institutions and

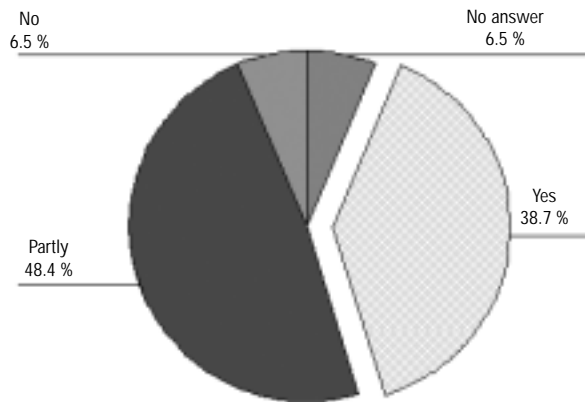
volunteers' centres and a lack of solid sources of information and assistance in general count among the factors leading to the bad treatment and misunderstanding of the system of compensation for volunteers and their work.

► **Scope, needs, and ways of involvement of volunteers**

As can be seen from the next two graphics, not only is there a significant need for volunteers, but there is also interest among the interviewed institutions for the involvement volunteers in their work. Therefore it is clear that a certain number of institutions need volunteers (38,7%), particularly to work on simple jobs, however 41,9% of them do not know how to do it (Graphics 5 and 6).



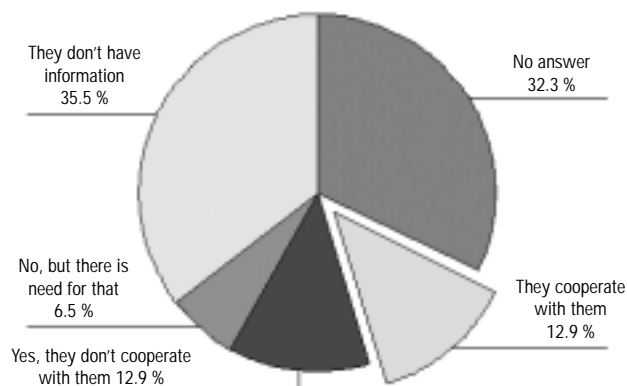
Graphic 5 - We would gladly enable volunteers to assist in some simpler jobs, but we do not know how to achieve this.



Graphic 6 - Do you need to engage more volunteers?

So far, experiences in engaging volunteers are very modest, both in scope and engagement itself. Institutions used to have volunteers before, but rarely nowadays. These are mostly jobs of smaller scope and importance, as well as those jobs linked to administration. Although there is great need, the involvement of

volunteers is rather weak. First of all, the lack of information about the existence of volunteers' centres or organisations enabling easier contact with potential volunteers (though at the same time there is a wish to learn more about such centres) has partly contributed to such a low involvement of volunteers (Graphic 7).

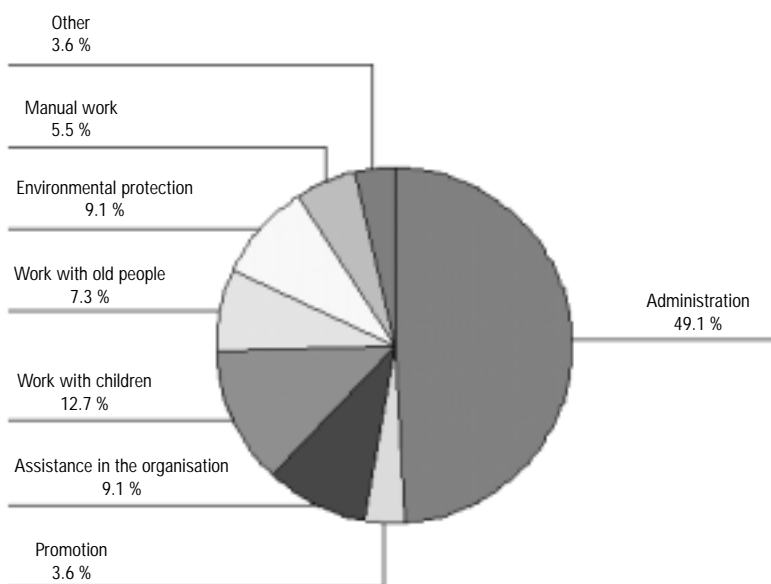


Graphic 7 - Are there volunteers, youth, NGO, citizens' associations in your town or nearby that enable institutions to establish contact with volunteers more easily?

Secondly, there is a lack of people who take care of volunteers in the institutions themselves - that is to say, a lack of volunteer management is certainly another important factor connected to the low involvement of volunteers in public institutions.

Even though a significant percentage of interviewed institutions sta-

te that there is a need for the engagement of volunteers as persons who would be welcomed in their institutions, the number and type of jobs that volunteers could do is limited. In response to questions about the possibility of institutions offering more jobs, their unwillingness to entrust certain activities to volunteers is evident (Graphic 8).



Graphic 8 - What activities would volunteers do in your institution?

Evidently, there is lack of trust in volunteers, caused by a lack of appropriate regulations, both general and internal. A legally defined and shared responsibility for jobs taken up during the recruitment of volunteers would co-

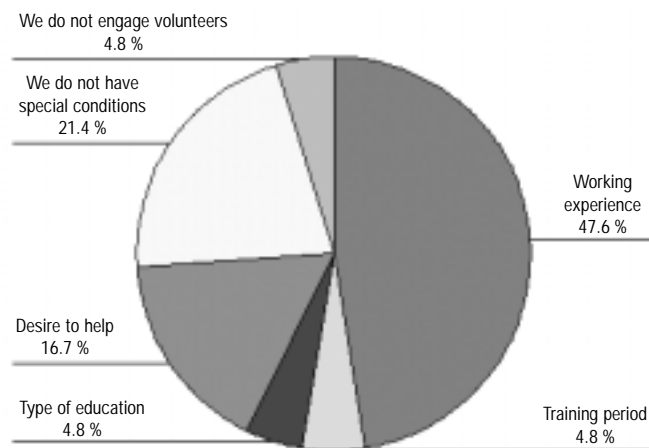
ntribute to a significant increase in both the number and types of volunteers' jobs, as well as clearly defining the domain and scope of responsibilities for both institutions and volunteers.

►► **Recruitment of volunteers**

The manner of recruitment of volunteers is very problematic. The most worrying data is from question 7, in which 38,7% interviewed did not give the answer; 25,8% do not recruit volunteers; and only in 19,4% of interviewed institutions do volunteers come on their own. It is interesting that 12,9% of institutions use personal contacts in recruiting volunteers, which is a similar figure to other countries. Certainly, recruiting volunteers in this way has its good sides, because volunteers apply and are engaged either independently or based on reference. However, the proverbial lack of transparency is a barrier for all those citizens who are neither aware of the possibilities to volunteer in institutions, nor of

the ways how to become involved in their work.

The principle of recruiting volunteers based primarily on previous work experience (47% interviewed) is a result of current internal regulations, in which selection is to a significant extent focused on a precisely defined group of people and could be considered as a negative trend (Graphic 9). If you take in account the fact that a great deal of institutions treat specialised training as voluntary engagement, then this data becomes even more important. The fact that there is nobody in institutions specifically responsible for taking care of volunteers or volunteer management in general contributes to this attitude.



Graphic 9 - What are conditions in your institution to engage volunteer?

There is considerable will among institutions to engage qualified unemployed people to assist employees; however conditions for something like this do not exist at present. It is also indicative that volunteers are not engaged in organisations' activities and the management of programmes to enable or coordinate social help to the old and ill, to homeless people and to those with behavioural problems or special needs. In addition, there are no programmes that would enable volunteers to help children and youth who are faced with the problem of juvenile delinquency nor those that in some way treat problems of child work, violence and abuse in the family, addictive illnesses, sexual education, etc. There are areas in which volunteers would certainly have their place. An explanation for this attitude can be found in the fact that institutions have no capacity to provide jobs of that kind.

The reasons for the limited number of jobs available to volunteers lies primarily in institutions themselves, i.e. in their ignorance of both the number and kind of jobs considered to be voluntary engagement (they do not know examples of good practice in other countries);

in the rather bad economic situation in institutions themselves; and in the lack of stimulative legislation that would institutionally support voluntarism in general.

It is paradoxical that while institutions have a great need to engage volunteers, their inability to respond to those needs in an appropriate way is greater still.

►► Internal regulations

Current regulations, in principle, allow institutions to engage volunteers, however their opinions on these regulations are somewhat divided. On the one hand, a certain number of institutions think that regulations are good, but on the other hand, there are institutions that would gladly change current regulations, but are not able to do so. The recruitment of volunteers remains a controversial matter, which shows there are no precisely defined rules for the engagement of volunteers - they are defined from case to case.

Superficial openness, work experience as a precondition for volunteers' engagement, limited knowledge of the number and type of jobs that volunteers could do and lack of volunteer management

are all factors that lead us to the conclusion that, in practice, the direct relationship toward volunteers, as a rule, comes down to the relationship between the volunteer and director of the institution. Namely, as mentioned before, in 29 % of institutions directors themselves answered this survey (and in 51,9% of cases, it was their deputies), which clearly shows how centralised those institutions are on this and other

issues. Furthermore, we must not forget the fact that public institutions are recipients of state budget, and so the political will of their employers from different ministries is reflected in their management and internal policies (personnel policy and priorities). Consequently, neither the general indifference towards voluntarism and volunteers, nor the lack of any kind of policy towards this issue is exceptional.

4. LEGAL FRAMEWORK FOR VOLUNTARISM

Introduction

The economic and social rights of volunteers define their position in Montenegro. The legal basis is just one of the means for implementation of the policy planned for voluntarism.

In the past two decades, there have been huge social and economic changes in Montenegro. These changes have greatly influenced state regulations and policy towards voluntarism.

In Montenegrin legislation there

are no special regulations that deal exclusively with voluntarism. The rights and responsibilities of volunteers are incorporated and contained in special regulations: Law of the state prosecutor, Employment law, Law of pension and disability insurance, Law of health insurance and health care, Law of protection in the work place, Income taxation law, Property taxation law, Administrative taxation law, Lottery law, Communal taxation law, Law of position and authority of

In Montenegrin legislation there are no special regulations that deal exclusively with voluntarism.

Red Cross of Montenegro, Law of non-governmental organisations. During the reform of management in Montenegro, labour legislation, which contained precise regulations relating to voluntarism, was changed. The Labour law defines in a completely new manner the nature of working relations in the field of labour legislation - as 'lex generalis' law. This law neither includes nor defines legislation on the status of volunteers and voluntary work in Montenegro. Taking into account the fact that previous labour legislation was

used to make a legal basis for measures aimed at creating a broader legal framework for the status of voluntarism, the new approach of the volunteers' policy should reflect on other legislation treating status of volunteers.

Previous legislation defining the issue of voluntary work was the basis for the current legislation mentioned before, such as that on training unemployed people for independent work in their profession and specialised training for youth.

I Legislation on volunteers

The concept of a 'volunteer' was defined in Montenegrin legislation more than fifty years ago; it was defined as a person who works voluntarily and unpaid in a bank, shop, court, scientific institute, etc. in order to acquire experience and is waiting to take up a position that would become open during his/her training period (beginner)².

According to labour legislation, voluntary work is understood as voluntary, non-paid work, which is done for the benefit of an

employed person, and, through work, leads to the acquisition of knowledge and skills. Until the Labour law went into effect (Official Gazette of Republic of Montenegro, number 43/2003), voluntary work in Montenegro was possible for completing training periods, passing professional examinations and for specialised education and training.

In the Law for the basis of labour relations (Official Gazette of Republic of Montenegro, number 29/-96) and the republic Labour law,

² Sveznanje, Zagreb, 1937, Page 397, group of authors

According to regulations of the republic law, an employer could sign a contract of voluntary work with an unemployed person in order to train him/her for independent work, and with a person who would like to receive advanced training and acquire special knowledge.

which contained special regulations on voluntary work, volunteering for training and specialised education, it was stated that an employer could sign a voluntary contract with an unemployed person. Voluntary work was conditioned as training for independent work.

According to regulations of the republic law, an employer could sign a contract of voluntary work with an unemployed person in order to train him/her for independent work, and with a person who would like to receive advanced training and acquire special knowledge. A person engaged by an employer in order to receive advanced training - not to get permanent job - was considered as a volunteer (Article 13, paragraph 2 and 3 of Labour Law). The employer did not sign a job contract with the volunteer but rather a contract of voluntary work, since the volunteer did not get a job³.

► Voluntarism as a means of training

According to regulations from the field of labour relations, an employer could sign a contract with an unemployed person for his/her training period and special profes-

sional examination when the law defined it as a necessary precondition for independent work.

In this case, a new voluntary worker completes his/her training period without a job contract. According to this regulation, a volunteer could be any employed person who was a new employee. Consequently, it is a person with faculty degree, advanced school degree, or high school degree being trained to work independently in a legal field or in a new profession⁴. That was in fact a new worker without a job contract. He/she works as a volunteer in order to finish his/her training period and to pass a professional examination. In this case, regulations relating to new workers were applied. The duration of the training period was defined according to the school qualification of the volunteer, with the condition that the training period could not last longer than a year, unless the law stated otherwise. The contract of voluntary work defined the duration of the training period, the possibility of its extension and the obligation of passing a professional examination⁵. It was

3 Prof. Dr Vljako Brajic, Labour legislation, Belgrade, 2001, page 197.

4 A new worker was considered a person with faculty degree, advanced school degree or high school degree signing a job contract in order to be trained to work independently

5 As in a job contract, the volunteers' contract defined in particular the duration of the training period and the obligation to pass a professional examination

possible to define by this contract that the volunteer is not obliged to sit a professional exam if the employer's authorised commission concludes that the volunteer is trained to work independently, unless defined by the law differently⁶.

The way of training, way and time for sitting a professional exam were all defined by general act, both for employer and new worker. The members of the examination commission had to have the same qualification level as the new voluntary worker. In this case, the position of beginning employee volunteer and volunteer-beginning employee was the same. However, there were some differences among them. According to Dr. Zoran Ivosevic and Milan Ivosevic, they were a product of circumstances, where the beginning employee was, and volunteer was not, employed. The new employee used to have a job position, whereas the volunteer did not, though they were trained to do the same jobs. The new employee who had a job for a limited period of time continued his/her work after he/she passed a professional

exam⁷. A new employee who was employed for a limited period of time could stay employed if he/she passed a professional exam, and if the authorised commission decided so⁸.

However, this possibility did not extend to the volunteer because he/she was not employed.

Voluntarism as a means of training was possible only when the law, as a special precondition for independent professional work, defines training period and professional exam - for example for doctors, dentists, pharmacists, architects, professional assistants in economic institutions, etc. Volunteer-beginning employees were always unemployed persons.

► Voluntarism as a means of additional training

According to labour regulations, the employer could sign a contract for voluntary work with a person willing to do additional training and acquire special knowledge and qualifications for his/her profession, that is, to carry out specialised training for a period defined by the programme of

The difference between the new employee and the volunteer was in that. The new employee used to have a job position, whereas the volunteer did not, though they were trained to do the same jobs.

⁶ This matter was defined differently by the Federal Labour law (used in Montenegro until the Labour law mentioned before went into effect).

⁷ Authorised commission of employer could decide that beginning employee volunteer, after termination of his/her training period, stays in a company as employed

⁸ Dr Zoran Ivosevic, Milan Z. Ivosevic, Comment on Labour relations of Serbia, Belgrade, 1998, pages 527-530

The essence of this voluntary work was not in acquiring professional qualifications, but rather in additional training.

additional training, that is, specialised training. In this case, that is a volunteer-worker. That could be any person, both unemployed or employed. In the case of unemployed people - in order to acquire knowledge and increase working skills and so be able to find a job more easily. In the case of those who are employed - to acquire knowledge and skills in another company which are not possible to acquire in her/his "home" company.

The essence of this voluntary work was not in acquiring professional qualifications, but rather in additional training. This was the difference between this type of voluntarism and the type described before. The goal of additional training was to acquire special knowledge and skills for work in a person's profession and specialisation.

Every strengthening and increase in knowledge/skills/abilities in accordance with the defined programme was considered as acquiring special knowledge and skills. Knowledge and abilities are in symbiosis and they manifest themselves as: skills, training, experience or any quality of work.

Specialisation can be defined as the acquisition of knowledge and skills in a narrower field of profes-

sion so as to work professionally in that area. This is carried out in accordance with a defined programme, lasts a certain period of time and results in the title of specialist. In this case as well, knowledge and skills have the same meaning, but are more focused on a narrow field of work.

From the above, it can be concluded that additional training means acquiring new knowledge and skills necessary for carrying out more complex professional work. The first type of additional training was a general one, while a further one was specialised additional training. Because of that, a change of qualification is not additional training but acquiring additional qualification is the one. Acquiring additional qualifications, however, is not the end of additional training. By that, a person acquires a higher qualification degree, however there are many kinds of additional training that do not lead to higher qualification degrees - indeed, these are the most common.

This kind of additional training had to be planned. The programme of additional training was in the hands of experts and for the purpose of productive employment.

Because of that, starting point for design of program for additional training was the idea that would be useful to establish cooperation with the Employment Office in the first place. Voluntary work, being unpaid, was considered as a sacrifice and unemployed people would only accept doing it if it would improve their employability, that is to say, if they could make progress professionally as a result.

In most cases, additional training finished with a professional examination. Those who passed the programme of additional training were issued with the appropriate certificate (certificate, diploma, license, etc). The programme of additional training was important because of the duration of voluntary work. Voluntary work for additional training lasted as long as the implementation of the programme for additional training - the law defined no other limits.

► **Possibility of providing benefits based on job - "working engagement" of volunteers**

The employer could provide the volunteer with an allowance and other benefits in accordance with the law and the collective contract.

Although the volunteer was not employed, he/she had right to health insurance in case of injury at the workplace and in case of professional disease. According to Article 19, paragraph 1, point 10, and in a sense, the of Law of health care and health insurance⁹, a person doing obligatory or voluntary practice after graduation when it was defined by the law and without salary (i.e. as a volunteer), was considered as insured. The Council of Republic Fund for Healthcare makes decisions about signing contracts with healthcare instructions, humanitarian organisations, alliance and association for implementation of healthcare activities (Article 95, paragraph 1, point 6 of the aforementioned law). The company paid contributions for healthcare and insurance to the Fund, that is, another organisation where the work in practice or voluntary practice was carried out for the person who is doing obligatory practice work or voluntary practice without paying (volunteer) after school graduation (article 97, paragraph 1, point 10 of the mentioned law).

The basis for paying contributions for persons working their

Voluntary work, being unpaid, was considered as a sacrifice and unemployed people would only accept doing it if it would improve their employability, that is to say, if they could make progress professionally as a result.

⁹ Law of health care and health insurance (Official Gazette of Socialist Republic of Montenegro, No. 39/90 and 21/91 and Official Gazette of Republic of Montenegro, No. 30/92, 6/94, 30/94, 16/95, 20/95, 22/95 and 23/96.)

The training period could be neither shorter than 6 months nor longer than one year, unless defined differently by the special law.

In practice, the following benefits were provided: compensation for food, compensation for travel to and from work and compensation for purchasing of textbooks.

obligatory or voluntary practice (volunteers) was a salary defined for that job position in the home company, that is, in the other firm and society (Article 98, paragraph 1, point 7 of the aforementioned law). In Article 112, paragraph 3 of the aforementioned law, a special regulation referring to health workers and health advisers is anticipated. According to this regulation, they could do their training period through volunteering and without being employed.

An employer could also provide other benefits according to the law and the collective contract. In practice, the following benefits were provided: compensation for food, compensation for travel to and from work and compensation for purchasing of textbooks. It was also possible to provide financial compensation, that is to say, any other right deriving from the employment relationship and in accordance with the law and the collective contract. In a period

of voluntary work, a break during the working day was provided.

► Mediation in “working engagement”

Employment law¹⁰, Articles 9 and 12-23, define “working engagement” mediation. According to Article 9, the formulation “working engagement” means the involvement of an unemployed person to work without being officially employed. Measures and activities taken in order to engage unemployed people in work are considered as mediation in working engagement.

While the Employment Office of Montenegro has been dealing with employment and working mediation, some activities under the jurisdiction of this Office can also be dealt with by other qualified legal entities, if implementation by them is deemed to be more efficient and rational.

¹⁰ Employment law (Official Gazette of Republic of Montenegro, No. 5/2002)

II. Characteristics of voluntary work in Montenegro before the new Labour Law was passed

A new voluntary worker could be trained to work independently without employment if the law defined it as a precondition for carrying out certain jobs. This was also the case for certain professions requiring a post-training period professional examination. A new voluntary worker was engaged for professional training based on the contract with the organisation/employer. This contract defined conditions, the manner of professional training and other issues relevant to the carrying out voluntary work of the new worker ¹¹.

If an organisation, that is an employer, signs a permanent employment contract with a new worker-volunteer, that is to say accepting him/her as part of the staff, the organisation was exempted from paying taxes for the salary of the new worker-volunteer. Organisations and other employers were making up conditions for employment of new workers that is volunteers. Organisations and employers were obliged to announce their need for volunteers in the Employment Office.

A new worker had the right on compensation for the work done during his/her volunteering. Compensation was defined by municipality legislation of the organisation. Because of the collective contract the compensation had to be paid for the working period needed as precondition for the vocational exam. Training period could neither be less than six months nor longer than a year, if not defined differently by a special law. During voluntary work the new worker had the right on insurance in case of injury at work or professional illness.

If defined by law the new volunteer had to pass a vocational exam at the end of his/her training period. If for a certain job the law did not stipulate the obligation for a vocational exam, organization i.e. the employer could not take out this exam. At least not in accordance to the procedure defined by the general act that is to say the collective contract.

If special knowledge and skills were precondition for employment (computer skills, management

¹¹ Labour Law (Official Gazette of Republic of Montenegro, No. 29/90, 42/90 and 28/91, Articles 14b, 14v, 14g, 14d, and 14e)

The contract defined the subject of the volunteer's work, the period of volunteering, the volunteer's obligations and duties to respect working discipline, different kinds of compensation and the length of volunteering.

skills...), an unemployed could be trained to acquire the needed knowledge in his or her profession in order to be able to work independently. The right existed according to the contract¹² even without existing employment contract (voluntary work).

Voluntary work was carried out in particular by workers who were interested in acquiring certain knowledge, skills and experience for a future job that he/she had been already trained in. First of all it was in the workers interest to work voluntary because he/she needed time to gain experience and practice. However, the good will and the interest of the employer was the determining factor to engage and enabled the worker to acquire the necessary experience and knowledge. The possibility of professional training for the worker was the basis of so called "voluntary work" and the main reason to perfo-

rm a job without compensation. If defined by the contract between employer and volunteer he/she could also receive certain compensations. Other benefits for the volunteer could be provided by the contract: compensation for local travelling, food, per diem for business trips and so on. The employer and the volunteer had the freedom to sign a contract that would define compensation for carrying out the work itself.

Voluntary work was based on a contract that needed not to be publicly announced. The contract defined the subject of the volunteer's work, the period of volunteering, the volunteer's obligations and duties to respect working discipline, different kinds of compensation and the length of volunteering.

The voluntary work terminated after the contract expired with-

¹² Working engagement of individuals for voluntary work could be done only by signing a suitable contract containing in particular: type, way, deadline of work and model of defining compensation for work. Only the director was authorised to sign a contract for voluntary work on behalf of an employer. A volunteer was not assigned to any job position in particular but he/she was trained for independent work in his/her profession or for the vocational exam. That was the case if the new worker had faculty, advanced or secondary school education and was accepted to work voluntarily to be trained for independent work or professional examination. It is important that the particular worker was trained only for jobs requiring professional education that he/she already possessed. After the volunteering period the worker could pass a professional or exam for new worker. It was organised either by his employer or other organisation. That was the condition for permanent employment. By its general act the employer was defining job positions where the new worker could be employed.

The employer could sign the contract for voluntary work with a person who wanted to be trained and acquire special knowledge and skills to work in his/her profession. That is to say to gain special knowledge in the period defined by the training program for future work in his/her profession. In most of the cases those are persons who already finished their training period and passed a vocational exam but want to acquire and improve certain special knowledge and skills in their profession through voluntary work so to be able to get a job easier. Either because they were unemployed or i.e. because of promotion in case of being employed. Special legal conditions and deadlines were defined for carrying out specialisation.

out any obligation for further notice by the director. Voluntary work ended at the date defined in the contract. It was also possible to cancel the contract mutually before the end of volunteering. But reasons for cancellation had to be defined by the contract. This was protective measure for employer to be used in case when volunteer does not respect the programme of volunteering or working discipline.

Voluntary work was not equal to employment therefore a person working as a volunteer had no right to pension payment and insurance in case of disability. Contributions paid for pension and insurance in case of disability during voluntary work had the same character like contributions made in case of disability and injuries caused by occupational injuries or professional illness.

In order to be able to work independently in their profession unemployed young educated and talented people could be trained to work independently in their profession without employment, in the same way and under the same conditions like an already employed person.

The results of the previously mentioned means of regulating the status of new voluntary workers were mainly the same as those for normally employed new workers. The difference lay in the fact that employment was reserved for new workers (no matter if it was employment for a defined or unlimited period) and the volunteer was professionally trained, through work, so he/she could sign a contract with an employer who was looking for a new employee trained for a job in a vacant job position. The benefit of the voluntary work lay in the fact that such a work provided the opportunity for a volunteer to be trained to work independently in his/her profession without employment, so as to be able to be employed as a worker with the required level of work experience for his/her profession.

The aforementioned possibility was available both to the employed and other people who needed additional training in their profession, described earlier, in accordance with the programme of the training, in order to acquire special knowledge and skills needed for work in their profession.

The rights, duties and responsibilities of people trained through

Regarding legislation relating to the position of volunteers, they had no rights other than the right to insurance in the case of injury at work or professional illness.

voluntary work for working independently in their profession, i.e. those who gained new specialised knowledge for work in their profession, were defined by voluntary contracts.

Regarding legislation relating to the position of volunteers, they had no rights other than the right to insurance in the case of injury

at work or professional illness. The regulations on employment relations, which defined the issue of voluntary work more closely, also left open the possibility that an employer should provide salaried compensation for a person with whom a voluntary contract had been signed, as well as other rights according to the law and collective contract.

III. Volunteers in governmental agencies

In the Law on the Courts (Official Gazette of the Republic of Montenegro, No. 5/2002 and the Law on the State Prosecutor of the Republic of Montenegro, No.69/2003 there are foreseen special regulations for volunteers (Official Gazette of the Republic of Montenegro, No.18/93 and 31/95), and ways of qualifying for intern-volunteers in the State service and services of the Republic of Montenegro, as well as a programme and method for taking the professional examination for working in state services, contents and types of special improvement of the employee, and ways of testing his/her pro-

fessional knowledge. The Law of the Judicial Exam (Official Gazette of the Republic of Montenegro, No.12/72-128, 26/85-688 and the Book of Regulations of the ways of taking the judicial exam, 187) defines the terms and ways of taking of judicial exam of the volunteer in the Court of Law and in the State Prosecutor's service.

Through these regulations, intern-volunteers who have those characteristics, on the basis of contract they have made with the adequate state service, are being trained.

► **Volunteers in Courts**

In Article 117 of the Law on the Courts, the possibility is anticipated that the President of the Court of Justice can take on practice with no compensation, lawyers, for the purpose of improvement in his/her the profession.

► **Volunteers at the State Prosecutor's Office**

In Article 122 of the Law of the State Prosecutor, it has been anticipated, that by the internal organisation and systematisa-

tion of this service, the possibility can be foreseen that a lawyer is accepted to the State Prosecutor's office in order to gain further knowledge and conditions for taking the judicial exam,.

The preceding regulations about volunteers are in accordance with international standards, and they confirm that the state service is open towards its citizens, and that it is willing to improve the quality and efficiency of the work in the Court of Justice and at the State Prosecutor's Office.

IV. Recruiting volunteers and volunteering organisations in the services of application of alternative punishment

In international law and literature about criminal acts¹³ there can be found many different arguments that justify normative arrangements and the application of alternative punishment and non-institutional measures towards convicted persons and juvenile delinquents. All these reasons can be deduced in the following: the application of substitutes for imprisonment aims at protecting soci-

ety from crime by avoiding the unwelcome bad effects of physical isolation of a person who has committed a crime, and the unnecessary stigmatisation, which on the other side completely ensures respect of their human dignity and integration in society at the experiment of decided punishment. This can all be simulative in process of action.

13 Reform of the criminal law and alternative criminal sentence; material of the Government of Montenegro, Ministry of Justice, Podgorica, May 29 - 30, 2003; Normative engagement of the volunteers in the public institutions

The whole of society should take part in the process of performing alternative punishment. Volunteers, volunteer organisations, local institutions, are invited to efficiently contribute to the rehabilitation of convicts, juvenile delinquents, and if possible also within the family circle. This means that, besides the services that follow the fulfilment of sanctions against criminal acts, services of special endeavour, there is a need to engage whole teams of non-profit, state, social organisations, institutions, firms, town associations and individual volunteers, on places of ensuring the execution and supervision, of the successful performing of applications of alternative measures. Forms of supervision (that society would ensure through respecting of their human dignity) would contribute their full social integration, at the end of stated measures.

Forms of supervision imposed by society on convicted juvenile delinquents must be regulated by rules, arranged by law, and in every concrete case by the special law order that would build an alternative punishment or measure. By these acts, the following would be settled: the criteria,

procedure, duration, responsibilities, and also the limits, authorisation and means of making the supervision on application and the efficiency of these measures.

The status of volunteer and his/her inclusion in public institutions is legally systematised and clearly framed in models of organising institutions of social protection, non-governmental social sector, ecological movements, fire station societies (fire fighters).

By the Law on the Condition and Authorisation of the Red Cross (Official Gazette of the Republic of Montenegro No.39/91), it is prescribed that the Red Cross is involved in organising and rendering social help and health protection to citizens in cases of natural disasters, epidemics, large accidents, and is involved in accepting and evacuating people, and providing other measures that can help those who have suffered loss and are in danger, to provide voluntary blood donations, gathering of persons that are volunteer blood donors, taking evidence from them, organising and collecting help in the Republic of Montenegro for the victims of natural disasters, dividing help

that itself takes from the national societies of the Red Cross, Red Crescent, International Red Cross and other organisations and donors, provision of help in the Republic of Montenegro organising donors to provide help in case of natural disasters, epidemics and military conflicts.

The Law on Non-Governmental Organisations (Official Gazette of the Republic of Montenegro No.47/1999) defines the social status of the non-governmental sector in a completely new way. It treats the status of volunteers and their involvement in public institutions in accordance with

international standards (USA and EU), introduces in articles 26 and 27, an obligatory norm (for offering material support from the side of the State); the Law introduces new criteria and procedures for offering material help and ensures tax and other privileges for activities and the development of NGOs (non-governmental associations and non-governmental foundations) that work on the national and local level, their characteristic volunteer work on activities based on free will, and organising themselves in a democratic way in defining of tasks and targets of politics of volunteering.

V. Volunteers through legal regulations about taxes, of the Republic of Montenegro

1. Taxes on the personal income of citizens

Tax on citizens' income is paid by physical-individual-volunteers on the net income from personal share. Personal income is made by agreement, on voluntary work that is in accordance with the law adapted to the working relation on the base of volunteer work, Article 23, Law on Taxes

on the base of personal income (Official Gazette of the Republic of Montenegro, No.30/93, 3/94, 13/94, 42/94, 1/96, 13/96 and 15/98).

2. Communal taxes and compensations

Residential tax as communal rate and elements of the system of the local communal rates, as

well as compensation for using communal goods that have common interest, are established through the Law on Communal Taxes (Law on Communal Taxes and Compensations, Official Gazette of the Republic of Montenegro, No.38/92, 30/93, 3/94, 27/94 and 45/98).

According to the before-mentioned law, the residence taxes

need not to be paid by: the pupils taking part in the excursions, i.e. pupils and students whose stay is organised by the schools, advanced schools and faculties in the frame of regular sport and cultural programmes. Foreign citizens coming into Republic of Montenegro in the organised way, through official humanitarian organisations in order to offer humanitarian aid, do not have to pay the residence taxes.

VI. Volunteers who have defined rights in the case of invalidity or bodily injury.

By the Law on Pensions and Invalidity Insurance (Official Gazette of the Republic of Montenegro, No.54/2003) volunteers entered in the circle of insurance as individuals that are ensured rights from the pension for and invalidity insurance¹⁴.

By article 14 of the Law on Pension and Insurance of Handicapped, the rights for the case of invalidity and bodily injuries due to illness, are effectuated by:

► People who are on professional course, re-qualification, or pre-

qualification, who are initiated by the Institute for employment of the Republic of Montenegro;

► Students who, in accordance with law, are on obligatory practical work, professional practice or practical instruction.

Contribution for individuals foreseen by Article 1 is paid by the Institute for Employment. Funds for the realisation of the rights of volunteers (Article 2), such as the right to family pension of the late user of the pension or invalidity pension, is guaranteed thro-

¹⁴ Their rights are defined by the Articles 14 and 42 of the Law on Pensions and Invalidity Insurance; Official Gazette of Republic of Montenegro, no. 54/2003.

ugh the budget of the Republic of Montenegro.

By the Article 15 of the Law on Pension and Invalidity Insurance, the rights in the case of invalidity or bodily injury are secured for the insurers and persons that suffer injury in work, by being involved:

- ▶ In the actions of saving, or defending, others from natural disasters or accidents;;
- ▶ In military practice or by other obligations in the field of defending the country - this is defined by law, and it is established to be of global interest;
- ▶ In other jobs and assignments that are of global interest - this is regulated by law.

The funds for effectuating rights foreseen in Article 15 of the previously denoted Law, are ensured from the budget of the Republic of Montenegro.

III MACEDONIA

1. DEMOGRAPHIC DATA AND SOCIO-ECONOMIC SITUATION

Total number of citizens
2.022.547

- National structure:

- ✓ Macedonians 1.297.981 (64.18 %),
- ✓ Albanians 509.083 (25.17 %),
- ✓ Turks 77.959 (3.85 %),
- ✓ Romas 53.879 (2.66 %),
- ✓ Vlachs 9.695 (0.48 %),
- ✓ Serbs 35.939 (1.78 %),
- ✓ Bosniaks 17.018 (0.84 %),
- ✓ Other 20.993 (1.04 %);

Structure of the population by age:

- ✓ 0 - 14 years 21.08 %;
- ✓ 15 - 64 years: 68.30%;
- ✓ 65 and older: 10.57%;
- ✓ Unknown 1203 (0.06%)

Structure of the population by gender (male, female):

- ✓ 1.015.377 males(50,20%)
- ✓ 1.007.170 females (49,80 %)

Structure of the population by

education level:

- ✓ University education 126.609 (6.50%);
- ✓ High school education 470.009 (24.15%);
- ✓ Primary school education 485.755 (24.96%);
- ✓ Unknown 8.451 (0.43%); (Census1994.g.)¹⁵

Socio-economic data:

- Total GDP:: \$ 3.743 million (2002)
- GDP per citizen: \$ 1.835 (2002)
- Unemployment rate of: 36.7 % (April, 2003)
- Currency: Macedonian denar (MKD)
- National budget projected for 2004: \$1.13 billion
- Average net paid wage per employee: \$ 155 (2001based on official rate of exchange of the National Bank of Republic of Macedonia)¹⁶

¹⁵ Source of demographic data (unless stated differently): Census of Population, Households and Dwellings in the Republic of Macedonia, 2002, Final data: State Statistical Office, Republic of Macedonia

2. HISTORY OF VOLUNTARISM

When we talk about voluntarism in the period before independence, i.e., when it was part of SFR Yugoslavia, Macedonia had similar experiences to the other republics that made up the country.

Voluntarism existed as a form of engagement of youth in the renovation of the country in the period after the war (after 1945). This kind of work was organized in order to renovate and rebuild the country (construction of railroads, roads, bridges and dwellings), and this kind of voluntarism continued to exist, albeit on a smaller scale, up to the end of the 1980s. During the communist period there were possibilities to work voluntarily in organizations such as the Red Cross. Practical work in schools, that was part of the school programme, was considered as a voluntary work.

In the period after independence,

voluntary work in Macedonia retained the same framework and main characteristics as volunteering during the previous period. In most cases, people volunteered in organizations such as the Red Cross (humanitarian organizations) and their engagement in those organizations was entirely a result of their free will. The development of non-governmental organizations during the 1990s contributed to the development of voluntarism in the country. Non-governmental organizations organised different activities, mainly based on voluntary work and engagement.

However, the most common type of volunteering in public institutions in Macedonia is considered to be the work of students who are obliged to volunteer in order to acquire experience as part of their school programme. According to experience and indicators from the past it could

In the period after independence, voluntary work in Macedonia retained the same framework and main characteristics as volunteering during the previous period.

16 Source of socio-economic data: State Statistical Office, Republic of Macedonia, www.stat.gov.mk/english/index_eng.htm

In Macedonia there were no special laws or sub-laws to regulate and stimulate voluntary work in the country, i.e. that would define the rights and responsibilities of volunteers, as well as host organizations.

be said that voluntarism in Macedonia is not at some high level, given that in the long period between the Second World War and the present day, there were no special laws or sub-la-

ws to regulate and stimulate voluntary work in the country, i.e. that would define the rights and responsibilities of volunteers, as well as host organizations.

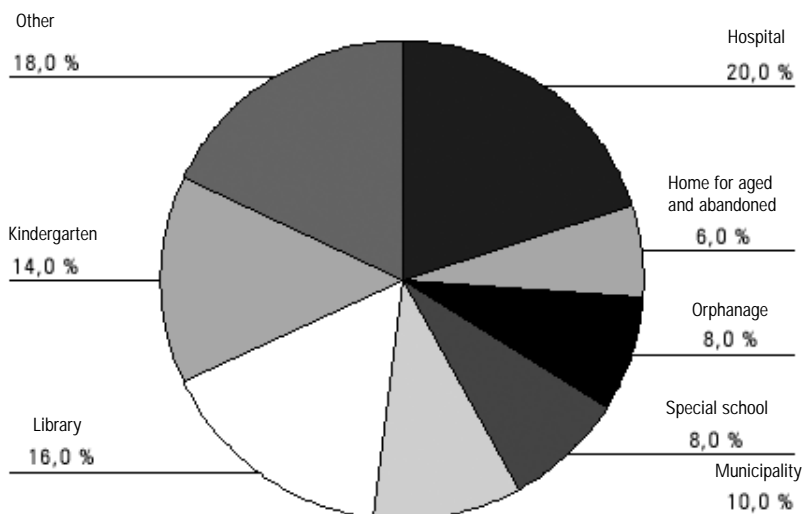
3. SURVEY ON VOLUNTARISM IN PUBLIC INSTITUTIONS

► Survey sample

The survey implemented in Macedonia included fifty institutions - five museums, six theatres, ten hospitals, seven kindergartens, three state archives, three old peoples' homes, two reha-

ilitation centers, eight libraries, two orphanages and four municipalities.

Expressed in percentage terms, the survey sample looks as follows:

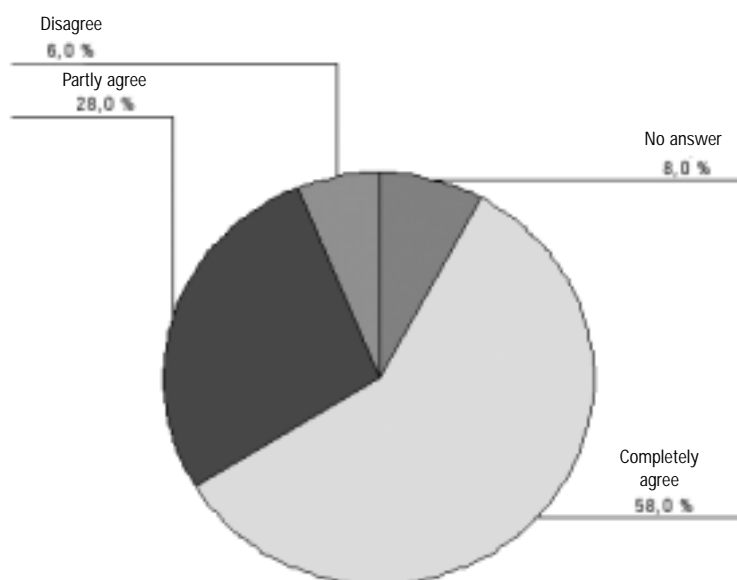


The main source of data used during the selection of public institutions was the database of the State Statistical Office. It was used in order to make an overview about the number and type of public institutions in Macedonia. A limiting factor was the financial resources for the project, which did not allow for the engagement of more associates. Therefore, part of the survey was implemented through postal and fax services. Because of the character of the survey it has to be emphasized that all institutions included in the research were recipients of the national budget.

►► **Attitude and knowledge of institutions towards voluntarism**

From the survey and based on the answers to the questions, it can be concluded that 40% of interviewed institutions did not have direct cooperation with volunteers; on the other hand, 58% of those interviewed are open towards volunteers; 66% of them think that voluntary work creates a stable and cohesive society; while 50% of institutions would like to enable volunteers to spend part of their time and work voluntarily in them. In addition, 50% of those interviewed think there is a need for volunteers in their institutions.

Graphic 2.1 Our institution is open towards volunteers

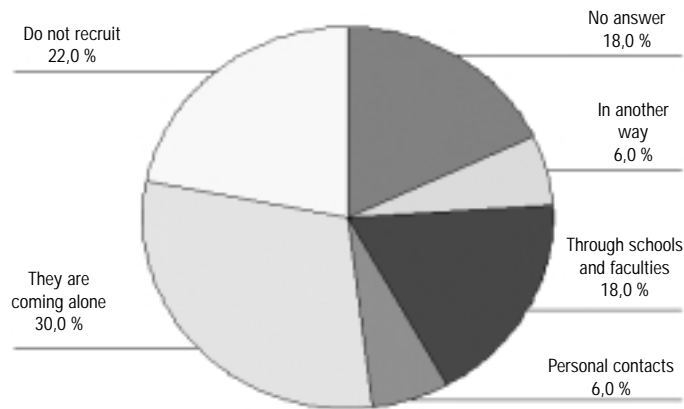


► **Scope, needs, and ways of involvement of volunteers**

In answer to the question whether there are volunteers in their institution, only 12% gave a positive response, whereas 36% of representatives of institutions said that they had no information about it. Volunteers who work in those institutions (12%) are mostly engaged in manual work (18%). As regards the intention to engage volunteers

in the future, 34% of respondents answered that they need to engage volunteers in their institutions; 10% of institutions expect they would need to engage volunteers soon; while 18% of respondents said there is no need for volunteers. In 30% of institutions there is no active recruitment of volunteers, but volunteers are coming independently and 18% of them do so through schools and faculties.

Graphic 12. In which way do you recruit volunteers?

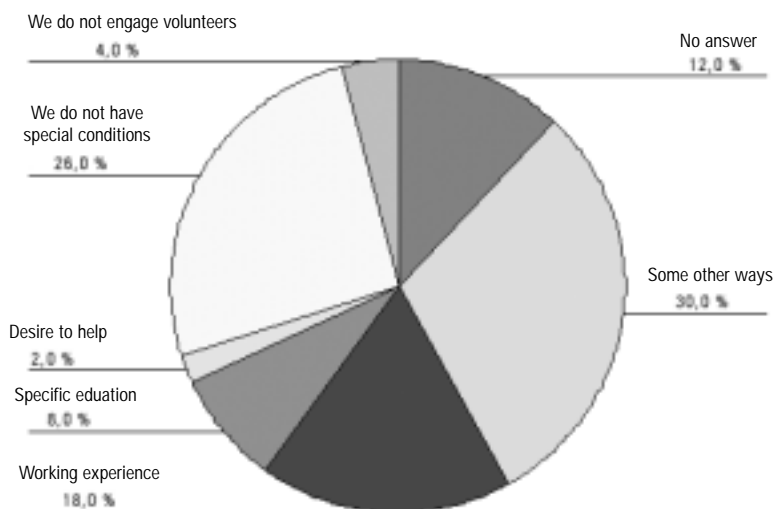


► **Internal regulations**

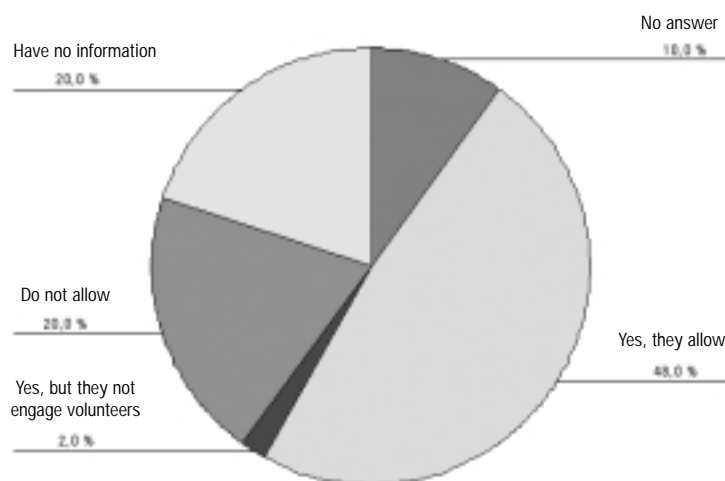
As regards internal regulations, that is, conditions for taking on volunteers, 18% of interviewees answered that one condition is working experience, while 26% said they have no specific conditions. 12% of interviewed institutions acknowledge voluntary work as work experience, 24% do

not acknowledge voluntary work at all, whereas 34% acknowledge voluntary work in some other way. As regards rewarding of voluntary work, 38% of respondents answered that they do this through education and courses, while 16% of them do not reward their volunteers at all.

Graphic 13. What conditions does your institution have for taking on volunteers?



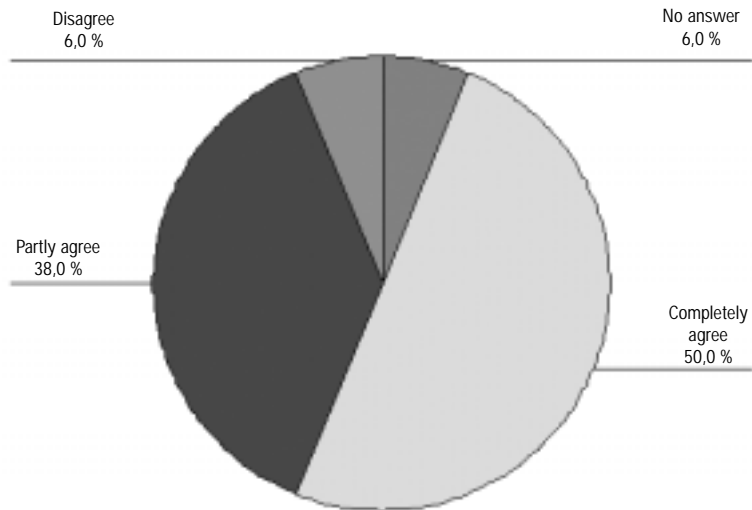
Graphic 17. Do current regulations allow for the engagement of volunteers in your institution?



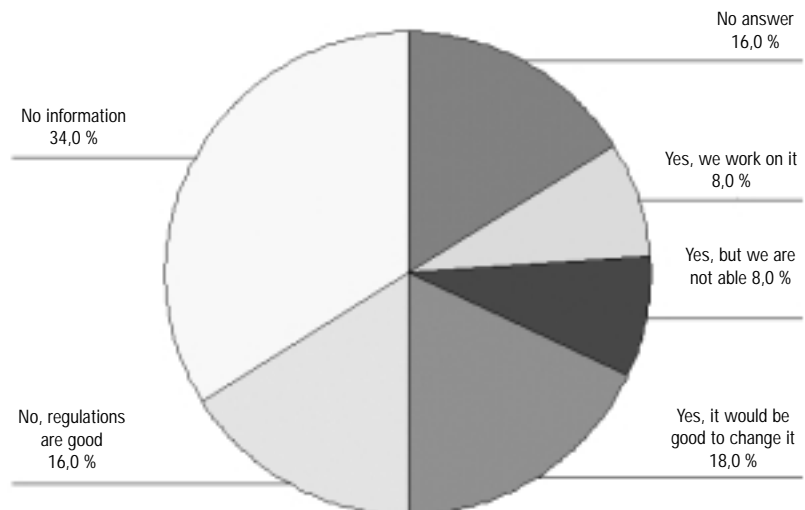
According to the survey, 48% of those interviewed answered that conditions in their institutions allow the engagement of volunteers and, as regards regulations,

16% of them think they are good and 34% of respondents have no information about it - which is more than unbelievable.

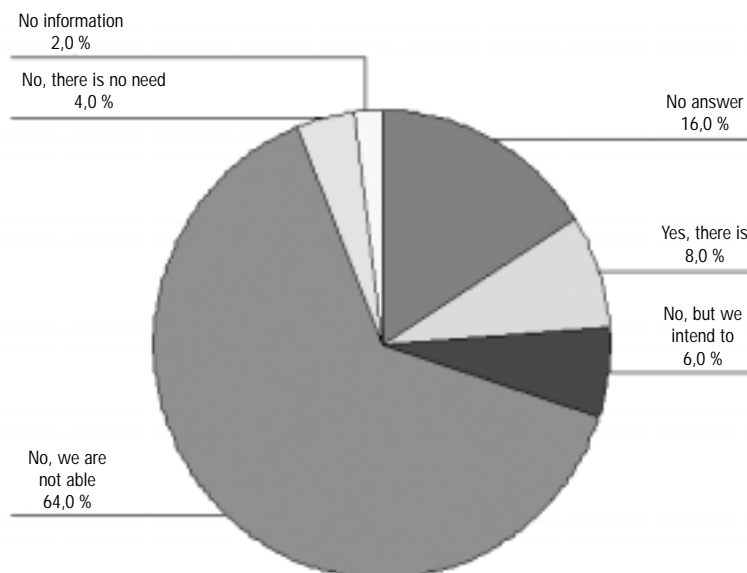
Graphic 2.5. We would like to enable volunteers to spend part of their time and work voluntarily in our institution.



Graphic 18 Do current regulations on the engagement of volunteers in your institution need to be changed?



Graphic 21. Is there a person or service in your institution that, within their job description, is responsible for taking care of volunteers?



To the question 'is there a person or service in your institution who, within their job description, is responsible for taking care of volunteers?' 64% answered 'we are not able' and only 8% 'yes, there is'.

As regards administrative-based voluntary work, the data shows that it is actually very rare - only 10% of interviewed institutions allow it, while 60% think there is no need for it. 36% of organizations enable volunteers to help aged and ill people, homeless, persons with special needs and individuals with behavioural

problems, through educational courses, workshops, training, medical assistance and similar programmes.

Merely 20% of institutions enable volunteers to help children and youth through educational courses, whereas 22% of public institutions included in the survey enable unemployed professionals to voluntarily assist employed colleagues, and 30% think they have no conditions for that.

When these and similar questions are asked, as a rule, most respondents answer that they

are not able to engage volunteers in their daily activities such as organization and taking part in the implementation of some pro-

grammes or enabling volunteers to organize some programmes themselves.

4. LEGAL FRAMEWORK FOR VOLUNTARISM

In the Republic of Macedonia there is neither a special law regulating the organization or nature of voluntary engagement in public institutions, nor is there a place in the institutions where volunteers can go and offer volunteers' services. The status of volunteers in Macedonia is very similar to the situation in which individuals starting to work (new workers) have and both kinds of work are for a limited period of time.

Macedonian legislation regarding employment neither mention, in any part of the main body or special supplement, nor regulate voluntary work.

For this reason, voluntary work in public institutions in Macedonia is legally defined only in court administration by the 'Regulation of job positions'systematization', in health institutions by the Law of health care, in veterinary

ambulances by the Law of health of animals. In practice, voluntary work is a precondition for professional examination and in this way acquiring the right/licence for work in their profession. There have been examples and support of voluntarism lately, which are not defined by the law - that is more a result of agreement/contract between employers and volunteer. These contracts are closely linked to clearly defined projects and activities.

Examples:

In the courts in Macedonia there is a group of regulations that define the systematization of job positions. Article No. 34 of this regulation is: *According to objective and real possibilities of court, the president of the court can accept volunteers to work voluntarily, i.e. graduates with Law diploma and Court dactylographic. These persons are not*

The status of volunteers in Macedonia is very similar to the situation in which individuals starting to work (new workers) have and both kinds of work are for a limited period of time.

considered as officially employed in the court, therefore they do not have the same rights as other employees. Voluntary work by law graduates is limited to a maximum of two years and the president of the court is the one who defines the nature of the job."

In health institutions, Articles 138 - 142 of the Law of health care from 1991 states: *"Employees in health institutions, in order to be able to work in their profession, have to volunteer and pass professional examinations in an addition to previous education in order to become qualified and be considered as health workers trained for medical practice."* This means that voluntary work is a prerequisite for professional examination or acquiring licence for medical practice. Voluntary work for doctors, dentists and pharmacists lasts nine months, and for those with a secondary school diploma, it lasts for six months. After the period of volunteering, candidates (doctors, dentists and pharmacists) have a professional examination in order to acquire a licence for medical practice. These volunteers, either with university or secondary school diploma, are not paid for their

work in the period of volunteering, except for free medication when needed. The Law of health care from 26.03.1997, 1998 and 2000, including law amendments from 2002, did not contain any changes relating to volunteering in health institutions.

If we analyse these laws, we can conclude that voluntary work is unpaid and as such a precondition for professional examination and acquiring a licence for medical practice. Voluntary work in veterinary institutions (clinics) is defined by the amendments of the Law of health of animals from 1998, articles 107 and 108: *"The voluntary work of a veterinarian lasts twelve months and is carried out in veterinary institutions. After this period of twelve months, the veterinarian takes a professional examination."* To point out again, voluntary work among veterinarians is unpaid and as such a precondition for professional examination.

In the Ministry of Education there are no regulations or sub laws that define voluntary work - therefore the Ministry cannot engage either a teacher or a professor who is willing to volunteer. That is to say, the Ministry

Voluntary work for doctors, dentists and pharmacists lasts nine months, and for those with a secondary school diploma, it lasts for six months.

has no right to engage someone on a voluntary basis, since it is considered as an unpaid job, which is against the law.

In libraries that are under jurisdiction of the Ministry of Culture, there are examples of voluntary engagement, but the law does not define it. A potential librarian-volunteer can apply to work voluntarily in the library and if he/she is accepted, this period of volunteering lasts for three months without any compensation. When

this volunteering period comes to an end, the library issues a certificate to the volunteer that provides him/her precedence over other candidates for future employment in the profession.

In Macedonia, volunteers also work in kindergartens; in fact it is common practice for students studying this area of education in the faculty. This type of voluntary work is considered necessary for further professional advanced study or possible future employment.

5. EXAMPLES OF GOOD PRACTICE

► Volunteering in courts

In 1992, an agreement between courts and the employment office came into effect, which stated that volunteers should be paid, and that this should be at the rate of 1/3 of average salary in Macedonia. This level of compensation was hardly enough to cover some basic expenses such as food, transportation, etc. However, the agreement was in effect for only one year, as the state was no longer able to finance it. According to that contract, the

courts were obliged to engage Law faculty graduates in order to enable them to acquire relevant practice. This kind of volunteering was a necessary precondition for professional court examination. A candidate who was volunteering at that time had the right to the above-mentioned compensation, as was defined by Article 1 of the above-mentioned agreement. The state employment office, based in Skopje, was responsible for paying that compensation.

Qualified solicitors willing to pass the professional examination were assigned to courts. During the period of volunteering, new volunteer workers were introduced to all aspects and branches of the court system. They had to follow court procedures, to lodge complaints and appeals and do everything that was normally the responsibility of fully employed solicitors in his/her place, although under permanent supervision. Very similar to permanent employees, they had right to one break during the working day, annual vacation during the year, but not to health insurance like other employees of the court. After two years of volunteering, volunteers received a certificate for their voluntary work that enabled them to enter professional examination.

► Unpaid legal assistance

In 2003, a group of solicitors in Macedonia began a project aimed at offering legal assistance to citizens. They organized small groups of solicitors in different regions and some towns all around Macedonia. These solicitors were working in accordance with the plan and the programme and during a defined period of the day. These regional offices were organized first of all in order to

get rid of the bad reputation in general that solicitors generally have in society. In order to achieve this, these solicitors offered unpaid legal assistance to the people who could not pay for legal advice and who came from one of the following social groups:

1. Disabled people;
2. Single mothers;
3. Physically or mentally abused people;
4. Socially disadvantaged people.

Volunteers were positioned in these regional offices and were responsible for establishing whether those who were looking for a legal advice did actually come from one of the four above-mentioned groups. If this was the case, the volunteer then forwarded these cases to the solicitors working in the regional offices, who then submitted the case to the court.

This was a clear example of voluntary work of solicitors who were assisting people from the above-mentioned social groups and at the same time performing their regular duties.

IV BOSNIA AND HERZEGOVINA

1. DEMOGRAPHIC DATA AND SOCIOECONOMIC SITUATION

Number of citizens:
Approximately 3,798,336

- National structure:

- ✓ Serbs
- ✓ Bosnians
- ✓ Croatians
- ✓ Other ethnic groups

Structure by age:

- ✓ Up to the age of 14 - 18,4 %
- ✓ From 15 to 64 years of age - 68,0 %
- ✓ More than 65 years of age - 13,6 %

Structure by gender:

- ✓ 46,86 % men,
- ✓ 53,14 % women

The educational structure of citizens in the school year 2000/01 shows that there were 601.967 students in all schools and universities of Bosnia and Herzego-

vina, of whom 391.533 were students in primary schools (49% women, 51% men), 160.173 students in high schools (49,5% of women, 50,5% of men) and in universities (51,6% women, 48,4% men). In 1981 14,4% of people had no education at all. We do not have a report for that period, unfortunately.

In parallel with the process of reconstruction, Bosnia and Herzegovina has entered a phase of positive economic development and economic stability. Following the five donor conventions held until now, international community-countries and international organisations friends of Bosnia and Herzegovina obligated themselves for donating 5.582 billion of US dollars for the reconstruction of Bosnia and Herzegovina. Two-thirds of this has already been realised or is being effectuat-

ed at this moment. The biggest donors for the reconstruction are EU, World Bank, USA, Japan and Islamic countries. In the frame of country's possibilities, construction and recovery of the country, other donors have also contributed.

So far, in the process of reconstruction, almost the whole main (infra)structure has been restored, a great number of habitations were built, and some realistic conditions for business stakes(deposits) and development of economy were made. Beside the physical reconstruction, Bosnia and Herzegovina is finishing the process of reforms in domain of legal system and monetary policy that will additionally improve conditions for foreign investments. That is how B&H today has a convertible currency, linked to the German Mark or Euro.

In the year 2000, the development footprint became two figured. The main sectors in which economic growth was recorded were services and light industry, with small and medium enterprises in the leading part of the process. Inflation is under control, thanks to the arrangement of the Currency Board and relatively severe fiscal policies.

Sources:

Demographic data: Bosnia and Herzegovina Human Development Report/Millennium Development Goals 2003, UNDP Bosnia and Herzegovina, June 2003

Economical situation: web page of the Ministry of Foreign Affairs of Bosnia and Herzegovina,

www.mvp.gov.ba

2. HISTORY OF VOLUNTARISM

The historical background of the development and promotion of the idea of voluntarism lies in traditional solidarity. The tradition of having close relations and strong bonds in the family circle, and in

neighbour surroundings, is built on the principle of help. Throughout the history of Bosnia and Herzegovina, the roots of a habit called "moba" can be found, especially in villages. In the time

And today there are still religious groups that are active through volunteer actions. These associations are: "Merhamet" in the Islamic religious community in B&H; "Caritas" in Catholic; and "Dobrotvor" in the Orthodox community in B&H.

of the moba, neighbours and relatives are organised so as to help a particular person or family.

This is most noticeable in cases of organising, preparing and holding different important events, which one family can hardly organise on its own (child's wedding, funeral) and all without a compensation.

Cultural heritage of volunteering dates from the early history of Bosnia and Herzegovina. The habit of giving and sharing is built mostly through religious institutions. In Bosnia and Herzegovina four religions are present in a dominant way, (Muslims, Orthodox, Catholics and Jews), and throughout history the institutions of these religious communities made the bases of social norms such as reciprocal help and voluntary work of use to the wider community. Their actions were usually focused on helping, for example, immigrants and showing solidarity to these people. Religious institutions traditionally encouraged volunteering by spreading this message through the written word, lecturing and/or with organised actions. And today there are still religious groups that are active through volunteer actions. These as-

sociations are: "Merhamet" in the Islamic religious community in B&H; "Caritas" in Catholic; and "Dobrotvor" in the Orthodox community in B&H. Their activities are organised for some patriotic and religious reasons and for the reasons of prestige. After the Second World War, religious groups lost their importance and reputation in the newly formed People's Federative Republic of Yugoslavia.

The time of the socialist rule is known as the time when great number of people of all ages, especially the young, were involved in different forms of voluntary work. This phenomenon is often described as "the progressive time of hope and reconstruction of post-war society in the People's Federative Republic of Yugoslavia", and Bosnia and Herzegovina was part of it too.

During the socialist period, the state assumed the role of the previously mentioned religious institutions and also took over other functions of social protection, culture, social security, and as a result, voluntary initiative was diminished and marginalised.

Associations functioned under the patronage of the Socialist Un-

ion of the Working People of Yugoslavia, and the only organisations outside of this system were the Red Cross and a few other periodical initiatives. Volunteer work, as everything else, was organised by different levels of the state administration and governmental institutions.

Schools were responsible for the realisation of voluntary activities by the obligatory school-plan and programme that was specified through additional hours of volunteer work and students could have work in community. These were usually jobs related to environmental protection. Youth, gathered around the 'Union of the Socialist Youth', was the main implementer of the events under the name 'Youth working actions' - a very popular form of voluntary work.

Through this way of activities, volunteers finished jobs of great importance for the community, mostly in the area of building and reconstruction. In other words, volunteering was centralised, without social and democratic involvement, and there was a reaction better than initiative that responds to social changes, which is common today in the public associations of Bosnia and Herzegovina.

The bond between democratic involvement and volunteering is a concept that society still hardly understands. This fact explains the weak development of the voluntary sector and also the resistance of authorities to accept the third sector under its auspices and as an important part of the society, as well as the evolution of relations between the voluntary sector and government in Bosnia and Herzegovina.

3. SURVEY ON VOLUNTARISM IN PUBLIC INSTITUTIONS

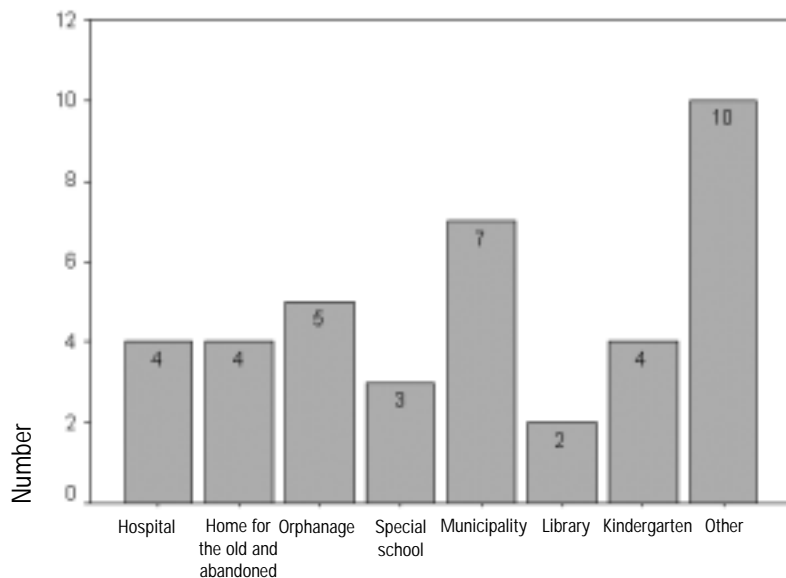
► **Technical data about the number and type of public institutions included in the inquiry**

The research about the status of the volunteering in the area of

Bosnia and Herzegovina was made on a sample of 39 examined persons, in the municipalities, foster-homes, kindergartens, homes for the old and abandoned pe-

ople, hospitals, special schools, libraries and some other institutions. Local, cantonal or entity authorities finance the greatest part of these institutions. The directors, deputies, assistants of

directors and public relations persons (in 56% of the cases), filled out the questionnaire on behalf of institutions. The institutions that participated in the survey in Bosnia and Herzegovina are:



► **The level of the filling in of the questionnaire**

We were positively surprised at the level of filling in of the questionnaires received. Those who answered the questions approached them seriously, and, in most cases, filled up the questionnaire completely. The exceptions were the representatives of the institutions who though it was not necessary to fill out the data about the institution and them-

selves (two cases).

► **The extent and the character of the problems that we had to deal with during the implementation of the survey**

The complicated political situation in Bosnia and Herzegovina, the partition of the competences of the institutions etc., influenced the survey even before the implementation had started. Due to the controversial information coming

from different unauthorised persons for cooperation on behalf of the Federation Institute for Statistics, the start of the survey in this entity of Bosnia and Herzegovina was postponed. All in all, the problem faced was that the data received from the entity statistical institute (the addresses) were not correct, which is why seven questionnaires were returned with the denotation "unknown address".

Furthermore, the impression was that the institutions generally were not willing to cooperate. When personal contacts were followed, often accompanied by insisting by telephone on contacts, the best results of the survey were achieved; however our limited funds did not allow us the same approach in all cases in the selected municipalities, so we mostly relied upon the good will and punctuality of the relevant person in those institutions.

► The characteristics of the sample

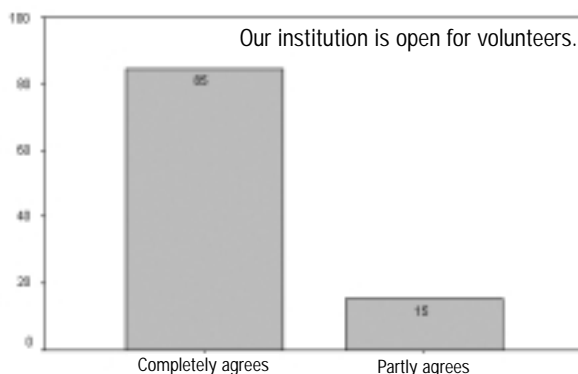
The data about the public institutions arrived through the Federal Institute for Statistics and Republic Institute for Statistics, as requested request. We made the selection by identifying 10 municipalities in which we wanted to ma-

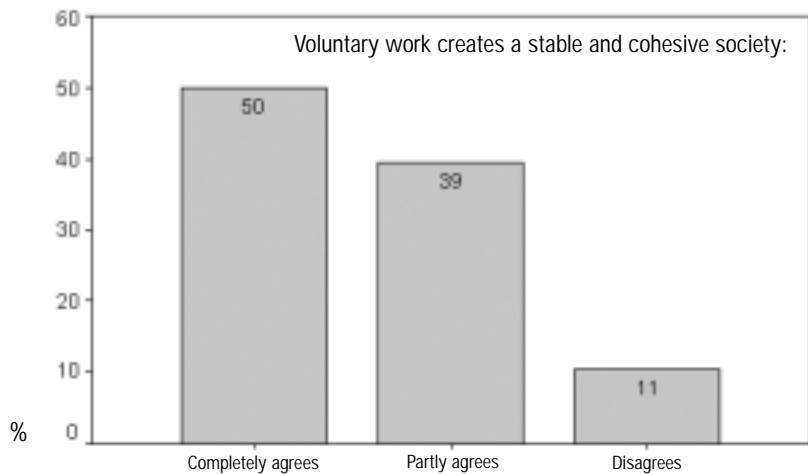
ke this survey from across Bosnia and Herzegovina (Prijedor, Banja Luka, Dobož, Bijeljina, Trebinje, Tuzla, Sarajevo, Zenica, Mostar and Bihać), and then we made further selection - identifying the institutions we wanted to examine, at least one per category of each category in every municipality.

► Attitude and knowledge of the institutions toward voluntarism

With this research on this sample we discovered a very positive attitude toward voluntarism. Some of the most important findings are:

1. institucije su otvorene za volontere (85%);
2. institucije su voljne da omoguće volonterima da rade kod njih;
3. mišljenja su da volonterski rad zaslućuje pažnju državnih institucija (97%) i
4. smatraju da volonterski rad stvara stabilno i kohezivno društvo (50%).





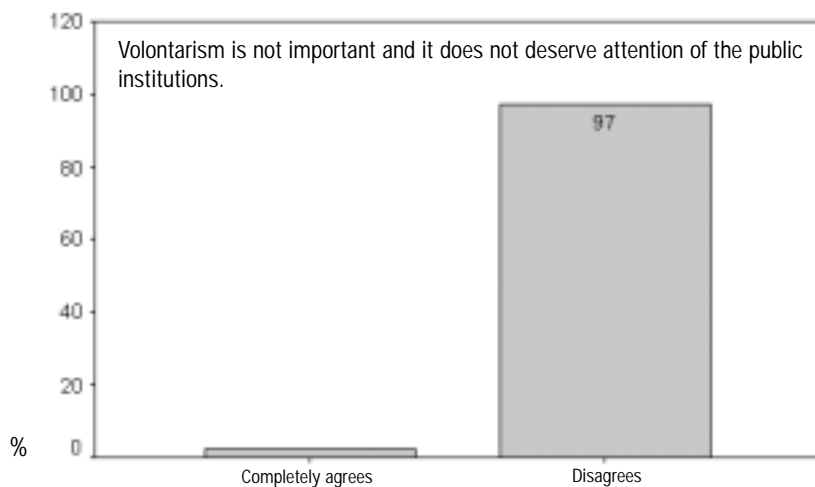
Most respondents/representatives of institutions that cooperated with volunteers in the framework of their activities agree that:

1. If volunteering were more popular, society would be more stable (100% of the interviewed);

2. Voluntary work brings emotional stability (100%);

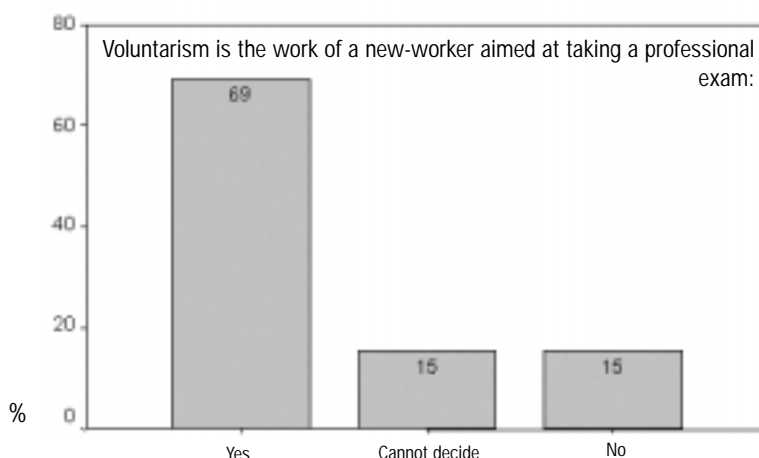
3. Voluntarism deserves the attention of the state institutions (97%);

4. Voluntarism contributes to cooperation between people (92%).



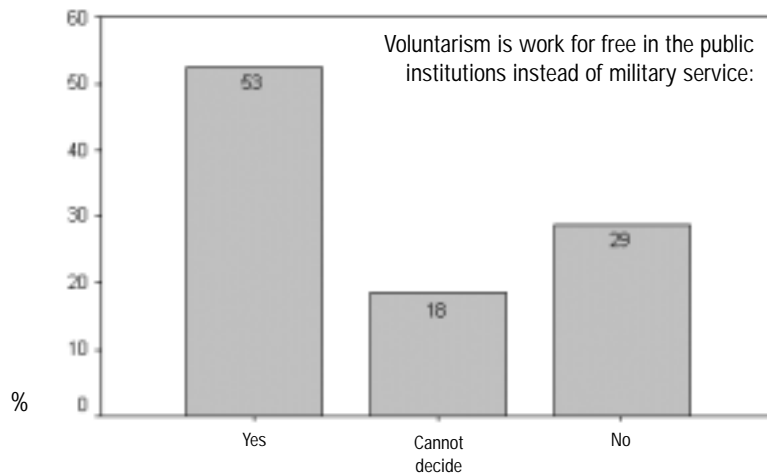
In addition, this research showed that the institutions have relatively good information about the meaning of voluntarism and what kind of activities it contains. Since there were not enough space, only the data that points out misinformation of the public institutions referring question - what voluntarism really is - would

be presented. Our research showed that 69% of respondents consider work that has the goal of taking a professional exam as voluntarism, 15% could not decide, whereas 15% of those interviewed answered that work with the goal of taking a professional exam is not voluntarism.



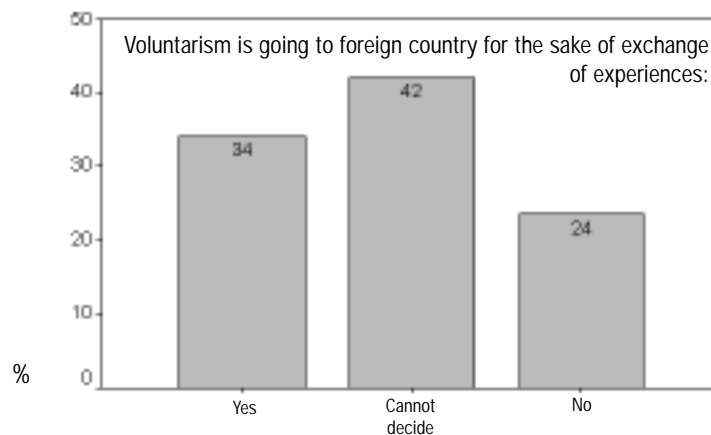
53% of those interviewed answered that working for free in public institutions instead of compulsory military service is voluntary work, 18% were not

sure, whereas 29% were correctly informed that this kind of work in public institutions is not actually volunteer work.



In addition, according to the official position of European Union, going to a foreign country for the sake of exchange of experiences (work camps, volunteer exchan-

ge) is volunteer work; however in our country only 34% answered affirmatively, 42% were not sure, and 24% disagreed.

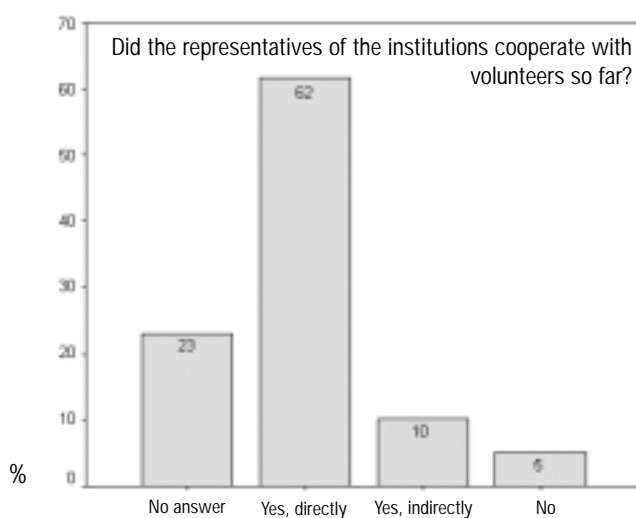


All these results highlight the significant need to promote volunteer centres and voluntarism in gener-

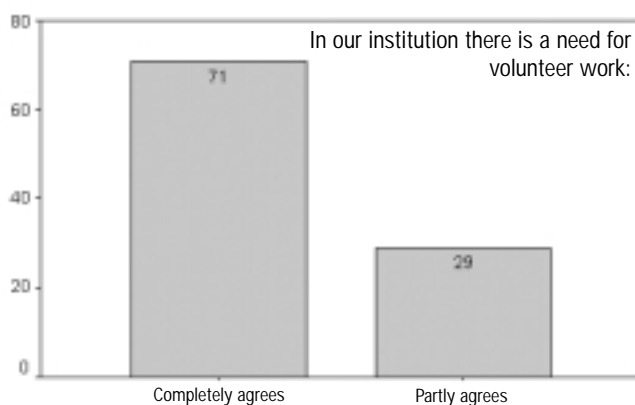
al to the institutions through round tables, seminars, brochures and other types of education.

► **Range, needs and the ways of volunteers' involvement**

To the question "Did the representatives of the institutions cooperate with the volunteers so far?" only 5% representatives of the institutions answered negatively:



However, the representatives of these institutions expressed the need to involve volunteers in their work:



In particular, the most frequent way of engaging of volunteers in the institutions is that the volunteers themselves contact and 'force' themselves to institutions (29% of the cases).

The situation in which institutions themselves take the initiative and recruit volunteers is rare. The most common way of this kind of engagement is through media, schools, universities and personal contacts.

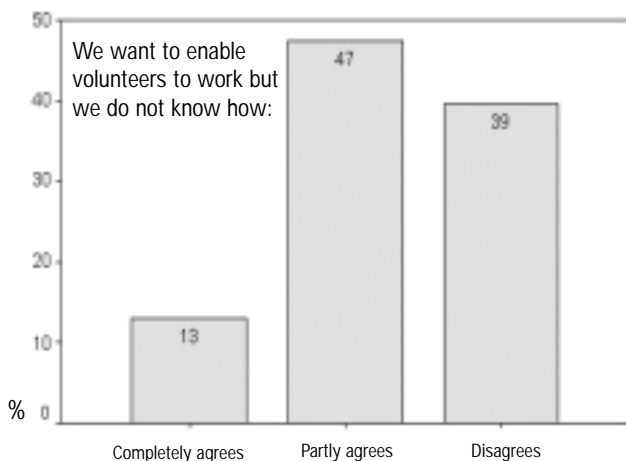
Volunteer engagement through volunteer centres - which is the most frequent way in developed countries - is present in only 10% of cases.

► Engagement of volunteers

According to our research, the greatest number of activities in which volunteers are involved in the frame of institutions are: work with children (53%) and administrative work (35%), followed by help in organisations or leading seminars, courses or camps, work on environmental protection, manual work, taking care of the elderly and persons needing special care, promotion etc.

The research also showed that in the framework of institutions, there is a great need for voluntary engagement in the future - mostly in administrative jobs (translating, computer work, web design), help in the organisation or leading seminars, courses and camps and in work with children, the elderly and people with special needs.

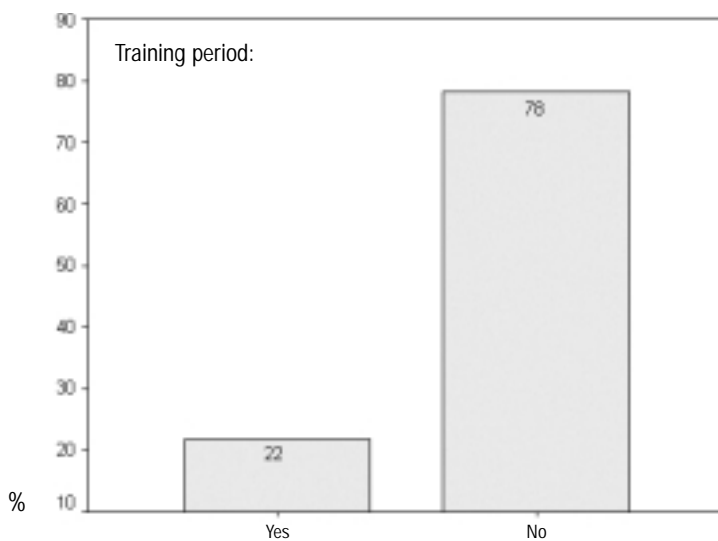
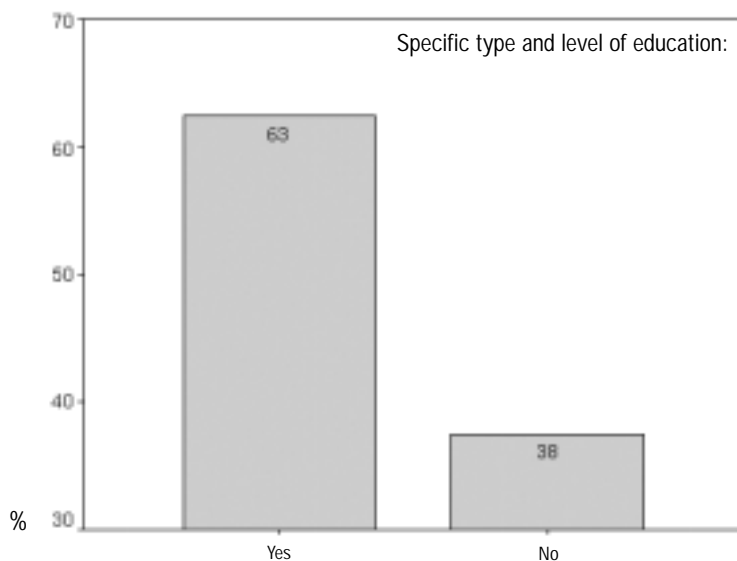
The information we received in response to the statement 'We want to enable volunteers to work but we do not know how' leads us to the conclusion that it is necessary to promote voluntary work and to educate people about the importance of the voluntarism in general.



► **Internal regulations about volunteer work**

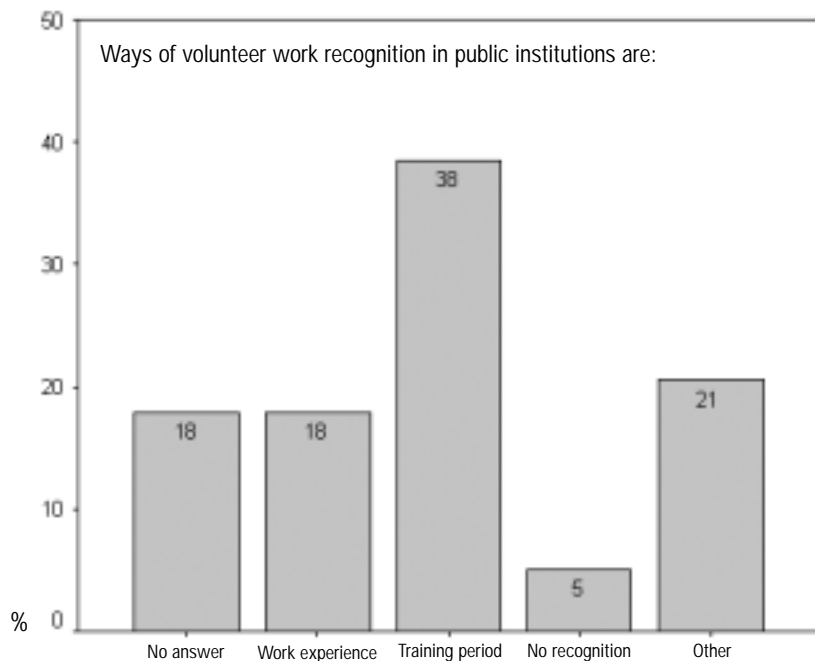
The main criteria for the engagement of volunteers in institutions, according to our research, are:

1. *Specific type and level of education needed for the implementation of specific activities;* and
2. *Training period*



The results that give hope for the development of voluntarism include: in 31% of the institutions- their wish to help is sufficient reason for engaging volunteers; in 100% of cases is not necessary previous work experience, which is really important for giving young people the

opportunity to acquire practical experience within state institutions. At the same time, the most frequent ways of recognition of volunteer work in public institutions are work experience (18%) and previous training period (38%).



The research showed that there are elaborate systems of awarding volunteers for their engagement in the framework of state institutions - through organising courses

for their education, expanding the level of responsibility in work, involving volunteers in planning activities in the institution, and other ways. Only in 17% of cases

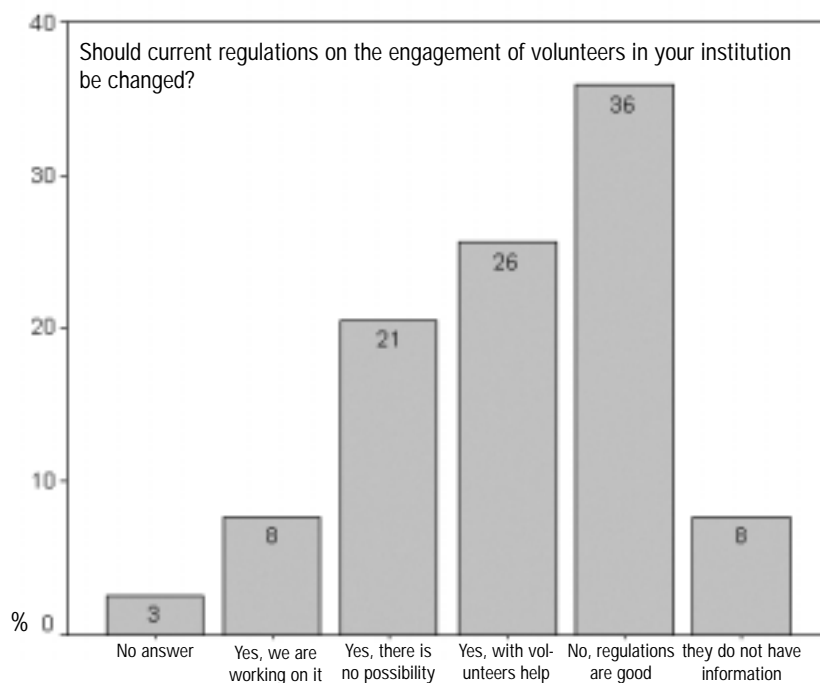
were volunteers not awarded in any possible way, which shows the positive results of the evaluation of voluntary engagement.

To the question 'Should current regulations on the engagement of volunteers in your institution be changed?' 79% of representatives of the institutions answered affirmatively, but they also expressed the need for changing the regulations in 55% of cases.

Besides the existence of a certain number of centres where volun-

ers can be engaged, 44% of respondents said that they have no information about these centres; 28% engage volunteers through volunteer centres; 8% of them do not know if such centres exist, but think such centres are indispensable.

Such answers indicate the need to promote volunteer centres and voluntarism in general because it is obvious that their work is not well enough known among the wider public.



The law does not directly define volunteering as an activity of youth and based on free will.

4. LEGAL FRAMEWORK FOR VOLUNTARISM

In Republika Srpska, a volunteer is a person who is taken on by certain employer in order to finish a training period, without job contract, so as to acquire the preconditions for taking a professional exam. At the end of the training period, the volunteer receives a certificate as proof that the training period was respected and he/she satisfied the preconditions for taking the professional exam.

Hence, it is obvious that we are talking here about the institute of work right, which has not much in common with the term 'volunteer' we are interested in.

The fact is that those volunteers, even if they do have not signed a job contract, accomplish part of rights as employed people. Namely, they have the right:

- ✓ To protection at work;
- ✓ To a daily break and a break between 2 successive working days;
- ✓ The right to health and pension-invalid insurance in the case of industrial accidents and professional disease..

The definition of a volunteer in the Federation of Bosnia and Herzegovina is the same as well the rights that person has based on volunteering. Furthermore, there is no possibility of volunteering without a volunteer contract.

This means that the law does not directly define volunteering as an activity of youth and based on free will.

Indirectly, this regulation could be applied to volunteers because it quite effectively ensures the rights of people who decide to volunteer. Namely, in the period of volunteering individuals have both health and social insurance, i.e. this period of volunteering is included in their length of service.

Other questions about volunteering could be defined by special agreement, using a standard form, which is not the case now.

In that agreement, the contractual parties would be a legal entity (organisation) which includes a volunteer in its own activities for a certain period of time and a volunteer who accepts obligations

for carrying out certain activities.

The contract would regulate all questions that are of importance to the volunteer and the host organisation, and that are not defined by current legislation.

The standard form of the contract would mean that once the terms of the contract are defined, only personal data could be changed afterwards. The point is that our legal system recognises many different contracts, and in practice there are even more of them with no name which are in accordance with the law - therefore in these circumstances, where there is no volunteer contract form nor legal obligation of signing that kind of contract, the adoption of this type of contract would be the easiest way to solve this problem.

The fact is that it is always better to have a special law that regulates certain practice repeating for a longer period of time. However, there is no such a law, that is, Law on Volunteering in our country. The legislative process in general is slow, and it cannot be foreseen how long it would take before such a law will be passed.

It should be mentioned that local government has shown no concrete interest in the question of volunteering being regulated by sub-laws so far, so the situation is the same as the one on the national level.

►► **Stay of foreign volunteers in Bosnia and Herzegovina**

The stay of foreign volunteers in Bosnia and Herzegovina is regulated by the Regulations on the condition and way of foreigners entering into B&H (Official Gazette 29/01).

The obligation of getting visa for the citizens of those countries that B&H has visa regime should be taken in consideration because it is a basic presumption that such individual can enter in Bosnia and Herzegovina. In order to obtain a visa, a foreigner must enclose with his/her request the documents that show the purpose, conditions of stay and way of entering the country including evidence that he/she has funds for self-supporting, as well as guarantees for repatriation, i.e. that he/she intends to return to his/her home country after the end of the period of volunteering (for example,

evidence can be a return ticket).

Furthermore, once that question is solved, it could be said that by this Regulation is foreseen as one of the bases for stay voluntary work itself as the reason for approving stay in Bosnia and Herzegovina.

Article 50¹⁷. *“Temporary stay can be approved for a foreigner who wants to stay in Bosnia and Herzegovina up to one year and comes for the reasons of education, health treatment, job, or for business reasons based of approved working permit, marriage with Bosnian citizen or for other justified reasons. Justified reasons: voluntary work in humanitarian, religious or other organisations”*

Article 58. *“Temporary stay can be approved to foreigners who come to Bosnia and Herzegovina to volunteer in humanitarian or religious organisations”*

In order to obtain a temporary residence permit (up to a one-year period), it is necessary to enclose adequate documents that prove named legal basis.

(Preceding Article 58.) *“With the request for temporary stay based on voluntary work in a humanitarian or religious organisation, a foreign citizen must enclose:*

- ✓ *Certificate of the authorised agency about registration of humanitarian or religious organisation;*
- ✓ *Permission for the implementation of the project from the authorised agency in Bosnia and Herzegovina, and a verified photocopy of the project of humanitarian or religious organisation, verified by the authorised agency in Bosnia and Herzegovina, in which implementation the foreigner is engaged;*
- ✓ *Certificate of the project carrier about the need for engagement of the foreigner in the implementation of the project, with indicated time of his/her engagement;*
- ✓ *Guarantee letter that the religious or humanitarian organisation that will cover all other uncovered costs of the foreigners during the period of their stay in Bosnia and Herzegovina, including medical treatment and international travel expenses.”*

17 Article 50, Regulation about the condition and the way of entering of foreigners, issuing visa and other travel permits, and giving permission to stay of the foreigners in Bosnia and Herzegovina, issued by the Ministry for human rights and refugees of Bosnia and Herzegovina, based on Articles 12,14, and 21 of the Law about immigration and asylum of Bosnia and Herzegovina (Official Gazette of B&H; No.23/99) and the Article 47 of the Law of the Council of Ministries of Bosnia and Herzegovina, and Ministries of Bosnia and Herzegovina (Official Gazette of Bosnia and Herzegovina, No.11/00).

5. EXAMPLES OF GOOD PRACTICE

In November 2003 the Government of Tuzla Canton (Bosnia and Herzegovina) made a Decision to accept volunteers (37 volunteers altogether) in the governing bodies. This decision was based on expressed needs in the cantonal governing bodies.

This is an important project for all young people and especially for high-educated ones who would be able now to acquire necessary work experience to take and pass professional exams and so become more competitive on the labour market. Also, these young people have the right to special compensation such as for travel and food expenses, expenses for taking the professional exam according to the contract.

The voluntary work lasts one year and it would be implemented according to the programme for beginning employees with the type and level of education defined by the manager of the governing agency in which the volunteer is engaged.

- Ministry of Internal affairs;
- Ministry of Justice;

- Ministry of Urbanism and Environment Protection;
- Ministry of Finance;
- Ministry of Economy, Tourism, and Transportation with the Head Office for Roads;
- Ministry of Agriculture, Forestry and Water Policy with the Head Office for Agriculture and Head Office for Water Resources;
- Ministry of Labour and Social Policy;
- Ministry of Education, Science, Culture and Sports;
- Ministry of Health;
- Ministry for Veterans Affairs.

The Government of Tuzla Canton (Bosnia and Herzegovina) made a Decision to accept volunteers (37 volunteers altogether) in the governing bodies. This decision was based on expressed needs in the cantonal governing bodies.

V CROATIA

1. DEMOGRAPHIC DATA AND SOCIO-ECONOMIC SITUATION

Total number of citizens
4.437.000 (Census 2001.)

✓ 2.301.600 females (51.86%)

- National structure:

- ✓ Croats 89,63 %,
- ✓ Serbs 4,54 %,
- ✓ Bosniaks 0,47 %,
- ✓ Italians 0,44 %,
- ✓ Hungarians 0,37 %,
- ✓ Albanians 0,34 %,
- ✓ Slovenians 0,30 %,
- ✓ Checks 0,24 %,
- ✓ Others 3,67 % (Census 2001.)

Structure of the population by
education level::

- ✓ University education:
- 287.867 (6.49%)
- ✓ Advanced education:
- 150.167 (3.38%)
- ✓ High school education:
- 1.733.198 (39.06%)
- ✓ Primary school education -
807.702 (18.20%)
- ✓ Uncompleted school: 940.166
(21.19%)
- ✓ Without education: 493.645
(11.12%)
- ✓ Unknown: 24.715 (0.56%)

Structure of the population by
age:

- ✓ 15 years: 757.900 (17.08%)
- ✓ 15 - 29 years: 902.700
(20.34%)
- ✓ 30 - 64 years: 2.080.400
(46.89%)
- ✓ 65 and older: 696.500
(15.70%)

Complete gross national/product
in stable prices 1997 (GDP):
GDP market prices (current)
176.428,8 million USD

Structure of the population by
gender (male, female):

- ✓ 2.135.900 males (48.14%)

- GDP per citizen: 5.056 USD
(2002.)
- Unemployment rate of: 21,1

% (registered), 357.872 unemployed;

- Currency: Kuna (Kn), Lipa (lp), 1 Kn = 100 lp

National budget projected for 2002 (incomplete):

- Total income and support: Kn 69.870.190
- Total expenses and loans reduced by payments: Kn 73.742.118.000

Average salaries in the public institutions (*approximate data, net*

amount in Kuna):

- Public administration and defence Kn 4.182
- Education Kn 3.771
- Health and social care Kn 4.364
- Other public, social and individual activities Kn 3.861

Source of data:

- *Statistical information 2003, State Statistical Office of Republic of Croatia, Ilica 3, Zagreb*

- <http://www.dzs.hr>

2. HISTORY OF VOLUNTARISM

In Croatia before the Second World War there were different charity and humanitarian associations working in the frame of the Catholic Church, political parties (in particular the Croatian Farmers Party), as well as civil organisations

As a part of the SFR Yugoslavia, i.e. during the communist regime, voluntary work in today's sense did not exist. However there were many organisations (naturally under the state control) that more or less relied on voluntary work (such as associations of

workers, youth, scouts, etc.) In Yugoslavia, as well as in other communist countries, a tradition of the working actions was developed. Working actions, especially those after the Second World War, were crucial for the reconstruction of the main infrastructure. Roads and major highways, railroads, factories, cultural institutions and sports facilities were built through working actions. However, working actions included forced labour, they were of the compulsory nature and often had competitive character. Yet, it is important to say that, especia-

Working actions included forced labour; they were of the compulsory nature and often had competitive character.

Article 80 of the National Youth Action Plan deals with the establishment of the system of evaluation of voluntary work of youth as the way of facilitating the employment of the youth.

lly after 1950s, many people voluntarily joined those kinds of actions. Part of those actions included international volunteer exchange with other countries of the communist block.

Another form of voluntary work that was developed, first of all because of the inability of the state to cover that area completely, are voluntary fire brigades as a response of the local community to danger of fire, because professional fire brigades were never capable to cover the entire territory (especially Dalmatian area).

Civil society was developing slowly after Republic of Croatia became an independent country. At the beginning, voluntary work was associated to humanitarian and other means of help to the war affected areas, victims of war, refugees and expatriated. At that time the first peace-making organisations were established (the Anti-war Campaign of Croatia) that also based their activities on the voluntary work. Such organisations faced with misunderstandings and even open threats. The nationalist government were trying to stop their work. In addition, the concept of civil society and voluntary work was confusi-

ng to an average citizen. In the second half of the 1990s and after the change of the government in 2000, civil society organisations were developing intensively and more freely. There are more than 20.000 NGO's registered in Croatia, And which 500 - 800 of them are working on youth and volunteer programmes. There are 130 youth organisations and those working with in whole Croatia.

NATIONAL YOUTH ACTION PLAN adopted in January 2003 (many youth organisations took part in making that document) underlines three basic ways that young people can contribute to the development of a society:

1. Work of NGO's and groups of young people on the development of local community;
2. Voluntary work of youth in social institutions and humanitarian organisations;
3. Media activity of the youth.

Article 80 of the National Youth Action Plan deals with the establishment of the system of evaluation of voluntary work of youth as the way of facilitating the employment of the youth. This would mean the development of educational programmes, legal

regulations of voluntary work, developing mechanisms of filing volunteers' work experience, support of volunteer centres and collecting data of the need for enga-

gement of volunteers. In 2003 the draft of the Law on Voluntarism was created and it is currently in the parliamentary procedure.

3. SURVEY ON VOLUNTARISM IN PUBLIC INSTITUTIONS

► Survey sample

Survey sample of the research on voluntarism in public institutions in Croatia included 45 institutions divided in 9 groups: hospitals, kindergartens, orphanages, libraries and archives, theatres, galleries and museums, public kitchens, centres for addictive illnesses, rehabilitation centres and centres for autistic individuals, educational centres and institutions for social care.

In order to interpret the results of the analyses in the right way, it is necessary to point out that the economic situation in public institutions reflect the general economic situation of the Republic of Croatia. Basically those institutions have enough material at their disposal to proceed with their activities and provide service for their clients. However more finan-

cial resources would improve the quality of service and the number of possible clients. Public institutions are subsidized by the state, the local authority, and financed through own income-generating activities and donations coming from local and international donors and individual contributors.

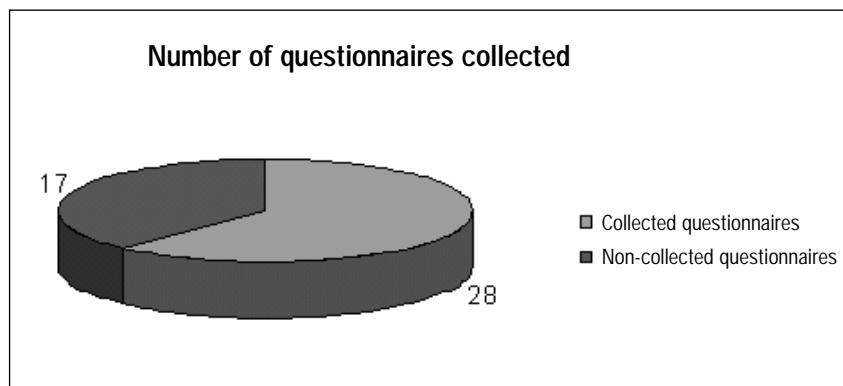
Some of the institutions are privatised and consequently their clients pay the whole or part of the expense for their services (for example: centres for social care, old people's homes, institutions for home-care and hospitals).

► Number of questionnaires filled out

Out of 45 questionnaires sent, 28 were received back completed. 3 institutions showed willingness to fill out the questionnaire but

because of lack of time they were not able to send them back completed. However, almost in every of 28 returned questionnaires some questions were left unanswered and in some cases whole group of questions. 14

institutions did not respond on our questions at all, which we consider as a sign of non-collaboration, indifference, and incapability to spend some time and answer the questionnaire



► **Lacking data and the problems during the realisation of the research**

During the realisation of the research we faced with a problem of lack of time of the responsible representatives of some institutions and their indifference towards the research. In most of the questionnaires we received confusing, incomplete, and ambiguous answers. This was especially the case with institutions not familiar with the concept of voluntarism and voluntary work and had no previous experience working with volunteers. Some of the interviewed institutions had remarks concerning the length of the ques-

tionnaire or stated that some questions were similar or repeated.

► **Characteristics of the sample**

Using the method of random sample, five institutions from every group were selected for the research. The research was conducted based on the standard questionnaire (35 questions). Collecting of the data was carrying out using the fax, e-mail, telephone and through direct interview in the institution.

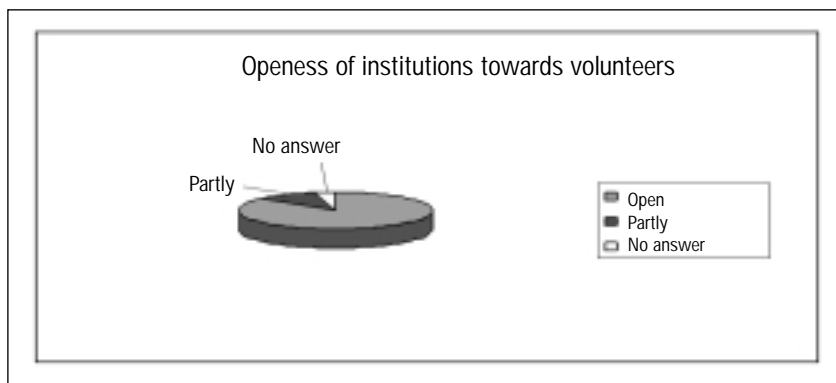
► **Attitude and knowledge of institutions towards voluntarism**

Most of the respondents demon-

strated openness towards volunteers and voluntary work (24 institutions are open for volunteers, 3 partly, and just one institution did not answer).

Also, most of the institutions believe that voluntary work creates stable and cohesive society, leads to cooperation among people,

pletely, 10 partly) while no institution expressed disagreement with that claim. On the other hand, 14 institutions believe that voluntarism contributes to the national budget. As regards questions concerning volunteers, most of respondents expressed disagreement with the claims that they are uneducated individua-



and develops harmonic society if different ethnic groups work together. In addition, voluntary work is considered as an expression of free will.

Furthermore, most of the institutions disagreed with the claim that voluntarism is not important and that it does not deserve attention of public institutions.

Most of the institutions believe that voluntary work is non-paid activity (15 of them agree com-

pletely, 10 partly) while no institution expressed disagreement with that claim. They also think that volunteering contributes to the emotional stability of the individual.

Training period is usually conceived as voluntary activity (13 of them agree completely, 3 partly) and the opinion regarding the civil service as an alternative to military service is similar (14 of them completely agree that it is the voluntary activity); while in most

of the cases work camps are not considered as such.

General conclusion would be that the perception of volunteers and voluntary work is positive. Institutions are mostly open for volunteers and have positive attitude towards them.

On the other hand, institutions have different opinions about voluntary activities. Activities that we as the volunteers' organisations do not represent voluntary work (for example training period, civil service as an alternative to military service), public institutions consider as valuable types of voluntarism, while the work camps are not perceived as voluntarism.

Different perception of voluntarism and contradictory answers related to no-paid character of voluntary work and its contribution to the national budget shows lack of information relating the concept of voluntarism although in general, it is considered as positive.

► **Scope, needs, and ways of involvement of volunteers**

Conducted research showed that more than a half of respondents needed volunteers (16 complete-

ly, 8 partly). Those are mostly social institutions (hospitals, kindergartens and orphanages), while cultural institutions (theatres, galleries, museums, libraries, archives, city administration) have no need for volunteers because their external associates are in usually students who receive compensation for their work. 14 institutions worked with volunteers before and 8 of them gave the number of volunteers currently working there. Total number of those volunteers is 135. In 17 institutions there is a need for more volunteers and 15 institutions provided the number of volunteers needed. Total number of volunteers needed is 391. So far, 10 institutions enabled volunteers to help children and young people through educational courses, trainings and consulting...

Most of the respondents did not answer the question about the cooperation with the organisations recruiting volunteers or they answered that they do not have information if such organisations exist at all. Only one institution answered that it cooperates with those organisations. Ways of recruiting volunteers are different. In most of the cases volunteers apply on their own

volunteers' self registration, through personal contacts, employment office, and through cooperation with university, or personal recommendation. As the conditions for engaging a volunteer are usually stated a willingness to volunteer, but level and type of education, and work experience are also important.

The recognition and rewarding system of volunteers reflects the attitude towards voluntary work. Voluntary work is usually recognised as the training period or working experience. It is rewarded by taking part in the planning activities and through knowledge gained in the trainings.

Although there is a need for recruiting volunteers, especially in social institutions, general conclusion is that no of the respondents recruits volunteers through centres or NGOs i.e. either they have no reliable information if those centres exist or if they know about them then they do not cooperate with those centres. Institutions that cooperate with volunteers or they did it before, usually recruited their volunteers through personal contacts. Organised recruitment of volunteers does not exist. According to the co-

llected data, we came to the conclusion that people who are responsible to work with volunteers know almost nothing about volunteering and especially about recruiting possibilities and recognition of volunteers. Thus, recognition of voluntary work as the training period corresponds entirely with general perception of voluntarism as a kind of work during the training period.

▶▶ **Engagement of volunteers**

Volunteers are usually engaged to work with children, for administrative jobs, for taking care of old people and promotional activities. Other kind of jobs are presented individually and vary significantly from institution to institution depending on their main activities and needs.

▶▶ **Internal regulations**

Existing regulations in the institutions allow engagement of volunteers. In 10 institutions there are persons in charge for work with volunteers. Although legislation in Republic of Croatia makes no difference between voluntary work and training period, there are no regulations that would forbid or make engagement of impossible.

Therefore, even there is no legal barriers, volunteering in the public institutions is undeveloped because of the reasons mentioned before - lack of information and unsystematic approach.

► **Summary of the research**

During the conducting of the research and data analyses we have faced numerous problems because of several reasons. Firstly, because the institutions were not enough interested in the research, part of the questionnaires were not sent back despite of great effort to collect them. Secondly, in most of the cases the questionnaires been sent back were not filled out completely and in many of them inconsistency in answering and contradictory answers were found. Therefore we do believe that questionnaire was too extensive, unsystematic and inadequate for the respondents. Some questions were ambiguous and left possibility of different understanding.

In spite of all problems during collecting of data and data-processing the results of the research, were sorted out and several different conclusions were drawn:

1. Perception of voluntarism and

volunteers is generally positive and institutions are open towards them.

2. Institutions are not enough informed about the concept of voluntarism and existing voluntary activities. Different perception of voluntarism depends on the type of institution.

3. Voluntarism is often conceived as the non-paid work, training period or civil service as an alternative to military service.

4. Institutions are not enough informed about possibilities of recruiting volunteers through organisations (lack of systematic recruitment) and about volunteer's management (how to work with volunteers).

5. Evaluation of voluntary work is poor- there is no systematic rewarding of volunteers.

6. There is a need for more intensive engagement of volunteers in public institutions.

7. There is a need for education of people who are responsible for volunteers and employed in public institutions.

8. There is a need for systematic regulation of voluntary work.

4. LEGAL FRAMEWORK FOR VOLUNTARISM

Volunteering is considered as non-profit and non-paid work. Through voluntary work an individual contributes to the well being of his/her community in the same time improving knowledge and acquiring new skills. The system of volunteer work in Croatia is not developed. Volunteering is possible through NGO's and different humanitarian institutions, but there is no programme been worked out, the citizen's conscience about the need of volunteering is not developed and there is no legislation relating voluntarism. The Labour Law regulates voluntary work but not in the sense of non-profit activity but as non-paid internship. The draft of the Law on voluntarism is being prepared, which will regulate volunteering and helping in development of public awareness and affirming this kind of work.

► Rights of volunteers according to the Labour Law

The Labour Law regulates the concept of voluntary work. Besides that law rights and obligations of volunteers are also regulated in the frame of some other laws (Law on Pension Insurance and

Law on Health Insurance). Because of the legal nature of the voluntary work regulations relating job contract, salary and compensation or the termination of the job contract, will not be applied.

According to the Labour Law a volunteer contract can be signed if the professional exam or working experience gained during the voluntary service is the pre-condition for a specific jobs. Just in these two cases employer can accept the person who has finished formal education on a professional training, without previously signing the job contract. The period of volunteering is considered as the training period and can last no longer than training period itself. Voluntary contract has to be made in writing. If that condition is not satisfied the contract is legally not valid. The employer can, but is not obligated to, compensate expenses in relation to carrying out of certain activities (for example compensation of travel expenses). The Law on Protection at Work makes no difference between volunteers and employed therefore volunteers also enjoy all rights coming from that law.

Voluntary contract has to be made in writing. If that condition is not satisfied the contract is legally not valid.

►► **Rights of volunteers according to the Law on Pension and Health Insurance**

A volunteer working full time, although non-paid, has pension insurance. The employer who engages the volunteer under those conditions have to submit the application in the Croatian Institute for Pension Insurance and in that way taking out the insurance for the volunteer. The Institute defines the amount for insurance by its decision.

The status of firemen volunteers is specially regulated. They are insured in case of invalidity or injuries at work. A volunteer does not have health insurance just because he/she is the volunteer. However a volunteer can achieve his/her right on health insurance on the other basis: applying directly for the health insurance, paying the fee on his/her own or to apply for the health insurance based on marital status and insurance basis of the spouse.

►► **Volunteering according to the Law on Obligatory Relations**

The Labour Law regulates volunteering in a very narrow sense. In Croatian legislation there is no broader definition of voluntarism.

The volunteers' organisation and the volunteer have to sign a contract. Among the existing types of contracts the closest to the nature of the voluntarism is the warrant agreement.

By the warrant agreement, a person who is the subject of the agreement is authorized and obliged to accomplish certain job. That person works on his/her behalf and for the employer. It is a paid contract unless non-payment comes from the nature of the job, which is the case with volunteering. In that case payment regulations are not applicable.

The person who is the subject of the contract (a volunteer) has to carry out the activities that he/she is responsible for (in accordance to instructions) and to submit reports and accounts. Responsibilities of the employer (organiser of the volunteering) include providing advanced payments for expenditures and expense that are result of the volunteer's responsibilities.

The organiser of the volunteering and volunteer can assign the not genuine contract on deed. By this contract the volunteer is obliged to accomplish a certain job.

The volunteers' organisation and the volunteer have to sign a contract. Among the existing types of contracts the closest to the nature of the voluntarism is the warrant agreement.

The volunteer is obliged to carry out the job according to the contract and specific rules of the profession and to deliver the deed to the employer for inspection.

In order to prevent any abuses, the Law on State Inspectorate stipulates that the labour inspector can temporarily close down the business of an employer, until established irregularities are removed, in case he/she found out that a contract signed between employer and employee is the contract on deed or some other kind of contract other than job contract, and the law, for that particular job, stipulates the job contract only. This decree must not be interpreted in strict sense.

►► Regulation of voluntarism according to other laws

Voluntarism is indirectly mentioned in the Law on Firemen Service. This law regulates that the volunteer fire companies and firemen associations are of interest for the Republic of Croatia. They carry out their duty with legal authorisation. The Law on Firemen Service regulates their foundation, work, and end of work.

►► Tax regulations

The organiser of the volunteering can recompense certain expenses to the volunteer such as travel expenses, lodging and per diems. According to the Law on Added Value Tax these expenses are not considered as the income and therefore they are not subject to taxation. For this kind of income volunteer is not obliged to pay taxes in case the amount of payment does not exceed the limit defined by the Law on Income Tax. The value of the service that the organisation receives is the subject of taxation because it represents increased economic benefit of the employer and there are no legislations that would exempt the organisation from the taxation for that kind of benefit.

Considering that there are no opposite regulations the added value tax is paid on the volunteer's services. However, non-profit organisations are exempted from that obligation because they are not tax-liable. These regulations are relevant only for the profit-making organisers of the volunteering.

There are also some tax reductions. Tax basis can be reduced if the employer hires new workers. In that case amount for salaries

Considering that there are no opposite regulations the added value tax is paid on the volunteer's services. However, non-profit organisations are exempted from that obligation because they are not tax-liable.

The conditions for work of foreign volunteers in Croatia as well as their status are unfavourable.

of new workers and the fee for social insurance are subtracted i.e. for the volunteers only the amount for the social insurance fees is subtracted in a period of one year.

►► **The way of volunteers' engagement**

Organisations decide if there is a need for engagement volunteers independently. Conditions for volunteers to be engaged are presented on the Internet or through mouth-to-mouth recommendations, which are the simplest ways to do so. The state institutions have defined procedures for recruitment of volunteers.

An example is The Ministry of Labour and Social Care, which decided to engage volunteers in the institutions of social care and in that sense made the Decision on programme for training period for qualified individuals. That programme anticipates, among the others, that individuals, who have volunteered before in the civil society associations or other institutions dealing with social or family and child care activities, have precedence in engaging.

►► **Work of Foreign volunteers in Croatia**

The special law does not define the position of foreign volunteers in Croatia. Thus, the Law on Employment of Foreigners threatens the work of foreign volunteers as the other kind of labour.

A foreigner can sign the job contract only if he/she has the working permit. That permit is issued by the Employment Office -Central Department in Zagreb. It is issued for a specific period of time i.e. for the time defined by the job contract. Exceptionally, the permanent working permit can be issued to the foreigner who has the permanent residence permit. This law is regulates seasonal employment too. An employer can make an agreement with a foreigner to carry out temporary and periodical work. For that kind of work the working permission issued by the Employment Office is also needed. It is been issued for a period of one up to four months.

Taking in account before-mentioned situation it can be concluded that the conditions for work of foreign volunteers in Croatia as well as their status are unfavourable. Legally, this kind of voluntary work is not defined in particular,

which makes volunteering of foreigners in Croatia difficult.

▶▶ **The draft of the Law on Voluntarism**

In Croatian legislation today there are no regulations about volunteering *stricto sensu*. The draft of the Law on Voluntarism defines merely basic questions: the status of volunteers, their rights and duties, the compensation of the expenses and the responsibility in case of for damage done, rights on social insurance and the volunteers' booklet is introduced.

The draft of this law introduces the following definitions concerning voluntarism such as:

▶ *Voluntary services* are legal services offered to the other individual, for the well being of other individual or for the universal well being, freely and without compensation and it can be offered only by the physical persons;

▶ *Volunteering* means offering the voluntary services. This concept does not embrace offering the services that are claimed by the law i.e. if the person is obligated to do so including the work

of new worker that is paid during the training period (defined by the labour regulations);

▶ *A volunteer* is the physical person, older than fifteen years who offers voluntary services based on his/her own knowledge, skills and capabilities. An agreement with minors can be signed only if the written approval of the legal representative is provided. In addition, young volunteer is not allowed to carry out work that could harm his/her health or physical development;

▶ *The beneficiary of the voluntary services* is a physical or juristic person benefiting from voluntary services;

▶ *The organiser of the voluntary services* is a non-profit juristic person, association, institution, non-profit trade association, and units of the local self-government or department of the state.

Making volunteer's contract does not mean employment. Thus, contracting parties have know rights coming from the labour regulations The obligatory law regulations on the warrant agreement should be applied if the Law on voluntarism does not cover stated relations.

The organiser of the voluntary services is a non-profit juristic person, association, institution, non-profit trade association, and units of the local self-government or department of the state.

The volunteers' booklet is also regulated. The booklet should be given to every volunteer. It will be a public document and will serve as proof about previous experience gained through voluntary work. The organiser of the volunteering would record the data about the beginning, duration and the end of the voluntary service. Training of the volunteer and the type of the job will be recorded as well.

In spite of the tradition of volunteering, in Croatia there are no legal regulations that would define the relationship between volunteers, organiser of volunteering and beneficiary of the voluntary service as well as their relationship toward third person.

The described situation is very negative for volunteers. Their status is not defined and their rights differ from case to case. The status of foreign volunteers is especially bad because they first have to get the working permit to be able to volunteer.

The draft of the Law on Voluntarism is being prepared that should resolve these questions or at least to set up some basic principles. By the existence of such a law the public awareness and knowledge about voluntarism and its importance would increase and more people would be motivated to volunteer.

I COMPARATIVE LEGISLATION

A comparison of the existing legislation defining the status of volunteers encompasses South East European countries - Bulgaria, Romania and Albania, countries from the 'circle 10' that will join the EU in 2004¹ - Hungary, Check Republic, Poland and Slovenia, as well as countries of the European Union - Great Britain, Italy and Denmark.

1. LEGAL STATUS OF VOLUNTEERS IN ITALY

There is a wide legal framework that defines the legal status of voluntarism in Italy. Volunteers in Italy can be divided into two big groups:

- Development volunteers taking part in development programmes for international collaboration; and
- Short-term volunteers working spontaneously for non-profit reasons. They are usually active on a local level being represented by students, workers or pensionirs.

- ✓ Law of voluntarism No. 266/1991;
- ✓ Law of social cooperation No. 381/1991;
- ✓ Law of mutual cooperation and development of volunteers' organisations No. 49/1987;
- ✓ Law of military service for conscientious objectors No. 64/2001;
- ✓ Law of public institutions No. 383/2000.

LEGISLATION REFERRING TO VOLUNTARISM

Italy has several laws that regulate the issue of voluntarism:

▶▶ Law of voluntarism

The current Law of voluntarism came into effect in 1991 and it is used as the legal basis for regional authorities to define the issue of voluntarism in their jurisdiction. This law, like other regio-

¹ These countries became members of the EU in May 1, 2004. (trns. rmrk)

nal laws that followed, recognized voluntary work as an integral part of civil society. By this law, main characteristics of voluntary work are defined, and it regulates mutual relationship between government and voluntary groups.

The law strictly defines that volunteers are not considered as employees. Consequently, volunteers' organisations are not obliged to pay any social tax for volunteers nor taxes to the state and local authorities.

The law requires volunteers' organisations to provide budget and health insurance for their volunteers. Apart from the reimbursement of reasonable costs that occur relating to voluntary activities no payment to volunteers is allowed. These costs have to be in accordance with regulations of the organisation itself.

At the national conference in Foligno, as well as at other national conferences, the government invited volunteers' organisations and public institutions to submit their amendments in order to change/supplement the law. These reunions resulted in different decrees and new laws. The new constitutional law passed in 2001

introduced some changes in the Italian legal system, giving new power to the regional authorities and introducing changes in the field of voluntarism.

► **Law of social cooperation**

The Law of social cooperation, which came into effect in 1991, regulates the work of social institutions and its volunteers. According to the law, the aim of social institutions is to support promote general public interests, to achieve social equality of citizens, to carry out different activities in the field of agriculture, industry and trade, and to offer working possibilities to disabled people. Disabled people must be at least 30% of staff in those institutions. Or: In those institutions staff has to include at least 30% of people with special needs.

As regards volunteering, the law allows volunteers to participate in the daily work of organisations to support the permanent staff. But it dictates that the number of volunteers who work without compensation must not exceed 50% of the total number of staff. Volunteers who are subjects to this law have the right to receive compensation for reasonable costs and insurance in case of risk of accident.

Besides the permanent staff the number of volunteers who work without compensation must not exceed 50% of the total number of staff.

► **Law of mutual cooperation and development of volunteers' organisations**

The Italian government offers the possibility of volunteering abroad. In addition, Italian legislation recognized the importance of non-governmental organisations and organised international volunteers' services in third countries.

The law offers Italian citizen, older than eighteen and with appropriate qualifications, possibility to take part in international voluntary projects lasting in average two years. These volunteers have to pass special trainings to enable them to understand better the purpose of their assignment abroad. They are paid and their salary depends on different details of their mission, such as place of volunteering and the role of the volunteer him/herself.

► **Law of military service for conscious objectors**

This law passed by Italian parliament in 2001 regulates military service for conscious objectors. After 2006 there will be no compulsory military service for male Italians anymore. Men will be able to choose between military, civil and voluntary service. Women can also take part in civil volun-

tary service. The law prescribes that the government has to define criteria for recruitment, duration of the service (maximum one year) and non-financial compensation for volunteers.

Until 2006, women from eighteen to twenty six years old and men who cannot do military service because of health reasons are eligible for civil voluntary service. Civil voluntary service as an alternative to military service is neither available to citizens of other European Union member states nor to citizens of non - member states. The aim of the service itself is the promotion of national and international solidarity and mutual cooperation, environment protection, protection of historical and artistic values, and protection of citizens' rights. The aim is to involve volunteers in the programmes of civil service either in Italy, in other EU member state, or in a developing country. In order to be able to engage conscious objectors as volunteers an organisation has to fulfill several requirements: It has to be a non-profit organisation; It has to carry out legal activities; It has to have the required capacity and it has to have at least three years of experience in their field of work.

After 2006 there will be no compulsory military service for male Italians anymore. Men will be able to choose between military, civil and voluntary service.

The recruiting organisation must provide detailed information of the candidate's future activities, their possibilities to develop professional skills and the overall aim of the mission itself.

The recruiting organisation appraises every volunteer individually and makes a temporary list of volunteers/candidates. All documents are sent to the national office for civil service, which has to approve this list. The national office for civil service appraises the candidates using objective criteria defined by the government. Final listing of the candidates must be announced on the web site of the recruiting organization itself. However, there are differences between volunteers working in Italy and those volunteering abroad. Volunteers who are volunteering in Italy receive a monthly state allowance of EUR 433. The organisation that is applying for projects is not allowed to include the state allowance in the budget for food and lodging.

In special cases the office for civil service can cover those costs. If this is the case the compensation is EUR 15 per day. This amount is paid either directly to the volunteer or to the hosting organisation. The organisation can request compensation for training of the volunteer.

Conscious objectors volunteering abroad also receive EUR 433 the monthly state allowance, plus EUR 15 for every day stayed abroad. Board and lodging expenses can be compensated with EUR 15 per day if the hosting organisation is receiving the money. If the volunteer itself receives the money directly it amounts to EUR 20 per day. According to the law the state has to cover 100% traveling and training costs of the volunteer and pay a flat rate benefit of EUR 25 for vaccination to the hosting organisation. In addition it has to issue basic insurance in case of accident and take responsibility towards third parties.

2. LEGAL STATUS OF VOLUNTEERS IN GREAT BRITAIN

In the UK there is no legal definition of the term what a volunteer is. However, the UK's National Centre for Volunteering defines voluntary work as "any activity, which involves spending time, unpaid, doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives, or to benefit the environment."²

One potential problem area regarding the status of volunteers in Britain is that of contracts. If somebody has made an agreement, written or verbal, to do a task in exchange for anything of economic value, technically speaking it counts as an employment contract. This has important ramifications for many volunteers who rely on state benefits, e.g. unemployment or disability (see below).

3. LEGAL STATUS OF VOLUNTEERS IN DENMARK

Voluntarism in Denmark is not defined by special law. Nevertheless, the Ministry of Social Affairs in the pamphlet on "The voluntary Social Sector in Denmark"³ defines voluntary work as an organized activity carried out by a volunteer motivated by solidarity. This activity must be non-profit, freely given and for the benefit of people other than the volunteer's own family.

The Danish volunteers' organisations are treated separately from private companies and from public institutions and they are operating on a non-profit basis. In 1983 the Danish Committee on Volunteer Effort was created. It is a political committee formed by public authorities and volunteers' organisations that try to engage Danish citizens and private associations in the social field.

² National Centre For Volunteering website, <http://www.volunteering.org.uk/workwith/faq36.htm>
³ "The voluntary social sector in Denmark"

Although there is no legal framework for voluntary work the Danish Volunteer Centre was established in 1992 to provide information and support on voluntarism.

The Social Services Act obliges counties and local authorities to cooperate and support voluntary social organisations and associations at a local level. To carry this role into effect, the central government provides an annual subsidy, which local authorities through their budget, grant to the volunteers' organisations.

In 2000 the Danish government set up an inter - ministerial working committee to identify the obstacles in Danish legislation and to make recommendations for the creation of a favorable legal framework for voluntarism. Although there is a political will to development a legal framework for voluntarism, Trade Unions strongly resist this initiative. In case of Denmark in particular the development of voluntary work is seen as a threat to the fight for employees rights.

Legal framework

The lack of Law of voluntarism as a consequence has application of an inappropriate legal framework

and in addition, long-term volunteering carries specific legal implications being solved on a case-by-case basis.

Compensation of expenses incurred within the framework of voluntary activity is up to the host organisation. There is no obligation for the organisation to cover these costs. Taxation system is based on the duration of stay in Denmark. Any person residing in Denmark for at least 6 consecutive months is fully liable for taxation in Denmark. This means that the person is taxed for any income received within the country and abroad. Income tax is payable if the annual income amounts to EUR 4,800 or more. Even if an individual is resident in Denmark for less than 6 months he or she is obliged to pay income tax in Denmark on any income that is generated by working for a Danish employer or a foreign company with permanent establishment in Denmark. The average income tax is 32% of total income but the first EUR 3,500 earned is tax-free. These rules affect Danish volunteers going abroad as well as foreign volunteers coming to Denmark. There is no tax exemption for volunteers and the value of board, lodging, pocket money

In Denmark, central government and local authorities support different programmes and social voluntary work..

and expenses may also be counted as income liable for taxation. It is up to the discrepancy of each local tax authority income tax levels vary by municipality and province.

Today voluntarism in Denmark is characterized by cooperation with the public sector and government financing. In a sense central government and local government are supporting different programmes and voluntary social work.

4. LEGAL STATUS OF VOLUNTEERS IN SLOVENIA

Slovenia has a long tradition in volunteering and voluntary work. Mutual help is part of Slovenian tradition especially in rural areas. In the last several years voluntarism was recognized as an active tool for alleviation of poverty and social exclusion, which are residues of the ex-communist regime. Voluntary work in Slovenia is carried out informally between individuals, and in an organised context within different institutions such as the Red Cross, church, national institutions, etc.

The Government of Slovenia has introduced volunteering in schools through an educational reform. Voluntary work is offered at primary and secondary school level. Secondary students are obliged to carry out some kind of vo-

luntary work, while volunteering at primary school level is currently considered as 'good practice'. Several universities have also established volunteer programmes for students, although it is not yet accredited within the academic system. The voluntary work is performed in different types of fields like social and health care as well as in the educational framework for instance assisting children with learning difficulties, refugees, Roma children, etc. Throughout the academic year pupils in secondary schools are volunteering on a weekly basis. The Ministry of Science, Education and Sports and the National Education Institute are financing this programme. The programme has strengthened collaboration between government, education

The Government of Slovenia has introduced volunteering in schools through an educational reform. Secondary students are obliged to carry out some kind of voluntary work, while volunteering at primary school level is currently considered as 'good practice'.

institutes and non-governmental organisations.

► **Legal framework**

Despite the high level of participation in voluntary actions, there is no specific legal regulation defining the status of volunteers in Slovenia. Only recently government has started a serious dialogue with different organisations concerning the need for legislation regulating voluntarism. At the beginning of 2003 several NGOs and the Centre of Information Service for NGOs initiated a project called 'Forming of the Guidelines for Legislation concerning Volunteering', which aims to incorporate some regulations about voluntary work in the Slovenian legal system.

The absence of a specific legal framework concerning voluntarism implies the application of different laws. Under Slovenian tax law expenses for volunteers for food, accommodation, traveling and the volunteers allowance are subject to taxation. Tax exemptions are foreseen offered on costs related to course fees, equipment for education, medicines, etc.

In the absence of any specific legal provision for volunteers, the reimbursement of expenses connected to a volunteer's activity is at the discretion of the hosting organisation.

Foreign volunteers staying longer than six months require a temporary personal tax number issued by the corresponding regional tax authority.

5. LEGAL STATUS OF VOLUNTEERS IN CZECH REPUBLIC

In the Czech Republic, in response to the International Year of Voluntarism (2001), the first legislation specifically regarding voluntary work was passed on the 1st January 2003.

According to Article 3 of this law (Zákon o dobrovolnické službě), a volunteer is defined as:

"A natural person, over 15 years of age if volunteer services are performed on the territory of the

4 AVSO (Association of Voluntary Service Organisations), Legal Status of Volunteers: Country Report Czech Republic, p.4

Czech Republic; over 18 years of age if volunteer services are performed abroad, who has freely decided to render volunteer services on the basis of his/her skills, knowledge and qualities.”

While such a law can be seen to be a very positive example for other CEE states, in the same time it contains some shortages. The law does not encompass all kinds of voluntary work; instead it is designed as a means to promote parts of the voluntary sector with support from the government. The sectors of voluntary work and social groups nominally included in the law are as follows:

- ✓ The provision of social care;
- ✓ Ethnic minorities and immigrants;
- ✓ Drug-addicts;
- ✓ Seniors;
- ✓ Leisure activities of youth and children;
- ✓ Charitable work;
- ✓ Environmental protection;
- ✓ The protection of cultural heritage.⁵

While the above list is very wide reaching indeed, the reason for

many volunteers not falling within the remit of the law is that individual organisations must be accredited by the Czech Ministry of Interior.⁶ Thus, delegating organisation is a partner of the Czech Republic and only organisation officially accredited is also entitled to state financial support. For an organisation to be eligible for accreditation it must be non-profit and registered within the Czech Republic. The period of accreditation lasts 3 years, after which the status must be reapplied for.

The Accreditation Committee is consisted of one representative of the Ministry of Foreign Affairs, Ministry of Education, Youth and Sports, Ministry of Interior, Ministry of Labour and Social Affairs, Ministry of Environment, Ministry of Health, Ministry of Culture, Ministry of Finance and the Governmental Council for Non-state Non-profit Organisations.

A delegating authority under this Act is a non-profit organisation, which selects, registers, insures and prepares volunteers for rendering volunteer services. Accredited

The delegating organisation is a partner of the Czech Republic and only organisation officially accredited is also entitled to state financial support.

5 AVSO (Association of Voluntary Service Organisations), Legal Status of Volunteers: Country Report Czech Republic, p.4
6 Czech Law on Volunteer Services, Article 6 (1). The accreditation must be proposed by an advisory body, the Accreditation Committee, 'consisting of one representative of the Ministry of Foreign Affairs, Ministry of Education, Youth and Sports, Ministry of Interior, Ministry of Labour and Social Affairs, Ministry of Environment, Ministry of Health, Ministry of Culture, Ministry of Finance and the Governmental Council for Non-state Non-profit Organisations.'

ed by the state, organisations receive financial support to cover travel cost of volunteer, health and insurance in case of accident, tax for pension insurance, and costs concerning registration, training and organization of volunteer. Furthermore, there exist regulations facilitating engagement of long-term volunteers such as health insurance and taxation exemption. Volunteering period is included for the purpose of state pension for volunteer.

A receiving organisation is a legal entity capable of concluding an agreement with the delegating organisation and capable of maintaining its obligation under such

an agreement. The receiving organisation need not to be only non-governmental organisation, it could also be a hospital, school, local self-government unit, etc.

In the case of long-term volunteering being rendered abroad, voluntary contract must be made in written. For the short-term volunteering written contract is not a condition. Czech citizens volunteering through organisations that are not accredited by the government, as well as volunteers from overseas coming to volunteer in Czech Republic have no legal right on compensation of the costs.

6. LEGAL STATUS OF VOLUNTEERS IN POLAND

There are about 30,000 active non-profit organisations in Poland. About 87% of them work with volunteers. Some 60% do not employ any staff, depending entirely on the efforts of volunteers. Therefore there has been a very strong need for a regulation to legalise the work of volunteers in this country.

A draft law on Volunteers was prepared in 2002 and 2003 and after a

series of amendments this law was signed by the Ministry of Labor and Social Care and submitted to the Parliament in 2003. The law has finally been adopted in 2003 and came into force on 29th of June of the same year, entitled as the Law on Public Benefit Activity and Volunteerism. This law is expected to establish the basis for voluntarism in Poland and to motivate people to take part in this area of work.

Voluntarism according to legislation

According to the Law on Public Benefit Activity and Volunteerism voluntary activities exist in the following three cases: firstly, in a non-governmental organisation is registered as such at the State Court Register and has the provision of public benefit activities included in its statutory goals; secondly, in case of public authorities, excluding those performing economic activities; and thirdly, in organisations controlled or supervised by public authorities.

According to the regulations a volunteer has right of safe and hygienic work conditions and must be informed in advance concerning potential health risks. The organisation must cover travel costs and other expenses incurred by the volunteer in connection with his/her service. In addition, the organisation must provide a "per diem" and cover training costs.

The law specifies the need for a written volunteer agreement, but only if the services provided by the volunteer exceed a period of 30 days. In other cases the volunteer can request a written agreement or written conformation of the services provided. The applic-

ation of this law is very wide. The law lists 24 fields of work, ranging from social care to the protection of consumer rights. However the entire field of voluntarism is covered. Except in the before-mentioned cases, the law does not regulate reimbursement of other expenses. It was left at the discretion of the organisation itself. There are no clear legal provisions concerning taxation of the compensations received by the volunteer. The Ministry of finance solves the matter on a case-by-case basis. Usual practice was that small amounts are not taxable. In addition, money that volunteers from overseas receive for board and lodging and other costs, is not subject to taxation.

In Poland, public awareness concerning the importance of voluntarism is not developed yet. In the spirit of the previous regime, Poles think that social care as well as environment protection is the responsibility of the state.

In the region Klon/Jawora a research referring voluntarism was implemented in December 2001 with a research sample of 1000 adults. Only 10% of the surveyed said that they had been volunteers before, whereas 40% of them could not even define the term voluntarism.

The organisation must cover travel costs and other expenses incurred by the volunteer in connection with his/her service. In addition, the organisation must provide a "per diem" and cover training costs.

7. LEGAL STATUS OF VOLUNTEERS IN HUNGARY

At the moment there is no existing legal category "volunteer" in Hungary therefore volunteers are considered as workers. However, discussions at government and civil society level on the creation of a consensual legal definition of voluntarism are taking place.

►► **Voluntarism and the law**

At present (June 2003), there is no act or legal regulation establishing the status of national or international volunteers in Hungary, although there is a Draft Law on Volunteerism but it is unlikely to be accepted before 2004.

It is hoped that the new volunteer law will resolve some of the difficulties faced by volunteers. The United Nations International Year of Volunteers 2001 was an important catalyst for the consideration of voluntarism by all stakeholders in Hungary. Within the framework of the United Nations International Year of Volunteers 2001, a legal committee (comprised of eight lawyers, NGO experts and civil society workers) was established to investigate

how the Hungarian legal system should be changed in order to create a more supportive environment for voluntary activism. This team was given the mandate to draft a "Proposal for a Legal Act on the Recognition of Volunteer Work" in Hungary, to be addressed to the Ministry of Justice.

►► **Proposal and recommendation made by the Legal team**

The Legal team was in charge of investigating how the Hungarian legal system should be changed to support volunteer action. It has pointed out several issues that should be taken into account:

Volunteer Action and Labour Law: there should be a definition of a volunteer in Hungary that differs from that of an employee;

Voluntarism and Unemployment: unemployed people in Hungary should be encouraged and supported to volunteer. As voluntary action is identified as a valuable means of inclusion in the labour market;

Liability Insurance for Volunteers: organisations, volunteers and the beneficiaries of the voluntary activity should be adequately insured;

Reimbursement of Volunteer's Expenses: reimbursement of volunteer's expenses should be granted by volunteer - involving organisations;

Volunteer Activities and the Tax System: voluntary work should be considered as donation and volunteers should therefore be granted tax exemptions or other advantages, such as tax deductions for travel or accommodation expenses at the end of the fiscal year.

► **Final recommendations made by the Legal team**

The Legal Team has made several recommendations to the Hungarian Government in this regard:

- Transnational voluntary service programmes for young people should be acknowledged;
- Volunteers from abroad, whether coming on a short-term or long-term basis, should be included in the national legal framework. At present they are formally treated as employees.

Despite significant progress of voluntarism in post-communist

Hungary (in terms of number, public and official recognition etc.), it is still very much in early stages of its development as something very separate from its, so-called, compulsory nature during the communist regime. Thanks to the creation of the legal committee Hungary today is aware of the changes that need to be made on legislative level in order to support the development of volunteerism better. There are however still some tough questions remaining (Tóth, 2002: 3-4). These include the fact that formalising volunteering via legislative change voluntarism remains extremely unpopular both among volunteers and among non-profit organisations.

Only a few years ago a number of volunteers who worked for example in state organizations left due to excessive formality. Thus, we must realise that there will always be volunteers, who will help honestly and regularly without any contract, only on the basis of a verbal promise.

It is therefore necessary to find an individual solution for each organisation and each particular voluntary activity, which will suit both parties. Content and charac-

Hungary today is aware of the changes that need to be made on legislative level in order to support the development of volunteerism better.

...we must realise that there will always be volunteers, who will help honestly and regularly without any contract, only on the basis of a verbal promise.

ter of the voluntary contract, either verbal or written agreements with volunteers, should depend on the extent and character of the voluntary activity. The contract should define how to remunerate and insure volunteers, and how to reimburse accrued costs.

▶▶ **Present situation**

In Hungary, full-time voluntary service is considered as employment and any allowances awarded to full-time volunteers are subject to taxation. In addition, organisations that host full-time volunteers are considered "employers" and they must also pay taxes on lodging, board and pocket money awarded to volunteers. The tax declaration can be made either by the volunteer or by the host organisation.

▶▶ **Welfare Protection Of Volunteers**

Because the legal system in Hungary does not recognise the phenomenon of voluntarism, there are no specific provisions in regard to volunteers and entitlements to social welfare benefits.

▶▶ **Volunteerism and Family Allowances**

In relation to overseas voluntary service and family allowances, all entitlements are lost during the period the volunteer is abroad. When the volunteer returns to Hungary and continues with his or her full-time formal education, his/her family will be entitled to claim this allowance once again. However, if the family of the volunteer declares that their child is living with them although volunteering abroad, they may retain entitlements. Other grants and subsidies, such as orphans' pensions, are also suspended.

8. LEGAL STATUS OF VOLUNTEERS IN ROMANIA

The Romanian Law on Voluntarism of 2001 (Legea Voluntariatului) defines voluntarism as “an activity of public interest undertaken by individuals called volunteers within the framework of a certain legal relationship, other than legal relationships created under the Labour and Civil Codes pertaining to the carrying out of a paid employment”. However, the main focus of the law is on international volunteers, and it does not particularly aim to increase citizens' overall awareness of voluntary activity.

The law regulates different deductions, promotion of overseas and Romanian citizens' participation in volunteer activities according to civil solidarity (as organised by public and private legal, nonprofit entities), as well as the participation of youth in international volunteer programmes (as implemented in a decentralised manner in close cooperation with the national authorities involved in matters regarding youth).

► Basic principles of the Romanian Law on Voluntarism

The law sets five main principles related to voluntarism:

- ▶ Participation of the volunteer based on her/his freely expressed consent;
- ▶ Active involvement of the volunteer in community life;
- ▶ Performance of voluntary activities without any financial consideration in return;
- ▶ Recruitment of volunteers based on equal opportunity, without any discrimination;
- ▶ Self-sufficient and sporadic volunteer activities (except for those performed within the specific legal framework), attributed to family, friendship or neighborhood relationships - shall not constitute a voluntary activity, and therefore fall outside the scope of this law.

►► Volunteer contract

According to the law, voluntary work must be carried out on the basis of a written contract between the volunteer and the beneficiary of the volunteer activity, and in accordance with the provisions of the voluntarism law.

The beneficiary of the volunteer activity can be any legal entity, e.g. state institution or non-profit organisation. The law prohibits using

Romanian Law on Voluntarism the main focus of the law is on international volunteers, and it does not particularly aim to increase citizens' overall awareness of voluntary activity in Romania itself.

The law prohibits using a volunteer agreement in order to avoid an ordinary work contract or any other contract for financial remuneration.

a volunteer agreement in order to avoid an ordinary work contract or any other contract for financial remuneration. Any contract that violates these legal provisions is declared null and void. It should be noted that the initial law of 2001 applied to Romanian citizens only. Amendment of the law in 2002 refers almost exclusively to international volunteers and to Romanian volunteers choosing to volunteer abroad.

One of the main difficulties in relation to the law is that many non-profit organisations, such as citizens' groups and some NGOs, are operating without any legal personality (and are therefore working with an informal organisational structure). These organisations, under Romanian law, cannot sign legally binding agreements, not even volunteer contracts. Consequently, a person who volunteers in such an organisation cannot have volunteer status (as s/he is not able to conclude the contract stipulated by the law). This however applies to only a minority of organisations and associations.

▶ **Volunteer fire fighters**

The volunteer fire brigades are not subject to the Romanian Law on Voluntarism. They are instead sub-

ject to Government Ordinance 60/1997 regarding fire fighting, as approved and amended by law 212/1997.

▶ **Reimbursement of expenses**

Reimbursement of expenses to volunteers is defined according to the Law on Voluntarism of 2001 and it is not subject to any kind of taxation in Romania. Prior to this law, there were no regulations concerning the compensation of volunteer expenses by NGOs (e.g., per diem, travel expenses).

According to the Law on Voluntarism the host organisation shall reimburse the volunteer according to the contract, as subject to the legal provisions on costs incurred in relation to the performance of the activities.

▶ **Shortcomings of the law**

The enactment of the Romanian Law on Volunteerism 2001 can be seen as one important example of increased recognition of the phenomenon of voluntarism in Romania. However it should be noted that this law was not discussed and created in collaboration with civil society organisations. In fact to a large extent it focus-

es only on international voluntarism, with only a few specific provisions for the facilitation and support of Romanian citizens wishing to volunteer in their own country. Therefore this law is often not seen as a real commitment to develop the civil society sector, but just as a means of the government to speed up the process of joining the EU wishing to close another accession chapters. It is also true that the Romanian Law on Voluntarism contributes very little to supporting and encouraging voluntary action of Romanian citizens at home. However, some aspects of volunteering are well regulated but it does not guarantee a change in the behavior of organisations and volunteers, i.e. the existence of the law does not necessarily lead to changes in volunteer management in Romania.

According to the non-governmental sector these changes can only be achieved through a fundamental recognition of the sector and:

- ▶ Training of those involved in managing volunteers as well as the activities they are involved in;
- ▶ Supporting volunteer centres that actively promote good practice in volunteer involvement;
- ▶ Supporting organisations that involve volunteers in a profes-

sional manner and that disseminate their lessons learned.

However, the Romanian Law on Voluntarism, with all its good and bad sides, is totally new in the country's legal system. There is a wish and chance that this law will serve as an important stimulus for strengthening voluntarism in this country.

▶▶ Recommendations of the civil sector for changes to the current Romanian Law on voluntarism

- ✓ In reference volunteers' rights the law does not say what happens in cases where the volunteer joins the non-profit organisation after the volunteer programme has already been elaborated or implemented;
- ✓ In reference to volunteers' rights and obligations in the volunteer contract: the volunteer has a right to receive a certificate, but this certificate should be performance based since it is not only the number of hours volunteered but also the results that count;
- ✓ In reference to the part on alteration/termination of a volunteer contract: it would be better if organisations could decide individually whether the fifteen day no-

The law needs to be changed and mainly focused on domestic volunteers so as to encourage Romanians to volunteer in Romania.

tice requirement is needed or not;

✓ In relation to volunteer contracts, the law should be more flexible to legalise various kinds of voluntary activities that may occur in reality. For example signing a contract with a volunteer who is only helping to clean a park on one morning or afternoon seems to be futile;

✓ The law should include the right of the volunteer to be informed of any dangers concerning his/her voluntary work. It should be up to the organisations and the affected individuals how they demonstrate their mutual consent to perform the activity in spite of danger (e.g. by signing a contract or a statement);

✓ The law needs to be changed and mainly focused on domestic volunteers so as to encourage Romanians to volunteer in Romania;

✓ The development of volunteerism should start in local communities. It should be clearly emphasized that international voluntarism is only one part of voluntarism;

✓ Civil sector (including organisations involving volunteers, volunteer centres, volunteers) should be consulted for future amendments of the law;

✓ Support should be available to NGOs that involve volunteers but cannot cover insurance and other costs. The state does not provide any help to non-profit organisations that want to insure their volunteers and external donors (on whom the majority of non-profit organisations in Romania are totally dependent) The state has no interest or intention to fund such local volunteer costs. This kind of funding occurs only in cases of overseas volunteers coming to volunteer in Romania and for Romanian volunteers going abroad. Therefore Romanian volunteers volunteering in their own country are excluded from support;

✓ Organisations should be encouraged to act responsible in their relationships with volunteers. But flexibility should be possible as far as contracts are concerned;

✓ The State should increase its support for agencies specialising in promoting good practice in volunteer management;

✓ The State is welcome to prove its commitment to improving voluntarism by getting involved in, and supporting various voluntarism events such as National Volunteer Week and International Volunteer Day⁷.

9. LEGAL STATUS OF VOLUNTEERS IN BULGARIA

There is no legal definition of volunteering in Bulgaria. The term that used to refer to voluntary action in the community is "dobrovolstvo" and since under the communist regime this term was used to refer to military service, it still retains a bad reputation within some sections of society.

There is no legislation in Bulgaria concerning voluntarism and volunteers, nor is there any generally accepted practice. Hence, criteria and standards do not exist and procedures for hosting volunteers are still generally dealt with on a case-by-case basis. In 2001 the government adopted a Law on Non-profit Legal Entities but this does not regulate volunteering in any area.

In the absence of any specific legislation concerning voluntarism, volunteers and voluntary organisations are subject to the general legal framework.

►► Reimbursement of expenses to volunteers

The lack of any legal framework for volunteers means that reimbursement of expenses connected to the volunteer activities is entirely at the discretion of the hosting organisation. It also means that a volunteer is legally considered as an employee and therefore any income received by the volunteer for their activity is subject to taxation. The minimum basis for taxation is EUR 36 per month, which is also the minimum wage required of an employer.

However the current Labour law does provide a way of economic compensation for those volunteering in the framework of the Red Cross. Employees are entitled to full-paid leave of up to 5 working days for participation in Red Cross events and up to 3 working days for participation in trainings. In the case of full-time volunteers expenses may include food, lodging and living costs. These benefits are all subject to taxation and require an employment contract.

7 This is one of a series of "country-reports" produced by the Association of Voluntary Service Organisations (AVSO) and the European Volunteer Centre (CEV). They aim to provide comprehensive and practical information on volunteers and the law within current and future European Union Member States. Each country report explores, in a standardised format, some of the key questions that face volunteers and volunteer-involving organisations in relation to their legal positions.

The National Health Service provides universal free healthcare within the United Kingdom and the volunteers are entitled too.

II SOCIAL AND HEALTH CARE OF VOLUNTEERS

1. GREAT BRITAIN

People on Job Seekers Allowance (unemployment benefit) can do as much voluntary work as they want as long as they continue to actively seek work. This means that they have to show that they are looking for work and applying for jobs where appropriate. Therefore organisations have to give volunteers some flexibility, as they need to visit the Job Centre for meetings and to sign on, as well as going for interviews when they come up. If an individual is volunteering, then they are entitled to an extra 24 hours notice if they have to attend an interview.

Any kind of paid work would jeopardise an individual's right to claim benefits, and they may find that their payments are docked or suspended. However, expenses do not constitute a payment, so volunteers can receive reimbursement of reasonable out-of-

pocket expenses (any expenses that they have occurred because they are volunteering, such as transport costs) without their benefits being affected.

The National Health Service provides universal free healthcare within the United Kingdom.

Unlike with paid employees, for volunteers there is no direct legislation concerning health and safety in the workplace. However, they are in theory covered by Section 3 of the Health and Safety at Work Act 1974, which states that every employer must "ensure, as far as reasonably practicable, that persons not in their employment, who may be affected by their undertaking, are not exposed to risks to their health or safety" and "give to persons (not being their employees) who may be affected in a prescribed manner information as might affect their health or safety."⁸

⁸ National Centre For Volunteering website, <http://www.volunteering.org.uk/workwith/faq47.htm>

2. DENMARK

There is no legal provision concerning volunteer insurance. The protection of volunteers against risks of accident, illness and third party liability related to their volunteer activity depends on the organisation. If the organisation does not offer insurance, the volunteer should provide it for his or her personal and others security.

Their entitlement to any social benefit will depend on whether or not their volunteer activities affect their parallel legal status as students, unemployed, or any other enabling them to such protection.

Denmark has bilateral agreements with EU countries meaning that volunteers coming from these countries are covered by the Danish health insurance scheme as an EU citizen and are entitled to free emergency hospital treatment.

In addition to this, Denmark has a 'yellow health insurance card', which applies to holidays and to study trips financed individually. Local authorities may consider voluntary service as a study period and grant a yellow card.

Concerning unemployment benefits, leaving Denmark to carry out a voluntary service implies the loss of the corresponding unemployment benefits for the period of time the volunteer is abroad. If an individual is receiving unemployment benefits they are allowed to volunteer only up to a maximum of 4 hours per week. Also it must be demonstrated that the volunteer activity does not constitute job substitution..

Entitlement to family allowance of the volunteers younger than eighteen will be retained as long as the volunteer activity does not imply a failure to comply the requirements under Danish regulations.

Volunteers coming from abroad have no coverage in Poland. Therefore volunteers need to pay for any medical treatment and medication.

Full-time volunteers (over 20 hours per week) are entitled to state health-care insurance and full social welfare protection.

3. POLAND

With respect to health care, a volunteer carrying out a service in the framework of this law is automatically covered by the general national healthcare insurance. In case of accident while performing a volunteer activity, the individual is entitled to compensation. If a volunteer is providing services for a period of less than 30 days the organisation is obliged to provide accident insurance.

Outside the framework of the law, the protection of volunteers against risks of accident, illness and third party liability related to their

volunteer activity depends on the organisation. Health care is available for Polish nationals residing in Poland and foreigners residing in Poland under a long-term visa with right to work and a permanent or temporarily residence card. Foreign students and clergy can be insured freely. Children are automatically covered until they are 18 or up to 26 years if they are full time students. Volunteers coming from abroad have no coverage in Poland. Therefore volunteers need to pay for any medical treatment and medication.

4. CZECH REPUBLIC

Volunteering along accredited lines ensures that a contract (or volunteer agreement) between a volunteer and sending and hosting organisations is drawn up. Full-time volunteers (over 20 hours per week) are entitled to state healthcare insurance and full social welfare protection. Crucially also, accreditation of an organisation may also mean entitlement to state financial support.⁹

Organisations and volunteers which are not accredited, as well as volunteers from overseas, have less rights, e.g. no automatic right to be reimbursed for expenses, or to be insured, granted accommodation or pocket money. Not only that, but such volunteers might legally be seen as employees and so liable to be taxed.¹⁰

⁹ Tutr V., A Draft Law for Czech Volunteers

¹⁰ Legal Status of Volunteers: Country Report Czech Republic, p. 7

If an unemployed person volunteers abroad along non-accredited lines, they will have their benefits suspended while away from the Czech Republic and have to reapply on their return.

It is worth adding that, while non-accreditation may seem an insurmountable barrier to volunteering, the rules that apply there are simply the conditions that applied to all voluntary work before the introduction of the new law.

5. SLOVENIA

Slovenia has no legal provision concerning volunteer insurance. The protection of volunteers against risks of accident, illness and third party liability related to their volunteer activity therefore depends on the organisation. If the organisation does not offer insurance, the volunteer should provide it for his or her personal and others security. In relation to social protection and family allow-

ances, no specific legal provision regulates this issue. Applying the general legal framework Slovenian volunteers, who are entitled to receive unemployment benefits before leaving, would have their right suspended during the voluntary service abroad. Concerning family allowances, young Slovenians going abroad as volunteers also will not receive these benefits during their period abroad.

6. BULGARIA

As there is no legal framework for volunteers, they are outside the national system of health and social protection. Legally, volunteers coming from abroad should be given an employment contract

and then would be entitled to the same social protection conditions as nationals. This provides free access to doctors and hospitals, but does not cover medication costs.

Slovenian volunteers, who are entitled to receive unemployment benefits before leaving, would have their right suspended during the voluntary service abroad.

Volunteer can voluntarily contribute to the social security scheme during this time and in this case would continue to receive the minimum benefits.

Japanese and US volunteers placed through their governments' programme have rights to free medical aid for the duration of their residence in Bulgaria.

If a Bulgarian national chooses to go abroad to volunteer they change their status within the Bulgarian national security scheme system and any benefit is suspended during their time abroad. Ho-

wever, an individual can voluntarily contribute to the social security scheme during this time and in this case would continue to receive the minimum benefits.

Any social benefits to which an individual (or his/her family) are entitled, including unemployment benefits or child allowance, are automatically suspended while he/she is abroad.

III WORK OF INTERNATIONAL VOLUNTEERS

1. ITALY

One of the main obstacles for the third-country national coming to volunteer in Italy is rejection of visa applications. In the visa application form there is no category "volunteer" therefore the consulate departments either issue "student visa" or reject the applicat-

ion in the case of European Voluntary Service (EVS) programme Italian government passed the law that allows volunteers to get "volunteer's visa". In addition, the working permit is not required for the long-term volunteers in Italy.

The working permit is not required for the long-term volunteers in Italy.

2. GREAT BRITAIN

There is no restriction on people from EU countries coming to the UK to volunteer. People from outside the EU with a visa to work or study in the UK are allowed to volunteer as long as they are still undertaking the activity that is stated on their visa. It is possible to get a visa specifically to come to the UK to volunteer, but this must be arranged in advance and the Home Office has imposed the following regulations:

▶ The activity is purely volun-

tary and does not involve taking up a salaried post or permanent position of any kind within the charitable organisation or entering into any arrangement that is likely to constitute a contract of employment;

▶ The activity is either for a charitable organisation listed in Home Office guidance or a registered charity whose work meets the criteria set out in this instruction;

▶ The activity is unpaid, or is not likely to be subject to payment of

It is possible to get a visa specifically to come to the UK to volunteer, but this must be arranged in advance the specific regulations imposed by the Home Office must be followed.

the National Minimum Wage and directed towards a worthy cause;

- ▶ It is closely related to the aims of the organisation;
- ▶ It is fieldwork involving direct assistance to those the charita-

ble organisation has been established to help;

- ▶ The passenger intends to leave the United Kingdom at the end of their stay.¹¹

3. DENMARK

In Denmark, new rules have been approved in July 2002 regarding work of foreign volunteers in this country. Those new rules treat residence and work permits.

Citizens from several countries must have a visa in order to enter Denmark, and generally have the right to remain in the country for three months. For longer periods, Denmark requires a residence and

a work permit to be able to do a voluntary service.

The European Commission approved a proposal for a Directive on entry and residence conditions for students and volunteers in 2002. The proposal aims to facilitate procedures for third country nationals to stay in a European country when engaged in voluntary service. Denmark has opted out of this proposal.

For periods longer than three months, Denmark requires a residence and a work permit to be able to do a voluntary service. .

4. CZECH REPUBLIC

All volunteers from overseas coming to Czech Republic require work permits. Such work permits must be obtained by the sending organisation in cooperation with hosting organisation where the

volunteer will be working. Residence permits are always required for volunteers staying longer than 3 months and as a rule the working permit is required as a precondition too.¹²

All volunteers from overseas coming to Czech Republic require work permits.

¹¹ National Centre For Volunteering, Accepting Volunteers from Overseas, <http://www.volunteering.org.uk/centre/info/AcceptingVols.doc>
¹² Ibid., p. 8

5. POLAND

In the Law on Voluntarism in effect in Poland, there is no specific provision regarding foreign volunteers. Therefore they are subject to general legislation by default.

Foreign volunteers carrying out certain activities shorter than three months are obliged to apply for a temporary residence permit. The volunteers should generally attach documents about the voluntary service in order to document their volunteer's status. The authorities may request proof that the individual has sufficient

nt funds to cover their travel and living expenses in Poland. The residence permit is for a period of no more than two years and it does not permit the volunteer to work in a different field. If a volunteer does not arrange the corresponding residence permit, the Polish authorities can send them back to their country of origin and enforce a fine of between 5 and 1250 EUR. The above rules are not applicable in case of international volunteers who provide services based on Polish international institution agreements.

In Poland, the volunteer is not allowed to work in a field different than the one stated in the residence permit application.

6. SLOVENIA

Citizens from the EU, the EFTA and Croatia, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland and Slovakia do not require visas to enter the Republic of Slovenia for a period up to three months. All others are required to have visa before entering the country.

When the volunteer stays longer than three months in Slovenia it

is compulsory to have a residence permit.

Regarding work permits, the law also exempts volunteers participating in work camps or another form of international cooperation in the field of youth from requiring a work permit.

When the volunteer stays longer than three months in Slovenia it is compulsory to have a residence permit.

7. HUNGARY

Volunteers from abroad are treated legally as employees in Hungary, and are thus subject to national employment law.

Overseas volunteers in Hungary are in general not covered by the Hungarian State social security scheme. However some countries have bilateral agreements with Hungary, namely Finland, the United Kingdom, Sweden, Belgium, Greece, Switzerland, Norway and the former communist countries. Volunteers from these countries may be reimbursed for medical assistance in some (mostly urgent) cases once they return to their own countries.

Non-Hungarian citizens coming to Hungary in order to volunteer for

periods lasting longer than 3 months require a residence permit and a work permit. Work permits may be obtained by the employer, i.e. the host organisation at the local employment centre¹³.

Visas are not generally required for stays shorter than 3 months. However, nationals coming from the countries that have established visa regime with Hungary need visa. Some concessions have been more recently in specific cases of volunteers from abroad (who needed visa), who have been issued one-year visas for the purposes of "voluntary service". These have been the direct result of discretionary decisions of the competent authorities however and in no manner they amount to the general rule.

8. ROMANIA

Overseas volunteers must obtain a residence permit for the entire duration of their volunteer activities. They must fulfil the same requirements of any foreigner coming to the country in order to ha-

ve social security, except for those volunteers coming under the European Voluntary Service (EVS) Programme, whose insurance is covered by the European Commission. Asylum seekers and refu-

¹³ Munkaügyi Központ

gees can volunteer in the same way as anyone else if they have a proper residence permit.

9. BULGARIA

There is no specific provision regarding volunteers in the immigration legislation, and they are therefore subject to general legislation.

EU citizens, neighbouring Central and Eastern European countries, and some third countries are allowed to stay in Bulgaria for 30 days without a visa. A residence permit is required for periods of longer than 1 month.

Foreign volunteers staying in Bulgarian for over 1 month therefore need to obtain an identity card issued in the local office of the Ministry of Interior. This identification must be returned to the authorities when leaving the country.

Foreign volunteers that are not within the framework of a recognised government programme are considered as workers and are therefore obliged to obtain work permits. They must be requested through the host organi-

sation to the Ministry of Labour and Social Affairs

There are specific exceptions made for foreign volunteers coming to Bulgaria in the framework of recognized government programmes:

- ▶ The Japanese government supports a volunteer programme in Bulgaria. The volunteers are given a living allowance, and reimbursed for their travel and living expenses.
- ▶ The US Peace Corps programme also offers volunteer placements in Bulgaria. Specific privileges are foreseen for these volunteers.
- ▶ Volunteers hosted within the framework of the European Voluntary Service (from now on EVS) also receive pocket money, board and lodging, supported by a grant from the European Commission.

Foreign volunteers staying in Bulgarian for over 1 month therefore need to obtain an identity card issued in the local office of the Ministry of Interior.

IV WHO WORKS VOLUNTARILY AND WHERE?

1. GREAT BRITAIN

The average amount of hours per week contributed by volunteer age group.

The 1997 survey also revealed that there was a strong correlation between involvement in voluntary work and socio-economic status. Those from higher groups,

for example professionals, were almost twice as likely to volunteer as those from the lowest socio-economic levels.

As seen in the two charts below, there has been a slight decline in voluntary work in the UK over the course of the 1990's.¹⁴

Age	18 - 24 %	25 - 34 %	35 - 44 %	45 - 54 %	55 - 64 %	65 - 74 %	75 + %
Volunteers 1997	43	52	52	57	40	45	35
Volunteers 1991	55	60	63	60	46	34	25

Table 1

Table 1 shows the change in percentage of people surveyed within different age groups who volunteer in the UK between 1991 and 1997. Each column represents the percentage of people from that age category that participates in voluntary work. Consistent with most of

the other age groups, numbers of young people have dropped in the outlined period.

¹⁴ Statistics from 1997 National Survey of Volunteering the UK

Age	18 - 24 g.	25 - 34 g.	35 - 44 g.	45 - 54 g.	55 - 64 g.	65 - 74 g.	75 + g.
Mean Hours 1997	0.7	4.4	3.9	4.4	4.1	4.9	4.8
Mean Hours 1991	2.7	1.8	2.2	2.8	2.9	5.2	2.7

Table 2

Table 2 shows the average amount of hours per week contributed by volunteer age group. In this case too, there has obviously been a dramatic drop in the amount of hours put in by young people.

▶▶ **The main areas of volunteering in UK are:**

- ▶ Sporting activities
- ▶ Education
- ▶ Social welfare
- ▶ Hobbies
- ▶ Religion
- ▶ Arts

▶▶ **Vrste aktivnosti u odnosu na starosnu dob i pol**

There is a clear gender difference in UK volunteering activities. According to the 1997 survey, men are twice as likely to be involved in sport related volunteering, and women three times as likely to be volunteers in schools.

In terms of which age groups volunteer where, there is obviously a lot of variety:

Younger people tend to be involved in sporting activities. This could take the form of coaching a football or cricket team for example. 35-44 year olds tend to favour volunteering in education. This is probably because this age group is the most likely to have children in school.

Education based voluntary work includes mentoring work, such as one on one reading classes. In areas with high levels of recent immigration and accompanying low levels of literacy, this is a vital service. Activities also include sitting on school committees, like the board of school governors and so on.

45-54 year olds are most associated with social welfare and religion.

Certain institutions, such as the UK Home Office make provision

for professionals to undertake social welfare based voluntary work as an extension to their job. Indeed, staff there are allowed 5 days paid leave to contribute to schemes, often team based, such as the Active Community Unit, which has recently done activities such as clearing up the banks of the river Thames in London.

The latter area, religion, could involve acting as a warden at church, that is to say a layperson who assists with church administration (e.g. finance).

The latter area, religion, could involve acting as a warden at church, that is to say a layperson who assists with church administration (e.g. finance).

Amongst those over 55 years, religion, hobbies and the arts dominate. The reason for hobbies being included may be that retired people have more time on their hands to devote constructively to their favourite activities, such as committee work for a local history society. Local councils to increase links between generations in society often support such societies.

Regarding arts related volunteering, 'heritage' organisations, such as the National Trust, are significant players. There are 39,000 volunteers working for this organisation, a large proportion of who are over 55. Activities may include being a curator at a local museum or conservation work in a national park.

2. DENMARK

Voluntary activities, besides those that are common for Denmark, were extended lately to the refugees and immigrants' rel-

ated activities. Retirees still make up the majority of active volunteers, although the involvement of young people is increasing.

3. CZECH REPUBLIC

Around 16% of Czechs have participated in some kind of voluntary work in recent years. This percentage is fairly consistent with that of other parts of the region, which tend to be a lot lower than in Western Europe or the USA.

The most popular area in which to volunteer in the Czech Republic is NGOs providing social care. Indeed, 37% of volunteers sampled in a 1999 sur-

vey stated that this was where they worked. The same survey revealed that 17% volunteered in sports related activities and 15% in healthcare.¹⁵

▶▶ **The main areas of volunteering in Czech Republic are:**

- ▶ Work in NGOs providing social care;
- ▶ Sporting activities and
- ▶ Health care.

4. BULGARIA

Despite these barriers, voluntary action is growing fast within the non-governmental sector, particularly in the fields of environment, conservation and animal welfare. Nonetheless volunteering is particularly widespread within some social fields such as:

- ▶ Health care and
- ▶ Church/religion.

It is less developed in the social or cultural sectors, due largely to

the country's history and the lack of any support or initiatives from the State.

Young people are increasingly active in the sector, as volunteer engagement is seen as a direct and effective way of contributing to the country's democratic and economic change.

¹⁵ Volunteering in the Czech Republic: Survey Results, p. 2

5. ALBANIA

People from different age categories - from the school pupils to old retired people - are involved in the voluntary activities in the society and that is the common practice. This is simply because the range of voluntary activities and interest of people for this kind of work are very broad.

▶▶ **The main areas of volunteering in Albania are:**

- ▶ Community development activities 10.21%;
- ▶ Children's social care activities 8.82%;
- ▶ Social welfare services for youth 8.47%;
- ▶ Education 7.19%;
- ▶ health care 7.08%;
- ▶ Social welfare services for women 6.96%.

▶▶ **Structure of volunteers in Albania according to the age category:**

- ▶ Less than 18 years (10.24%);
- ▶ 18 - 24 years (28.89%);
- ▶ 25 - 34 years (17.10%);
- ▶ 35 - 44 years (18.41%);
- ▶ 45 - 54 years (21.52%);
- ▶ 55 - 64 years (3.03%);
- ▶ and 65 years and more.

More than a half of volunteers in Al-

bania are engaged in so-called "aristocratic" voluntary activities such as office and administrative jobs. Their duties are mostly counselling and training of other people through public awareness campaigns and in that way informing citizens about problems in different fields such as: socio-economic, political, culture, art, science, religion, and health care related problems, etc. Thus, as an opposite to the common practice in Albania until 1990 when most of the volunteers were working simple and manual jobs with very concrete and measurable results being in that way closer to common people, volunteering in Albania today has more fluid form. It is less measurable and very often in the abstract form aiming to solve different problems and an attempt of so-called "purification of common people souls". The widespread opinion is that 'in Albania, where even the wages for paid jobs are very poor or non-paid at all, nobody can expect to much from the volunteering'; or "in the society with rapid social stratification, volunteering looks like charity for poor and hypocrisy of the volunteers themselves".

V VOLUNTARISM AND YOUTH

- BRITISH EXPERIENCE -

Volunteering among young people is very important to British society, both in the long and short term. In the short term, much voluntary work can be best carried out by younger people, due either to the levels of energy/enthusiasm required, or simply beca-

use of an organisation's relevance to young people. In the longer term, the sector as a whole will always need new blood simply to sustain numbers, as well to advance the ethos of volunteering as a social phenomenon.

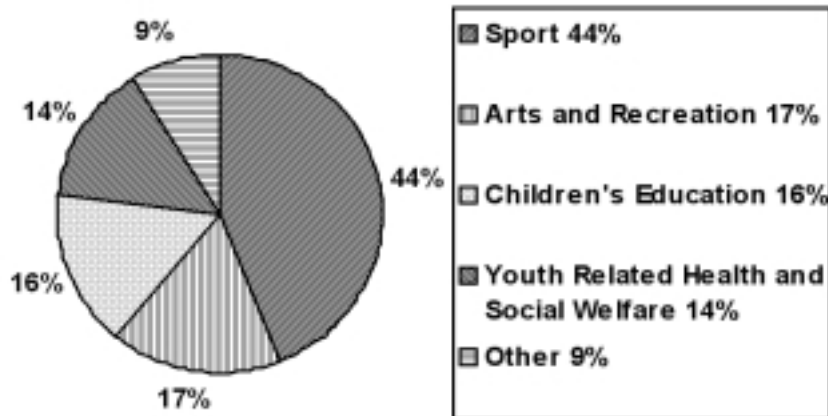


Table 3. Areas of Youth Volunteering

► What areas do young people in the UK volunteer in?

► 44% of young volunteers were involved in sport related activities, such as coaching teams or driving a team bus. Sport is often also used as for fundraising, e.g.

a sponsored run or game;
► 17% in recreation and the arts. This category could include close involvement in running a local dance or drama group. The Millennium Volunteers scheme (see section 6.2) has put much emphasis on this area;

- ▶ 16% in children's education. Such volunteer activities tend to be in informal educational areas like workshops for children;
- ▶ 14% in youth related health and social welfare, for example caring for deprived children. Additionally, fundraising for social causes is popular with young people¹⁶.

Young people are motivated to volunteer for a variety of reasons. As mentioned at the beginning of this section, active attention must be paid to the recruitment of youth in the UK. Indeed, the decline in youth voluntary work between 1991 and 1997 was both noticed and acted upon, leading to research into this area. A paper stemming from this research has been extremely effective in showing how the uptake of voluntary work can be maximised from the point of view of young people¹⁷.

Amongst its findings were: Flexibility is seen as one of the main priorities for young people interested in volunteering. Many may have other commitments to make, for example school or study. Such an approach can be seen to be appealing as it makes a contrast from the everyday

nature of the latter two activities. The perception of voluntary work among young people and their peers is an important factor in recruitment. Many people surveyed saw it as too 'worthy'; others felt ill informed about what voluntarism actually is and how to get involved. Simply informing people with a little detail can break down these barriers.

Positive notes can be found in the fact it is starting to be recognised as a way of gaining experience and skills that would otherwise be hard to find. Connected to this is the desire for some kind of accreditation (such as a qualification).

16 Statistics from Lukka, P. Youth Volunteering in the United Kingdom

17 Institute for Volunteering Research, What Young People Want from Volunteering - Research Bulletin, <http://www.ivr.org.uk/youngresearch.htm>

VI FINANCIAL SUPPORT OF VOLUNTARISM

1. GREAT BRITAIN

In the UK, government support for voluntary work is also important. How does support from government or local authorities manifest itself? The financial side is the most obvious way of making an assessment. UK Central government provides £50 million (c. € 70 million) directly to volunteering. Local government development and support extends to £80 million (c. €115 million).

The returns from the above mentioned investments are extremely large. After investing '£400 million, government gets a notional economic return on volunteer output of £12 billion, an investment ratio of 1:30'.¹⁸ If such a ratio could be approached in SEE, voluntary work could have a dramatic effect on the well-being of the region.

2. DENMARK

The Social Services Act 1998 obliges counties and local authorities to cooperate and support voluntary social organisations and associations at a local level. To carry this role into effect, the central government provides an annual subsidy, which local auth-

orities, through their budgets, grant the volunteers' organizations.

¹⁸ Institute for Volunteering Research, Public sector support for volunteering: An audit - Research Bulletin, <http://www.ivr.org.uk/audit.htm>

3. CZECH REPUBLIC

In Czech Republic, according to the Law on voluntarism, only accredited organisations to work with volunteers are entitled to state financial support defined by this law.

4. ALBANIA

There is no government support to voluntarism in Albania. In addition, there is no information available about other means and sources of financial support to voluntarism in this country.

VII EXAMPLES OF GOOD PRACTICE

1. GREAT BRITAIN

► Voluntary Work in the UK's National Health Service¹⁹

The main findings of a 1997/98 survey into volunteerism in the UK's National Health Service (NHS) showed great levels of diversity within the organisation as a whole. The research was carried out by sending out a survey to all 429 NHS Trusts in England. Approximately three-quarters of them responded.

There are over 36,000 volunteers working in the NHS, however, as alluded to above, they are not spread evenly among Trusts. Indeed, there is great diversity - from some Trusts not using any volunteers to others having more than 1,000. What roles do volunteers play within the NHS? The main roles include working in hospital wards, with outpatients, reception work, chapel work, catering and transport. The main means of recruiting volunteers to the

NHS is by word of mouth. Reliance on this method has been criticised as it may lead to the exclusion of certain groups, such as ethnic minorities. Former patients and visitors are also often recruited. 60% of those sampled used volunteer bureaux to recruit, 40% advertised in local newspapers and 20% on local radio.

One of the most crucial findings of the survey was that the presence of a paid Voluntary Services Manager was closely linked to higher numbers of volunteers within an NHS Trust. This is likely to be because they are able to devote more time to recruitment and training of volunteers comparing it with their colleagues who work that job as an additional activity.

► Millennium Volunteers²⁰

This scheme was set up in 1998 in order to encourage growth in

19 Findings from Institute for Volunteering Research report: Volunteering in the NHS, A Report of a Survey - Research Bulletin, www.ivr.org.uk/nhs.htm
20 Millennium Volunteers website, http://www.millenniumvolunteers.gov.uk/dsp_content.cfm?CategoryID=2

local community based volunteering among 16-24 year olds. Areas covered include the environment, sports coaching and youth leadership. One of the key components of the initiative is that of recognition of volunteers. Accreditation for voluntary work done takes the form of two certificates:

- ▶ the Certificate of Recognition (100 hours voluntary work) and
- ▶ the Certificate of Excellence (200 hours).

The fact that the Certificate of Excellence is signed by the Secretary of State for Education and Skills shows that the government has appreciated the importance of accreditation to motivate young people. Crucially also, the designers of the Millennium Volunteers scheme have forged strong links with both future employers and educational establishments, coining the phrase, "It counts for a lot to have MV on your CV".

The success and social inclusiveness of the initiative can be seen by the fact that there have been over 65,000 Millennium Volunteers, 60% of who have never volunteered before, and 7% of who have some form of disability.

▶▶ Youth Volunteering in Tower Hamlets²¹

This example looks at youth volunteering in a particular geographical area, in this case the London borough of Tower Hamlets.

Tower Hamlets (pop. 177,000) is a very diverse and interesting area to look at. In terms of demographics, it is the most socio-economically deprived borough in Britain, with a very large ethnic minority population (about 40%, mostly Bangladeshi), and, significantly, has the fastest growing youth population in Europe (about 40% under 25 years old). Naturally, there are large problems, such as poverty, low levels of literacy and lack of integration among different parts of the community. Volunteering clearly has much potential here.

Besides more established volunteering opportunities in the borough via "the Prince's Trust" and "Millennium Volunteers", area-specific projects include "the Youth Service", which is trying to actively involve young people by setting up a youth parliament and "the Tower Hamlets Education Business Partnerships", creating placements (similar to inter-

21 Findings from, Lukka, P., Youth Volunteering in the United Kingdom

nships) for young people in local companies. The ironic fact that Tower Hamlets borders the richest geographical area in Europe, the City of London, has also been taken into account within the latter project: many of the City's professionals devote some of their time to literacy mentoring schemes with local children in their poor neighbourhood.

2. CZECH REPUBLIC

► Volunteering in Hospitals

This case study looks at how volunteering is deployed within the Czech healthcare system.

The Programme "Volunteering in Hospitals" was set up in 1999 to provide psychosocial support to patients, especially long-term ones. One of the other aims of the programme is to provide practical work experience for volunteers, many of who are students. The programme has so far been implemented in Prague and in Kromeriz.

The programme aims are:

► To present the idea of voluntarism at hospitals both to experts and the general public;

► To create favourable conditions and test the system of volunteer work in health institutions;

► To offer the tested methodology to those who are interested.²²

The roles played by volunteers in hospitals are varied, but are almost always directly oriented towards patients. They may accompany patients to operations or examinations, or organise activities to make their stay more bearable. Even basic level contact, such as conversation between a patient and another person, has been found to be beneficial.

A recent study revealed that the programme was carried out best

22 HESTIA National Volunteer Centre, Prague, The Volunteers in Hospitals Program, http://www.hest.cz/ndc_4_e.shtml

when there was good communication between volunteers and those supervising or co-ordinating their work, i.e. adequate volunteer management.²³ While there has been a lack of this in some areas so far, the situation is now being redressed.

From interviews with volunteers and other relevant people, the study showed that hospitals often need more volunteers, although not always.

The need was determined primarily by the requirements of patients - sometimes there are enough volunteers, on other occasions there is a lack of them. The programme has certainly been successful in forging closer links between the hospital and the local community.

► **"Pet P" programme**

This case study looks at how a pre-existing volunteering scheme has been successfully imported into the Czech Republic and now adapted to function according to local needs.

"Pet P" is the name of a free-time prevention programme for children aged 6-15 years. Its guiding

principle is friendly relations between a child and an adult volunteer. The "Pet P" programme is based on the Big Brothers Big Sisters mentoring programme, and despite the short period of existence of the association (it was founded in 2001), the Czech Republic has already become the country with the third highest number of participating regions in the world (also, it is the biggest one in Europe).²⁴

The Czech Ministry of Labour and Social Affairs commissioned the National Volunteer Centre, HESTIA, to execute a programme of socio-legal protection of children. The resulting programme, Pet P, focuses on the prevention of harmful or negative influences on children and also on protecting them from such influences. The main method of doing this is by organising and operating educational/recreational camps, alongside a one-to-one mentoring scheme.

This programme is regionally based, and relies heavily on volunteers, who in most cases are students. There is a special program team, whose task it is to provide ongoing support to the volunteers. Volunteers must be formally

23 HESTIA National Volunteer Centre, Prague, A comparative study on volunteer activities in the Czech Republic and in the USA, http://www.hest.cz/akt_e.shtml?x=110026
24 NROS Report, Study Visit Of Czech NGOs Representatives To Brussels, June 10-12 2003, p. 21

registered and have to complete a training scheme. This is due to the nature of the programme, which is based around working with children with health or social problems. Additionally, volunteers alone cannot do such work. Therefore specialists, such as professional family advisors and psychologists, work in tandem with the volunteer. Thus the programme is designed to ensure that all parties involved (i.e. children, parents, volunteers and professionals) can draw maximum benefit.

The special program team of the "Pet P" programme emphasises

the idea of mutual respect between all participants. One of the central ways of doing this is by making volunteers the main contact point between a family and a particular professional. Volunteers are able to do this effectively because of the nature of their work, that is to say, they can devote far more time and attention to a child than a paid worker would. Also advantageous is the fact that when liaising with the professional, volunteers will have a more objective viewpoint and more specialised knowledge than a child's family.²⁵

3. HUNGARY

►► **The Gate Programme: Linking Young People With The Disabled And The Elderly**

The Ministry for Social Affairs launched the Gate Programme in 1996. It provides funding to civil society organisations for projects aimed at building bridges between young people and the disabled and elderly through voluntary activities. The programme was greatly expanded and stren-

gthened during the International Year. Until then however it had proved hard to raise any real interest within central and local government for the programme. It was not until IYV 2001 that a new interest could be noted by officials and the Ministry has recently signed a number of new contracts with local government to expand significantly the reach of the programme.

25 HESTIA National Volunteer Centre, Prague, Pet P Program Information for Teachers, Educational Consultants, Psychologists, Doctors and other Interested Persons, http://www.hest.cz/5p_e.shtml

►► **Volunteering in Hospitals**

Another IYV 2001 inspired development in Hungary was the creation of a programme to support the development of volunteering in hospitals. It was launched by the Ministry of Health Care. According to the National Volunteer Centre Foundation, "Önkéntes Központ Alapítvány", thirty organisations applied for funding under this programme during 2001 and seven were successful.

The process by which the government decided to focus on hospital volunteering was in itself

extremely interesting, and indicative of the spirit of increased dialogue and partnership between government and voluntary organisations that was fostered during the International Year. At the beginning of the International Year, the Ministry of Health Care organised a three-day workshop with voluntary organisations to brainstorm on the varied contributions volunteers were making (and could potentially make) in the health field. Based on this meeting, the Ministry decided to focus its efforts during the International Year on the hospital sector.

4. ROMANIA

►► **Beginning employees in public institutions**

Starting in May 2003, Association for Democracy (APD) coordinates the fifth phase of the programme 'Beginning employees in public institutions'. Club APD in Cluj Napoca is the national coordinator of this programme. In Romania, this programme was initiated by the Association for Democracy (APD) and CENTRAS (Centre for NGO support) in 1998.

APD initiated this programme based on two observations:

- Students need working practice (in particular students studying in the faculties of social sciences-future community workers),
- There is not enough staff (existing staff was not qualified mainly) in public institutions in Romania.

One of the conclusions stemming from the second observation was that the process of communication between public institu-

tions and citizen, who should be served by those institutions, is highly problematic. This problem of communication in the long run, can be overcome encouraging (professionally and financially) young and qualified people to start their career in public sector. In the short run, qualified students can support semi-qualified staff in public institutions. This solution is functional and of mutual benefit. Furthermore, Romanian universities still have neither infrastructure needed nor financial resources to implement programme of working practice for their students.

One of the aims of this programme is to select and train talented students willing to start their career as the public officials through

well-known western internship practice. This kind of training is not recognised in Romania yet as well as its benefits both for beginning employees and public institutions. This programme includes different phases of internship such as effective work in local community and public institutions and regular training seminars.

The main goal of this phase of the programme in this year is to establish structure within the universities that would be responsible for this kind of work and have previous experiences. In this phase of the programme 40 students (in Bucharest, Brasov, Cluj, Iasi, Miercurea-Ciuc, Oradea, Sibiu and Timisoara) are working in different departments and commissions of the local and central governments.

5. ALBANIA

In 2002, teachers in Albania took part in different kinds of voluntary activities mainly focused on socialisation of pupils. Those were the projects in which children were educated in the spirit of peace and tolerance and their

participation in modern culture and debates were encouraged. The teachers were encouraged to focus on support and development of new talents in art, sport and other sciences.

RECOGNITION OF VOLUNTARISM BY INTER- NATIONAL INSTITUTIONS

1. INTRODUCTORY DISCUSSION

Although roots of voluntarism can be found in the distant past of the development of human civilisation and socio-cultural movements, the need for universal definition and recognition of voluntarism is quite recent phenomenon in the international socio-economic and political scene. First steps in development of universal regulations on respecting and recognising the voluntary work originates from the beginning of the 20th century. That development is related to recognition of humanitarian work during restoration and reconstruction in the war affected areas after the First World War. Furthermore, international regulations regarding volunteers' status in this period was arranged through bilateral cooperation of the states but it was not included any broader context i.e. universal recognition of the voluntary work in the

world or by the international organisations (League of nations).

Thus, first steps of legal recognition of the voluntary work on the international level were done in the middle of the second half of the 20th century. At that time, a special department within the General Secretariat of the UN was established - United Nations' Volunteers (UNV). This department was working on the recruitment and placement of the volunteers willing to help countries and people in crisis situations in the whole world. This agency was providing additional support to the development and support programmes carried out by other UN agencies all around the world. The situation did not change until December 17, 1985 when the UN General Assembly adopted the first official resolution (UN Resolution no. 40/212) on the is-

sue of voluntarism and voluntary work. This resolution is considered as the beginning of involvement of voluntarism in international legislation.

After this resolution, various international institutions started numerous initiatives and very soon, another international documents treating the issue of voluntarism emerged. Consequently, some European institutions started certain programmes dealing with voluntarism and voluntary work in a beginning of the 1990s. The next resolution adopted by the UN General Assembly (UN Resolution no. 52/17, November 1997) proclaimed the 2001 as the 'International Year of Volunteers' as a transition into the new millennium based on humanity values of the voluntarism itself. After that document was adopted, other international institutions (Council of Europe, EEC and Inter-parliamentary Assembly) started to involve concept of voluntarism in their official documents setting up the basis for development of voluntary work on the global level.

In this sense in May 11, 2000, the Council of Europe adopted the 'Convention of the Promotion

of a Trans-national Long-term Voluntary Service for Young People'. Furthermore, the UN adopted a comprehensive resolution in order to help and develop voluntarism (UN Resolution no. 56/38) in December 5, 2001; the following year, in November 26, 2002, the UN adopted the resolution (UN Resolution no. 57/106) supplementing the previous one and including the new aspects of treatments and recognition of the voluntary work.

In addition to those resolutions there are number of documents adopted by the European Commission and other EU institutions. However, the subject of the text that follows will be the content of before-mentioned UN and Council of Europe resolutions, which are the relevant documents for development and support of voluntarism in the SEE region.

2. DOCUMENTS AND ITS CONTENT

Taking in account the precedence of UN in the international legislation in comparison with other international institutions and member states of the UN, the analysis and recommendations of the documents adopted by the UN General Assembly will be addressed first.

Hence, the first resolution that would be analysed more carefully is **the Resolution no. 40/212 of the UN General Assembly, adopted in December 17, 1985.**

This document proclaimed the December 5 as the International Volunteers' Day - for Economic and Social Development (IVD), which is the main characteristic of this act. In addition, this resolution invites all international institutions and governments of the member states to promote voluntarism and voluntary work both on the local and international level. In this document, the General Assembly recognises the volunteers' work as an important factor of the socio-economic activities acknowledging its contribution to international development and

support. However, the new value of this resolution is actually invitation to the governments of member states to undertake certain steps in order to promote voluntarism and voluntary work and to induce public institutions and individuals to take active part in voluntary activities either on the local or international level. It is important to mention that it was the first document of that kind appealing to the governments as the supreme executive agencies, and inviting them to support and recognise voluntarism, through their activities, as the public value.

The next document included in this research is **the Resolution no. 56/38 of the UN General Assembly, adopted in December 5, 2001.**

Taking in consideration that this document was adopted in the year that was proclaimed by the previous resolution (UN Resolution 52/17, November 1997) as the International Year of Volunteers, therefore this resolution also represents a comprehensive recommendation on rela-

tionship between public institutions and voluntary work as well as recommendations on governmental support to voluntarism.

Namely, in addition to introductory part with an overview of the volunteers' work contribution to socio-economic development of the world, this resolution contains the recommendations of how governments and system of UN can support development of the voluntarism. In the editorial of those recommendations the recognition and acknowledgement of voluntary work was specially emphasised as well as the definition of volunteers and values that go with voluntarism itself:

▶ Recommendation 1.

"In these recommendations, the terms volunteering, volunteerism and voluntary activities refer to a wide range of activities, ...undertaken of free will, for the general public good and where monetary reward is not the principal motivating factor."

▶ Recommendation 3.

"There is not one universal model of best practice, since what works well in one country may not work in another with very different cultures and traditions."

▶ Recommendation 4.

"Support for voluntary activities does not imply support for government downsizing or for replacing paid employment."

▶ Recommendation 6.

"Neglecting to factor volunteering into the design and implementation of policies could entail the risk of overlooking a valuable asset and undermine traditions of cooperation that bind communities together."

In the text that follows, the document regulates specific recommendations regarding governmental support to development of voluntarism acknowledging the values that do with voluntarism itself:

"...It is recommended that Governments further support voluntary activities by creating a favourable environment, including through the following policies and measures, and taking into account the local cultural context...."

Recommended policies and measures can be classified into the following chapters:

- *Establishing the legal and financial framework and in that way support development of voluntari-*

sm. Legislation depends to a great extent on social and economic policy. In that way, it influences either directly or indirectly the motivation and level of citizens' participation. For example, legislation relating subsidises for unemployed, taxation, age of retirement, and number of working hours per week may have an advertising effect on voluntarism. The same positive effects may have the programmes of decentralisation of the social care service or improvement of the national IT network

- *Ensuring the infrastructure* both on local and national level in order to enable and improve mobility of volunteers, education (trainings) and their engagement in appropriate activities.

- *Increasing public awareness* of the vital social and economic contribution of volunteerism to their communities and ensure access to information about possibilities for volunteering

- *Ensuring access to voluntary activities* for all social groups including youth, old people, ethnic groups and people with special needs.

- *Encouraging and conducting*

researches about voluntarism and its influence on a society.

- *Promoting support of the private sector* calling attention of employed, companies and society in general to the benefits if they volunteer.

This resolution invites not only the governments of the member states of the UN to implement these policies than also UN agencies to obey defined rules and give their contribution in monitoring and promoting support to the voluntarism in the world.

The next, third UN resolution that has to be mention is **the Resolution no. 57/106 of the UN General Assembly, adopted in November 26, 2002.**

In addition to the general attitude that voluntarism and voluntary work are very important both for development of the world as well as for local community, it brings new aspects in terms of concrete recommendations regarding stronger involvement of the private (business) sector:

"...Invites all stakeholders, especially from the private sector community and from private fou-

ndations, to support volunteerism as a strategic tool to enhance economic and social development, including by expanding corporate volunteering...."

Besides UN resolutions on voluntarism and voluntary work, it is also important to mention the convention of the Council of Europe that works as an institution, on this issue on the regional level (Council of Europe member states) and threats voluntarism in the context of international exchange.

The "**Convention of the Promotion of a Trans-national Long-term Voluntary Service for Young People**", adopted in May 11, 2000, brings the overview of the voluntary work from the aspect of international cooperation and contribution of voluntarism to peace building.

In addition, in that context, this convention covers the issue of the relationship of the government administration and toward this kind of voluntary work and in that sense defines precisely the obligations of the state relating to volunteers.

Furthermore, besides definition of the voluntary work and volunteers, the thing that makes this

convention different in comparison to UN resolution is the precise definition of non-voluntary work:

- Paragraph 1, number 3.
"... Voluntary work cannot replace the responsible state service, where it exists, and cannot be the alternative to paid employment."

In the text of this convention that follows, in addition to defining the organisations and institutions that can be included in the volunteer programmes, the special emphasis is on the development of volunteer programmes through financial and administrative support:

- Paragraph 10.
"Financial support of the trans-national long-term voluntary service can be provided through:
a) Contribution of the local, regional and national authorities as well as international organisations...
b) Contribution of recognised non-profit organisations
c) Contribution of private business companies..."

- Paragraph 13, number 2
"All stakeholders should encourage, where possible, removing of administrative barriers, which pr-

event people from carrying out voluntary action."

Above-mentioned attitudes presented in the convention make essential difference in comparison to UN resolutions and in the same time, from the standpoint of the governments, it supplements international legislation and creates supportive environment for development, recognition and participation of voluntarism in socio-economic development of the community.

After the overview of these documents the conclusion is that, from the standpoint of the inter-

national regulations and acts, there is precisely defined possibility of participation of the governments and public institutions in development of the voluntary work and voluntarism in general. However, potentially, the obstacle might be the fact that implementation of all those documents depends exclusively on national authorities. Although most of those documents support work of local non-profit organisations and in that way open possibility of mutual inter-sectoral cooperation, which in perspective, might contribute to development of voluntary work to a greater extent.

DEFINITION OF THE LEGAL STATUS OF VOLUNTEERS AND VOLUNTEER POLICY IN THE PUBLIC SECTOR

1. MONTENEGRO

Up to one year ago Montenegro had the basic strong point for the development of voluntarism in the Labour Law. Even though this law was inherited from the past and therefore has shortcomings according to international standards it still serves as a suitable basis for voluntary engagement.

By those former regulations a volunteer was treated as an individual that is not part of a working relation and by that is not been treated as employed. That is to say that the working status of the volunteer and his/her rights were regulated in the contract about voluntary work that was signed with the employer. The contract consisted of: the type of the job, the way and the deadline of carrying out the contract and the way of compensation for the work done.

On behalf of the employer only the director was responsible for signing the contract for voluntary work. The law guaranteed neither the right on a salary or compensation nor the right on health and social insurance.

The only right that the law still stipulates is the health insurance in case of invalidity or professional illness at work. Besides these in accordance to the law and collective agreement, the employer must provide other benefits usually consisted of compensation for food, compensation for transport costs and compensation for the purchasing of textbooks. It was possible to provide a financial compensation or any other work related benefit in accordance to the law and collective agreement. During the period of volunteering working breaks were also provided.

As we may see from the legal analyses the emphasize in the voluntary work was on internship or training periods to take out the qualification exam, usually attended by unemployed and which is not considered as the voluntary work by the international standards. The reasons for that are simple - in these cases activities carried out were not based on the free will but on the legal obligation. Also, volunteering for the purpose of vocational training was the compulsory engagement and not expression of the free will since unemployed accepted this kind of work only in the case of possibility to improve their chances for employment i.e. professional advancement. That is why international recommendations on voluntary work treat this kind of engagement as voluntary work, only if the professional advancement represents the individual's free will in achieving new knowledge and are not just seen as a means of gaining vocational experience. Of course the definition of voluntarism itself by international standards also excludes the possibility of paying compensation.

Legal analyses showed clearly that after legal reforms about employment in Montenegro done rece-

ntly, as well as the new Labour Law, do not contain regulations related voluntarism and voluntary work. At the moment voluntary work is regulated by the special laws - the Law on the State Prosecutor, the Law on Pension and Insurance of Handicapped, the Law on Health Insurance, the Law on Protection at Work, which do not exist any more as the legal basis. Most probably, with the next changes of these laws regulations defining voluntary work and the status of volunteers will disappear which would practically mean that the term volunteer will be excluded from the legislation. Beside the legal basis, generally speaking the small number of regulations that treat this subject and lack of readiness of the state to implement the existing ones show that the state is not interested in improving and protecting the status of volunteers. The fact that the state is indifferent in this field is confirmed by the example of the Employment Bureau which was established in order to facilitate between potential volunteers and institutions interested in their engagement but in reality it does not do it which can be seen in the analyses of the questionnaire.

Besides the absence of a posi-

ve setting on the state level, the series of legal shortcomings were also reflected by the relation of public institutions toward voluntarism causing confusion, lack of knowledge and openness towards voluntary work although the public institutions, through their answers in the questionnaire, highly rated the voluntary work and showed big need for it.

Based on results of the questionnaire conducted in public institutions, the impression was that there is a sufficient level of understanding of the term voluntarism and at the same time there was an interest, readiness and openness for including volunteers in their institutions although the logic conclusion is, that this sort of openness is merely superficial.

The reasons for that can be of economic nature - this is about subsidized institutions and the low economic standard of the employees or the reason lies in common social depression and the stereotype attitude toward working experience as the precondition for a voluntary engagement. However, the treatment that volunteers have during their voluntary service in these institutions is also a sign of insufficient knowledge about volun-

tarism in general but it is also the sign of lack of communication between institutions and the volunteer's centres. Even if the need for volunteers is high, very small number of volunteers engaged shows that there are neither volunteer management nor supportive internal and general regulations.

Results of the comparative research in the neighbouring countries are somewhat different. In these countries there is the developed conscience about the term voluntarism as well as about multiple importance of the voluntary work. In those countries there is a wide range of areas in which volunteers are involved in such as sport, culture, and humanitarian services... there is a big interest of youth who are gaining knowledge and experience through work, and the certificates acknowledge that work. Those certificates are considered as an important recommendation for further employment. Almost every state mentioned before has a special law about voluntarism.

In Italy, for example, special focus is being put on international voluntarism, which is very popular. In this country exist the law about international cooperation and devel-

opment of voluntary organisations offering to volunteers who are older than 18 and with certain qualifications, the possibility to take part in voluntary projects that last up to two years. The government pays these volunteers depending on the place of volunteering and the position of the volunteer.

The comparative analyses shows, considering Check Republic as an example, that a state provides the financial support and accredit the agencies that select, register, insure and train volunteers.

These agencies operate as non-profit organisations and cooperate with other non-governmental organisations, hospitals and schools i.e. with all institutions that are interested to engage volunteers. Unlike in Montenegro there is not even an indication of this kind of practice.

In Slovenia, in spite of the fact that there is no special law that regulates voluntarism, voluntary work is included in all social activities, while in Montenegro voluntary activities are limited only to public services. In Slovenia volunteering is represented in humanitarian organisations, schools and in the field of social and health care. The

Ministries of Science, Education and Sport finance those programmes, which stimulates the cooperation between the government, educational institutions and non-governmental organisations.

The impression is that in Montenegro there is neither willingness nor motivation to engage young people in this way. In general, the advantages of voluntarism have to be pointed out and also it has to find the way to motivate potential volunteers as well as institutions. It is clear that because of the difficult economic situation people are usually motivated by money, but there are examples in the surrounding countries showing that there are many ways to reward a volunteer. The legislation of these countries does not exclude the possibility of defining financial compensation in the volunteer's agreement although an emphasis should be put on the importance of the experience acquired by voluntary work, as well as the education obtained through trainings and the importance of international exchange through voluntary work, ... Therefore it is very important that voluntary work remains in the Montenegrin legislation. The state should define status of volunteers, preconditions and key areas f-

or their free engagement in all kinds of social activities either by the special Law on voluntarism, by general and specific legal regulations or combination of those two.

We do believe that legislation should enable employer to organise voluntary work for unemployed and people who are interested to improve and gain special knowledge and skills for work in their own field of specialisation or to contribute to the development and support of the community. Hence, the rights defined by the international recommendations and conventions should be ensured for the people who are volunteering. The taxpayers should still remain the employer or the state depending on type of job, which would be defined in the frame of the regulations about the working engagement of volunteers. The employer that is, the state should have the obligation to take files about all volunteer contracts either signed or broken. Before-mentioned rights of volunteers should be defined by the special regulations (the law and regulations relating voluntary work) as well as by the amendments of the legislation especially in the area of employment, health insurance, health and protection at work.

However, regulations relating volunteer contract should be defined by collective contracts. The legal basis needs to be defined in numerous areas such as the approach to the voluntarism as an alternative for serving the sentence. Thus, this approach to the voluntarism and its application can open a new dimension of voluntary work but first, many elements need to be put in place such as the office that follows the service of the sentence, special department for monitoring, and teams of volunteer centres' that would ensure successful carrying out of the sentence and monitoring. To achieve this it is necessary to take out several steps that would precede legal regulation: to increase public awareness and understanding of public institutions about voluntarism, to improve management capacity working with volunteers, to define a clear policy and a model of cooperation between volunteer organisations or agencies and public institutions.

Therefore it is necessary to develop a broad network of volunteer centres since the basis for this network already exists but experience is lacking. In the process of increasing capacities, interna-

tional institutions and organisations should play an important role using their relevant experience and capacities.

2. MACEDONIA

Voluntary work is one of the main segments of every modern society. Citizens, through volunteering, can give significant contribution to development of the society both in economic and social sense including improvement of individual skills and knowledge.

Taking in account that this is a time of transition and huge changes in a society, and if we accept that volunteering offers large opportunities for further development, then it is clear that the voluntarism is the right thing to be supported and put on a higher level.

The project "Voluntarism and public institutions" carried out in the passed period, included fifty public institutions in Macedonia - five museums, six theatres, ten hospitals, seven kindergartens, three state archives, three old peoples' homes, two rehabilitation centres, eight libraries, two orphan-

ages and four municipalities. After the project was implemented the conclusion was that voluntarism in Macedonia is in a bad situation.

Results of the survey conducted in those institutions show that examples of volunteering exist in 12.3% respondent institutions. Having in mind that surveyed institutions mainly cooperate with high schools and faculties in the programmes of the compulsory practical work, which is considered as voluntarism, it is questionable if the mention findings actually represent the real situation of voluntarism and number of volunteers in public institutions in Macedonia.

Furthermore, in most of the cases public institutions do not have book of regulations or any other papers that would regulate voluntary work in their institutions. This situation is the result of the labour related legislation in Republic of

Macedonia. Thus, there is no specific paper that regulates voluntary work. Until 1992 in some of the surveyed institutions there used to be in use an internal book of regulation, among the others regulating issue of voluntarism. However, those regulation books are not in use anymore. More details regarding that issue can be found in this book in the chapter on legal status of voluntarism and volunteers in Macedonia.

►► Recommendations

► Existing voluntarism and volunteers related legislation should be changed and supplemented. In addition, new legislation should be adopted (in the area where it is lacking) and in that way creates better conditions for development of this kind of activity in Macedonia;

► Greater number of volunteers' centres all around Macedonia would significantly support voluntarism being the basis of development in their local communities. They will be offering services both to the individuals interested in volunteering and to organisations interested to engage volunteers;

► Organised and planned work with volunteers and especially

professional approach to the recruitment of volunteers is another way of support and speeding of voluntarism as good practice in Macedonian society. Consequently, it is necessary to develop the training programmes relating volunteer management both for organisations working with volunteers and for institutions interested to engage volunteers for their needs;

► Training of volunteers and their preparation for carrying out voluntary activities should be the regular and compulsory practice in this kind of work. Training of volunteers should be carried out by experts in the framework of the organised training programmes. After completion of the training volunteers should receive some kind of certificate;

► The organisations should work more on the promotion of voluntarism especially among young population because many of them are willing to take part in the work of some civil organisations but they simply do not know that this possibility is available. Thus, long-term and planned activities in promoting voluntarism using different kind of methods have their place in further development of voluntarism in Macedonia. In fact, that is one of the first activities that should be done.

3. BOSNIA AND HERZEGOVINA

In a broader sense volunteering in Bosnia and Herzegovina is defined as the non-profit and non-paid activity. Through this activity an individual contributes to the public well-being of his/her community and society in general. This kind of activity manifests itself in different ways - from traditional type of mutual help to organised activities of the entire community in the crisis situations or through efforts of conflict-preventing and peace-building activities or in combating poverty. Currently, there are several categories of volunteers in Bosnia and Herzegovina: short-term and long-term volunteers, those who volunteer in the country or/and abroad.

Volunteers who carry out their voluntary activities in Bosnia and Herzegovina are mainly young i.e. high school students of certain profile carrying out their compulsory work practice in some of the institutions or spending their spare time volunteering in some of the civil sector organisations/-institutions; adult volunteers who carry out their voluntary activities in a local community within some youth/humanitarian no-

ngovernmental organisation or institution; and foreign volunteers coming to volunteer in Bosnia and Herzegovina in different both government or non-government institutions. Since the legislation in Bosnia and Herzegovina makes neither difference between training period (internship) nor volunteering and the concept of volunteer is not defined, thus it is necessary to regulate these issues first. The distinction should be made between 'internship', which is currently considered as the definition of the voluntary work, and 'voluntary engagement' that contributes in peace and democracy building and in developing of the civil society in Bosnia and Herzegovina and wider; and being carried out in the country completely undisturbed - although non-defined!

Volunteers from Bosnia and Herzegovina participate in the international volunteer's exchange going abroad. In this case conditions for volunteering are regulated neither on a local nor on the national level. Besides, the government does not cover any expenses including costs of hea-

lth insurance. Foreign volunteers coming to volunteer in Bosnia and Herzegovina through the programme of the European Voluntary Service exchange can stay in the country due to 'eligible reasons' (voluntary work in humanitarian, religious or other organisations). However, they are not eligible to use the health insurance scheme in Bosnia and Herzegovina during their stay, therefore they have to cover those costs from other recourses.

There are no regulations in Bosnia and Herzegovina that would enable health insurance of volunteers. The health care and protection at work of the volunteer during his/her voluntary work depend entirely on the hosting organisation. Consequently, every medical check-up for the volunteer is to be paid.

If the volunteer goes abroad to volunteer, his/her social and health welfare benefits are suspended for the period of the volunteering.

The public institutions do not financially support voluntary activities in Bosnia and Herzegovina.

Based on the findings of the research conducted in Bosnia and

Herzegovina there is a huge need for education of citizens and representatives of public institutions about voluntarism and how local community can benefit from voluntary activities. Without that, the organisations dealing with the issue of voluntarism cannot expect any understanding or realistic common strategy for developing the voluntarism related legal framework in the country.

Voluntarism is already, although non-regulated, in all spheres of the society supporting citizens' activism and hope in public well-being and in the society in transition, although poor one, where people still help to each other. Voluntarism related legislation, in addition, could merely contribute the will of citizens in creating a stable and self-conscious society and in decreasing poverty and unemployment rate.

Having in mind present situation and recommendations coming from the research findings, in the future period in Bosnia and Herzegovina should be done the following:

- ▶ To initiate systematic education of public institutions and government representatives (local and national) about voluntari-

sm, benefits of voluntary work and needs for this kind of work in Bosnia and Herzegovina;

▶ To define the concept of voluntarism separating it legally from the concept of 'internship' because they were equalised so far which was wrong;

▶ Although the procedure of law adoption is rather long-lasting it should start initiative for adoption of the Law on Voluntarism. Furthermore, local authorities and institutions/organisations/association individually, should be provided with relevant recommendations in regulating the issues of voluntarism and voluntary activities in other sub-regulations;

▶ To regulate relationship between the volunteer and the hosting organisation by the Volunteer's contract which will include both rights and responsibility of the organisation (juristic person) and the individual volunteer;

▶ To regulate rights and responsibilities relating health welfare, pension insurance and protection of volunteers at work during voluntary activities in cooperation with local and national governments;

▶ To recommend to local and national governments establishing special funds for support of the voluntary activities emphasising positive values of the voluntary work and volunteers as the useful and active members of the society; and supporting voluntary activism among children.

4. CROATIA

Based on the results of the conducted research and according to the comparative analysis of the legislation regulating voluntarism in Croatia and in the Western Balkans countries, for further development of voluntarism in Croatia, we recommend the following:

- ▶ Legislation that regulates status, rights and responsibilities of volunteers in Croatia should be adopted as soon as possible;
- ▶ Status, rights and responsibilities of foreign volunteer involved in the activities and projects of the Croatian organisations and institutions should be defined in the frame of above-mentioned legislation as well;
- ▶ Volunteering and training period (internship) should be defined by the law separately;
- ▶ Government departments should ensure adequate support (financial, health insurance for volunteers, education...) for the activities of individuals, organisations and institutions hosting the volunteers;
- ▶ Public institutions and government should be better informed about importance and benefits of the volunteering;
- ▶ General public should be better informed about values, importance and benefits of voluntarism and in that way motivate people to take active part in the institutions that requires volunteers;
- ▶ In the future initiatives for development of voluntarism in Croatia, cooperation among central and local authorities, public institutions and non-governmental institutions should be enhanced;
- ▶ Know-how transfer should be ensured from non-governmental organisations and institutions with relevant experience in the field of voluntarism towards those organisations, institutions and government departments lacking this experience.

CONCLUSIONS OF THE RESEARCH

Realising the general situation of voluntarism and volunteering in the surveyed countries (Croatia, Bosnia and Herzegovina, Macedonia and Montenegro) the general conclusion can be drawn: the voluntarism and volunteering are marginalized both in theoretical and practical sense. There is an evident disproportion between real needs of the public institutions and legislation. It is noticeable the lack of interest of the governments for voluntary work too, which is an important resource of the development policy in every community i.e. the lack of interest for improvement of volunteers' position as well.

Just to mention as a reminder, reforms made in the labour legislation that means also adoption of the new Labour Law, pay minimum attention on defining the concept of volunteer as well on the volunteers' rights protection. This situation varies from country to country since there are countries where voluntarism is completely excluded (drastic examples are Montenegro and then, Macedonia).

Mentioning voluntarism and voluntary work as a kind of training period (internship) or advanced training in the profession; no deeper understanding of the concept of voluntarism itself and reducing number of activities that are still considered as voluntary ones; as well as insufficient health and social insurance of volunteers, speak in favour of superficiality and incompleteness of the existing legislation.

Besides huge shortcomings of the existing regulations, the sad picture of voluntarism is supplemented by the ignorance of public institutions themselves relating issue of voluntarism. The research and questionnaire showed that representing institutions mainly do not understand the concept of voluntarism, which to the certain extent presents lack of their interest. It was noticed that institutions surveyed interpret restrictively the activities that can be considered for voluntary ones. If the internal regulations, that vary from case to case, are added to that then, it can be concluded that we are talking about lack of information

and education in this field. Countries in the region do not insist on establishing volunteers' centres that should play the role of mediator between potential volunteers and interested institutions.

Evidently, their importance is marginalized since the public institutions in those countries do not understand what their role is. Number of activities and areas where they should be active is reduced. Even though we assume that the interest in volunteering will increase the question is where the selection and training of volunteers for certain activities will be carried out. Current underdevelopment of volunteer's centres, that is lack of broader network of local centres will present a big obstacle. Additionally, the governments of the Western Balkans countries do not respect and follow UN declarations and recommendations and standards of the EU as well as the experiences of the countries that already passed transition period toward European integration. Thus, it is evident that this region does not live up to the practice of developed countries. Nevertheless, in order to harmonize the practice to the contemporary civilisation standards that accompanies

unhidden will of the countries from this region in their effort to join the "family of European states", several important steps should be undertaken in all those countries:

1. To change existing and adopt new law that should be in accordance to the European legislation. Legislation reforms would imply adoption of the new, basic law depending on the country that would regulate the concept and purpose of voluntarism in the broad sense. It would also regulate general rights and responsibilities of the volunteers, their protection and activities that are considered as the voluntary work. In the same time, the internal and special regulations will be adopted in the institutions (public institutions, schools, hospitals, humanitarian institutions, etc.) defining neither fewer rights nor more responsibilities for volunteers than those defined by the basic law. Change of legislation should be focused on improvement of conditions and position of volunteers in the sense of their better health and social welfare, and defining job descriptions, recruitment and compensation procedures for the voluntary work. Moreover, the law should be the support for development of internal regulations that would

define functioning of the voluntary work. Modifications are needed in the General Collective Agreement that would define the Contract on voluntary work.

2. To work on developing of the public awareness relating importance of the voluntarism for the country and its socio-economic system as well as for public institutions and future volunteers. Improvement of public informing and education of citizens and public institutions is an important step that has to be made. Government, media, school institutions and especially volunteers' centres should play crucial role in this activity organising different seminars, round table discussions and lectures... In this way, they will be affirming voluntary work, its importance and benefits for the public good. Emphasis on cooperation with other countries and taking part in the international volunteers' exchange programmes will also contribute to better understanding of voluntarism and its importance. At the end, exchange of experiences with organisations and institutions in other countries and accessibility of that information to wider public will contribute to better education and development of programmes.

3. To insist on legislation that would enable development of volunteers' centres and define mechanism for their financial support. This legislation should support establishing the network of national volunteers' centres that would significantly improve current situation and cooperation of public institutions with those centres, development of volunteers' management and better and faster contact with volunteers. The law would induce better cooperation of public institutions and volunteers' centres, bigger confidence of volunteers themselves, which would influence better response to voluntary work. The centres should be responsible for recruitment, training and promotion of volunteering and be in the regular contact with institutions that require volunteers.

4. An important role in this process can and should have international institutions, foundations, international networks and volunteers' centres supporting this development directly or through transfer of know-how. This would make preconditions for creation of the national and regional policies for development of voluntarism, citizens' participation and help in public institutions and education of youth supporting their mobility.

ANNEXES

The Questionnaire for the Survey

1. During the work in this institution I cooperated with volunteers: 1. yes, directly 2. yes, indirectly 3. no, I did not 2. Encircle only one number that indicates degree of your agreement with the following statements:	I COMPLETELY AGREE	I AGREE PARTIALLY	I DISSAGREE
1. Our institution is open for volunteers.	1	2	3
2. Voluntary work creates stabile and cohesive society.	1	2	3
3. Voluntary work is an expression of free will.	1	2	3
4. Volunteers are uneducated individuals.	1	2	3
5. We would like to enable volunteers to work in our institution voluntarily part of their time.	1	2	3
6. Voluntary work does not contribute to the state budget.	1	2	3
7. We would gladly enable volunteers to help us in some simple jobs but we do not know how to do it.	1	2	3
8. People that do voluntary work usually have some serious psychological problems.	1	2	3
9. If voluntary work would be more popular, society would have been more stabile.	1	2	3
10. People volunteer because they do not have or they do knot know anything else to do.	1	2	3
11. Voluntarism does not contribute to the cooperation among people.	1	2	3
12. Voluntary work is non-paid.	1	2	3
13. Voluntarism develops social harmony in case when different ethnic groups cooperate together.	1	2	3
14. Voluntarism is not important and does not deserve attention of the public institutions.	1	2	3
15. Voluntary work does not contribute to emotional stability.	1	2	3
16. In our institution there is a need for voluntary work.	1	2	3
3. Encircle only one number that indicates your answer on the question: "Do the mentioned activities represent voluntary work ?"	YES	NO, I CANNOT DECIDE	NO
1. Helping old and ill people without financial compensation.	1	2	3
2. Helping the neighbor to put the roof on the house.	1	2	3
3. Giving money to the homeless.	1	2	3
4. Voluntary ecological activities (for example, cleaning the environment).	1	2	3
5. Education of children and youth with the minimum financial compensation.	1	2	3
6. Work of the new worker in order to take the professional exam.	1	2	3
7. Collecting money for very ill people (for example, for an expensive surgery...)	1	2	3
8. Helping friends moving out/in?	1	2	3
9. Contractual work.	1	2	3
10. Taking part in humanitarian actions.	1	2	3
11. Helping relatives in harvest.	1	2	3
12. Assistance in socialisation to the people with disabilities (for example, in cases of mental illnesses).	1	2	3
13. Going abroad (for example, youth camp) because of exchange of experiences.	1	2	3
14. Non-paid work in public institutions instead of the military service.	1	2	3

4. Are there volunteers in your institution?

1. yes, there are
2. no, but there were before
3. no, there never were
4. We do not have reliable information

In the case you have encircled the answers 2-4 move to the question 8! In the case you have encircled the answer 1, please answer these:

5. How many volunteers you have in the institution: _____

6. How many hours per week they spend doing activities for your institution: _____

7. What are the activities they do:

1. Administration activities (translation, computer work, web-design...)
2. Promotion activities
3. Help in organising or in carrying out the seminars, courses, camps
4. Work with children
5. Taking care of old and people with special needs
6. Work on the environment protection
7. Manual work
8. Something else _____

8. Is there a need for engaging more volunteers?

1. Yes, there is
2. No, but there will be soon
3. No, there is no need
4. No, and there will never be
5. We do not have reliable information

In the case you have encircled the answers 3-5 move to the question 12! In the case you have encircled the answer 1 or 2, please answer these:

9. How many volunteers the institution needs in addition: _____

10. How many hours per week they would spend on the activities in your institution: _____

11. What activities they would do:

1. Administration activities (translation, comput-

er work, web-design...)

2. Promotion activities
3. Help in organising or in carrying out the seminars, courses, camps
4. Work with children
5. Taking care of old and people with special needs
6. Work on the environment protection
7. Manual work
8. Something else _____

12. How do you recruit volunteers?

1. Through public media
2. Through schools and universities
3. Personal contacts
4. Centres (volunteer, youth, NGO, citizen's associations)
5. They come to us on their own
6. We do not recruit volunteers
7. In some other way _____

13. What are the conditions for engaging volunteers in your institution?

1. Work experience
2. Internship period
3. Specific type and level of education
4. It is enough the will to help
5. Specific age, from _____ to _____
6. We do not have special conditions
7. We do not engage volunteers
8. Some other conditions _____

14. How do you recognize voluntary work?

1. Working experience
2. Internship
3. We do not recognize voluntary work
4. In some other way _____

15. How do you reward volunteers?

1. Providing them education and courses
2. Increasing the level of responsibility in their work
3. Including them in the planning activity in our institution
4. We do not reward volunteers
5. In some other way _____

16. Are there centres (volunteer, youth, NGO, citizen's associations) in your city or surroundings that enable the institutions easier con-

tacts with the volunteers?

1. Yes, we cooperate with them
2. Yes, but we do not cooperate with them
3. No, but there is a need for them
4. No, and there is no need for them
5. We do not have reliable information, but we would like to know

17. Do the current regulations in your institution enable engaging of volunteers?

1. Yes, they do
2. Yes, but we are not interested in engaging volunteers
3. No, they do not
4. I do not have reliable information

18. Should the current regulations about volunteer engagement be changed in your institution?

1. Yes, we are working on that
2. Yes, but at the moment we are not able
3. Yes, we would welcome the help of volunteers
4. No, the regulations in our institution are good
5. I do not have reliable information

19. Did your institution enable volunteers to help children and youth through educational courses, training, counseling, rehabilitation or emotional support?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

20. Did your institution enable unemployed professionals to help voluntarily to the professionals who were employed in your institution?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

21. Is there a person or service in your institution whose job description includes responsibility for the volunteer management (first contact, explaining the obligations and rights, legal regulation and registration, explaining the way in which institution works, and supervisi-

on and monitoring of the volunteer)?

1. Yes, there is
2. No, there is not, but we plan to establish it
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

22. Did your institution enable volunteers to help in the administrative work or to take part in organising or carrying out the administrative work in your institution?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

23. Did your organisation enable volunteers to help old and ill people, homeless, people with special needs, or people with behavioral problems (such as delinquency or use of narcotics or alcohol) through educational courses, workshops, trainings, medical assistance, counseling or self-help groups?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

24. Did your institution enable volunteers to spread the information, counseling the other or organising and conducting programmes about ecology, health, prevention of contagious diseases, medical treatment, personal hygiene or nutrition and life style issues?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

25. Did your institution enable volunteers to organise, under supervision of your organisation, to organise or to take part in the implementation of the programmes that would enable or coordinate social help to old or ill people, homeless, people with special needs, or people with behavioral problems (such as delinquency or use of narcotics or alcohol)?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

26. Did your institution enable volunteers to organise or carry out programmes in the frame of your institution that treat the problems that make influence on children and youth (children delinquency, child labor, family violence and abuse, addiction illnesses, sexual education)?

1. Yes, we did
2. No, but we plan to do so
3. No, we are not able to do so
4. No, because there is no need for that
5. I do not have reliable information

27. Data about the institution

Name of the institution:

Address:

City and p. o. box:

Telephone/fax:

E-mail:

Web page:

28. Questionnaire was filled out by (name and surname):

29. Position in the institution:

30. Field of work:

31. Gender:

1. male
2. female

32. Date of birth: _____

33. Years of working experience: _____

34. Place of birth: _____

35. Residence: _____

**General Assembly**Distr.: General
10 January 2002Fifty-sixth session
Agenda item 108**Resolution adopted by the General Assembly***[without reference to a Main Committee (A/56/L.27 and Add.1)]***56/38. Recommendations on support for volunteering***The General Assembly,*

Recalling its resolution 52/17 of 20 November 1997, in which it proclaimed the year 2001 as the International Year of Volunteers, based on Economic and Social Council resolution 1997/44 of 22 July 1997, and its resolution 55/57 of 4 December 2000, in which it requested the Secretary-General to prepare a report on ways in which Governments and the United Nations system could support volunteering, and bearing in mind Commission for Social Development resolution 39/2 of 23 February 2001,¹

Recalling also the outcome document of the twenty-fourth special session of the General Assembly entitled 'World Summit for Social Development and beyond: achieving social development for all in a globalizing world',² in which the General Assembly recommended the promotion of the involvement of volunteers in social development, inter alia, by encouraging Governments, taking into account the views of all actors, to develop comprehensive strategies and programmes by raising public awareness about the value and opportunities of volunteerism and by facilitating an enabling environment for individuals and other actors of civil society to engage in voluntary activities, and the private sector to support such activities,

Recalling further paragraphs 73 and 179 (f) of the Platform for Action adopted by the Fourth World Conference on Women,³ paragraph 42 of the Declaration on Cities and Other Human Settlements in the New Millennium adopted at the twenty-fifth special session of the General Assembly for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) in June 2001,⁴ and paragraphs 32 (i) (b) and 41 (ii) (a) of the Programme of Action for the Least Developed Countries for the Decade 2001. - 2010 adopted at the Third United Nations Conference on the Least Developed Countries in May 2001,⁵

1 See Official Records of the Economic and Social Council, 2001, Supplement No. 6 and corrigendum (E/2001/26 and Corr.1), chap. I, sect. E.

2 See resolution S-24/2, annex.

3 Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

4 See resolution S-25/2, annex.

5 A/CONF.191/11.

Recognizing the valuable contribution of volunteering, including traditional forms of mutual aid and self-help, formal service delivery and other forms of civic participation, to economic and social development, benefiting society at large, communities and the individual volunteer,

Recognizing also that volunteerism is an important component of any strategy aimed at, inter alia, such areas as poverty reduction, sustainable development, health, disaster prevention and management and social integration and, in particular, overcoming social exclusion and discrimination,

Recognizing further the existing contribution of the organizations of the United Nations system to supporting volunteering, including the work of United Nations Volunteers around the world, by promoting volunteerism, including by placing volunteers,

Aware of the need to approach voluntary activities strategically as a means of enhancing resources, addressing global issues and improving the quality of life or everyone,

1. Welcomes the report of the Secretary-General on support for volunteering;⁶
2. Also welcomes the work of the United Nations Volunteers as the focal point for the International Year of Volunteers in supporting national International Year of Volunteers committees and in collecting and disseminating information on the Year, including through its web site;⁷
3. Expresses its appreciation regarding the support to the International Year of Volunteers extended by States, international organizations and civil society, including non-governmental organizations, especially at the local, national and regional levels;
4. Commends the ongoing contributions of all volunteers to society, including in extraordinary conditions such as disasters;
5. Encourages all people to become more engaged in voluntary activities;
6. Lays down in the annex to the present resolution the recommendations on ways in which Governments and the United Nations system could support volunteering;
7. Requests the Secretary-General to take specific measures, in particular within the mandates of the United Nations Volunteers and the Department of Public Information of the Secretariat, to disseminate widely the present resolution and the annex;
8. Calls upon all Governments and organizations of the United Nations system to give these recommendations due consideration;
9. Decides that on 5 December 2002, International Volunteer Day for Economic and Social Development, two plenary meetings at the fifty-seventh session of the General Assembly shall be devoted to the outcome of the International Year of Volunteers and its fol-

⁶ A/56/288.

⁷ www.iyv2001.org.

low-up under the agenda item entitled. Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family;

10. Requests the Secretary-General, in his report to the General Assembly at its fifty-seventh session on the outcome of the International Year of Volunteers and its follow up, to include proposals for an integrated and coordinated follow-up, to be pursued in the relevant parts of the United Nations system, as well as on cross-cutting issues, building on his report to the Assembly at the present session and taking into account the present resolution, the discussions held during the present session and other relevant contributions.

76th plenary meeting
5 December 2001

Annex

Recommendations on ways in which Governments and the United Nations system could support volunteering

I. General considerations

1. In these recommendations, the terms volunteering, volunteerism and voluntary activities refer to a wide range of activities, including traditional forms of mutual aid and self-help, formal service delivery and other forms of civic participation, undertaken of free will, for the general public good and where monetary reward is not the principal motivating factor.
2. Actions by Governments and the United Nations system are mutually reinforcing but are treated separately below for the sake of clarity.
3. There is not one universal model of best practice, since what works well in one country may not work in another with very different cultures and traditions.
4. Support for voluntary activities does not imply support for government downsizing or for replacing paid employment.
5. It is not just targeted measures that have an impact on volunteering; general social and economic policy measures can also influence citizens' opportunities and willingness to volunteer.
6. Neglecting to factor volunteering into the design and implementation of policies could entail the risk of overlooking a valuable asset and undermine traditions of cooperation that bind communities together.
7. It is important to ensure that opportunities for volunteering in all sectors are

open both to women and men, given their different levels of participation in different areas, and recognizing the potential positive effect of volunteering on the empowerment of women.

II. Government support

1. It is recommended that Governments further support voluntary activities by creating a favourable environment, including through the following policies and measures, and taking into account the local cultural context.

(a) Increasing public awareness of the vital contribution of volunteerism to the social and economic functioning of their communities through, inter alia, public information activities and public events

(i) Highlight the contribution of volunteering; organize briefings and seminars for policy makers and the media. Official papers on the status of volunteering and the issues that need to be addressed can be published and widely disseminated. High-profile events and campaigns can be organized on national days and on International Volunteer Day for Economic and Social Development on 5 December. Negative stereotyping of volunteers can be challenged. The promotion of volunteering can be achieved through special programmes and public service announcements or by joint initiatives such as award schemes;

(ii) Encourage the media to play a supportive role in public awareness-raising activities;

(iii) Disseminate the results of studies and surveys on the contribution of volunteerism, where they exist, through the media, schools, non-governmental organizations and other channels.

(b) Taking general measures concerning encouragement and facilitation, preparation, training and recognition of volunteers

(i) Provide, in a way complementary to the support from other sources, an adequate human and physical infrastructure for volunteering. This could include, inter alia, awareness-raising campaigns, development of a volunteer centre infrastructure, establishment of focal points or the use of pilot schemes and the promotion of online volunteering. Specific campaigns in the area of, for example, mass immunization, literacy, or low-cost housing, could include budgetary provision for the encouragement and facilitation, orientation and training, monitoring and recognition of volunteers;

(ii) Facilitate the establishment and functioning of volunteer centres, which provide a valuable stimulus to formal service volunteering through advocacy, monitoring and encouraging new initiatives. National volunteer centres provide effective leadership in the formal volunteer movement, while regional and local centres ensure linkages with the grass-roots communities and organizations. Legal and fiscal frameworks are important factors in the sustainability of such centres and financial support may also be desirable;

(iii) Provide or facilitate specialized training and the formation of professional volunteer managers and trainers in the area of formal service volunteering, including by introducing formal credentials and standards;

(iv) Encourage public sector workers to volunteer, for instance by facilitating measures, recognition, career enhancement incentives and the establishment of a dedicated special unit. This sets a positive example for society and helps to strengthen the sense of collective responsibility.

(c) Enabling fiscal, legislative and other frameworks, including for community-based organizations and not-for-profit organizations engaged in volunteering

(i) Introduce enabling legislation. The goal is to encourage or inspire citizens to volunteer but allow the choice to rest with the individual or organization; it can also facilitate employee volunteering. It can provide tax incentives and subsidies for organizations, as well as coverage and protection against risks, in a way fitting the particular society;

(ii) Facilitate partnership-building around volunteer-based activities of civil society, including arrangements for joint planning, implementation and monitoring. This could incorporate employee volunteer activities of the private sector.

(d) Encouraging and undertaking research in the various aspects of volunteerism and its impact on society

(i) Ensure that consideration of the issues regarding volunteering is based on a sound appreciation and analysis of the parameters, profile and trends of volunteering in the particular country context. Studies on volunteering can be undertaken by independent public policy research and/or academic institutions. Governments can also initiate research themselves, in partnership with other stakeholders;

(ii) Establish the economic value of volunteering to help to highlight one important aspect of its overall contribution to society and thereby assist in the development of informed policies which take into account the different levels of participation of women and men, youth and older people in different fields of volunteering.

(e) Ensuring citizens' access to information on opportunities for volunteering

(i) Facilitate the establishment of national databases on volunteer opportunities in collaboration with community-based organizations and not-for-profit organizations;

(ii) Disseminate information through the media, schools, and other channels with particular attention given to ensuring that information is accessible also to disadvantaged segments of the population. Encourage media companies to support and expand the concept of pro bono public service announcements on behalf of volunteer-based organizations and activities.

(f) Addressing the possible impact of general social and economic policy measures upon citizens' opportunities and willingness to volunteer

(i) Take into account the possible impact of general social and economic policy upon citizens' opportunities to volunteer. Such a volunteer check could pertain to measures related to labour, for example, such as the length of the work week and the age of retirement, which have an impact on the profile of volunteering. Legal and fiscal measures could also be reviewed to assess whether they impinge negatively on the status of volunteer-involving organizations, including issues related to juridical status, rights to associational activities, and resource mobilization. Subsequently, legal and administrative hindrances to volunteering, where they exist, can be reduced;

(ii) Give due weight to local ownership and citizen participation, to bring public services closer to communities and to open space for greater citizen engagement expressed through channels such as parental involvement in schools and community involvement in natural resource management;

(iii) Recognize that transport, communication and other infrastructure, such as public spaces, enhance the capacity of people to organize for voluntary activities. This is especially true of geographically dispersed populations and of people living in poverty, as well as older persons and people with disabilities. It is desirable that the impact of such infrastructure on levels of volunteering be factored into the planning process.

(g) Integrating volunteerism into national development planning, recognizing the potential contribution of volunteerism to the achievement of sustainable development goals

(i) Extend the notion of volunteerism as an additional valuable component of national development planning to development cooperation policy. Recognizing and building strategically on rich, local traditions of voluntary self-help and mutual aid can open the way to building up a new constituency in support of development efforts. Forging a link in the mind of the general public in countries providing development assistance between domestic volunteering in those countries and volunteering in countries receiving assistance can also help enlist public support for development cooperation.

(h) Participation of all population groups

(i) Consider all means available for more people to become involved in voluntary activities and to be drawn from a broader cross-section of society, including youth, older persons and people with disabilities and persons belonging to minorities, targeting opportunities for voluntary activities to facilitate the active participation of those groups which have little or no access to the benefits of engaging in volunteering;

(ii) Promote volunteering within educational establishments and youth services; develop specific programmes to encourage youth volunteering; put in place systems to recognize and accredit volunteering by youth; and work with the media to present an attractive image of volunteering. This can have a significant impact on the level of youth participation and constitute a sound investment in a country's human resources.

III. Support by the United Nations system

1. It is recommended that the relevant organizations and bodies of the United

Nations system, including the regional commissions, further support voluntary activities by creating a favourable environment, including through:

(a) Awareness-raising

(i) Raise awareness internally and with their partners as regards the role of volunteerism in the various areas in which they are active and can sensitize their constituencies as to the implications in terms of activities undertaken. At the political level, strategically manage and support volunteering and incorporate it into the agenda of their meetings;

(ii) Undertake research and disseminate information about the cross-cutting link between volunteerism and major global concerns, including through technical and popular publications, workshops and Internet sites. This would serve also to extend recognition to volunteers and their organizations, which could be complemented by awards and other measures, including raising the profile of International Volunteer Day.

(b) Recognition of the contributions of volunteers

(i) Enhance and expand the current practice of extending special recognition to volunteers and volunteer-involving organizations across the United Nations system.

(c) Involving volunteers in their programmes, interlinking with national initiatives

(i) Include volunteers in their activities, supporting, inter alia, the establishment of volunteer schemes to address a range of global concerns. Where they exist, national and local volunteer centres could benefit substantially from the specialized expertise and networks of the United Nations system;

(ii) Actively encourage staff of the United Nations system to volunteer, utilizing their special skills and experiences.

(d) Long-term planning for the enhancement of social capital by including all segments of society in volunteering

(i) Make a strategic choice for the involvement of all segments of society, including youth, older persons and people with disabilities and persons belonging to minorities, targeting opportunities for voluntary activities to facilitate the participation of those groups that have little or no access to the benefits of engaging in volunteering. In this way, building on societal norms and networks will enhance the social capital of the society concerned, strengthen its capacity for development and have a lasting impact on its well-being.

(e) Assisting in building national capacities, including in the field of training

(i) Assist countries, upon request, in building national capacities, including in the field of training, and further support Governments in their actions to promote volunteerism as a strategic tool to enhance economic and social development;

(ii) Recognize the continuing role of the United Nations Volunteers as the volunteer arm of the United Nations system, placing volunteers in development and human-

itarian programmes and promoting online volunteering. Build on the acquired experience of the United Nations Volunteers in enhancing the recognition, facilitation, networking and promotion of volunteering, deriving from its role as focal point for the International Year of Volunteers.



Fifty-seventh session
Agenda item 98

Resolution adopted by the General Assembly

[without reference to a Main Committee (A/57/L.8 and Add.1)]

57/106. Follow-up to the International Year of Volunteers

The General Assembly,

Recalling its resolution 40/212 of 17 December 1985, in which it invited Governments to observe annually, on 5 December, an International Volunteer Day for Economic and Social Development,

Recalling also its resolution 52/17 of 20 November 1997, in which it proclaimed the year 2001 as the International Year of Volunteers, and its resolution 55/57 of 4 December 2000 on the observance of the International Year of Volunteers,

Recalling further and reaffirming its resolution 56/38 of 5 December 2001, which lays down recommendations for ways in which Governments and the United Nations system could support volunteering,

Recognizing the valuable contribution of volunteering, including traditional forms of mutual aid and self-help, formal service delivery and other forms of civic participation, to economic and social development, benefiting society at large, communities and the individual volunteer,

Recognizing also that volunteerism is an important component of any strategy aimed at, inter alia, such areas as poverty reduction, sustainable development, health, disaster prevention and management and social integration and, in particular, overcoming social exclusion and discrimination,

Recognizing further that volunteering, particularly at the community level, will help to achieve the development goals and objectives set out in the United Nations Millennium Declaration¹ and at other major United Nations conferences, summits, special sessions and their follow-up meetings,

Noting with appreciation the efforts to increase awareness of volunteerism through global information sharing and education, including efforts to develop an effective network for volunteers through, inter alia, the International Year of Volunteers web site² and linked national sites,

¹ See resolution 55/2.

² www.iyv2001.org.

Acknowledging the existing contribution of the organizations of the United Nations system to supporting volunteering, including the work of United Nations Volunteers around the world,

Bearing in mind the need for an integrated and coordinated follow-up to the International Year of Volunteers to be pursued in the relevant parts of the United Nations system,

1. *Welcomes* the report of the Secretary-General on the outcome of and follow-up to the International Year of Volunteers, 2001;³

2. *Welcomes also* the successful observance of the International Year of Volunteers, 2001, with the support of one hundred and twenty-three national International Year of Volunteers committees and the many regional and city International Year of Volunteers committees with broad representation from Governments, international organizations, civil society, including non-governmental organizations, as well as the private sector, recognizes the contribution of States and civil society organizations and alliances at the international, regional, national and local levels to such a success, and encourages this network to be maintained and expanded, as appropriate, with a view to further engaging all stakeholders, undertaking volunteer-related research, disseminating information and experiences, providing preparation and training to volunteers, particularly from developing countries, and forging new partnerships at all levels;

3. *Welcomes further* the various developments of policies and the enactment of legislations for the growth and development of volunteerism taken up as a result of the international year, and recommends that Governments continue to acknowledge the valuable role of volunteers and further support voluntary activities, including through appropriate policies and enabling legislation;

4. *Calls upon* Governments and the United Nations system to implement further the recommendations contained in the annex to its resolution 56/38, bearing in mind the economic significance of volunteering;

5. *Calls upon* Governments, with the active support of the media, civil society and the private sector, to observe 5 December, International Volunteer Day for Economic and Social Development, and to include activities focused on following up on the achievements of the International Year of Volunteers in its public awareness-raising campaigns;

6. *Reaffirms* the need to recognize and promote all forms of volunteerism as an issue that involves and benefits all segments of society, including children, young persons, older persons, persons with disabilities, minorities and immigrants and those who remain excluded for social or economic reasons;

7. *Invites* all stakeholders, especially from the private sector community and from private foundations, to support volunteerism as a strategic tool to enhance economic and social development, including by expanding corporate volunteering;

8. *Welcomes* the work of the United Nations Volunteers, as the focal point for the

³ A/57/352.

International Year of Volunteers, as well as their role in the preparations and implementation of the Year, and requests them to continue their efforts, together with other stakeholders, to raise awareness of volunteerism, increase reference and networking resources available and provide technical cooperation to developing countries, upon their request, in the field of volunteerism;

9. *Invites* the United Nations Volunteers to develop a global Internet volunteer resource based on the International Year of Volunteers web site² and on national web sites with a view to enhancing network capabilities and to expanding information, knowledge and resource management, and encourages Governments and all stakeholders, in particular the private sector, to contribute on a voluntary basis to this initiative;

10. *Calls* for the relevant organizations and bodies of the United Nations system to integrate volunteerism in its various forms into their policies, programmes and reports, and encourages the recognition and inclusion of volunteer contributions in future United Nations and other relevant international conferences, such as the World Summit on the Information Society;

11. *Requests* the Secretary-General to factor such contributions made by volunteers in his reports on the implementation of the Millennium Declaration¹ and of other major United Nations conferences, summits, special sessions and their follow-up meetings;

12. *Also requests* the Secretary-General to take measures, in particular within the mandates and the existing resources of the United Nations Volunteers and the Department of Public Information of the Secretariat, to ensure that the potential of the International Volunteer Day for Economic and Social Development in follow-up to the International Year of Volunteers is fully realized;

13. *Further requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution under the item entitled "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family".

*61st plenary meeting
26 November 2002*

**PARLIAMENTARY ASSEMBLY
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Doc. 8917

22 December 2000

**Improving the status and role of volunteers as a
contribution by the Parliamentary Assembly to the
International Year of Volunteers 2001**

Report

Social, Health and Family Affairs Committee

Rapporteur: Ms Tayyibe Gülek, Turkey, Socialist Group

Summary

The year 2001 has been declared International Year of Volunteers by the United Nations. The Parliamentary Assembly has always encouraged the development of the forces of civil society as a guarantee of social cohesion and an expression of participatory democracy. Voluntary action involves learning, sharing and helping others and enables all citizens to play a part in the democratic process. The Assembly welcomes the United Nations' initiative and calls on the member states of the Council of Europe to adopt various incentive measures during the year in order to promote volunteerism at national and European levels.

I. Draft recommendation

1. The year 2001 has been declared "International Year of Volunteers" by the United Nations General Assembly and the UN Volunteers programme has been designated as the focal point for its preparation and follow-up. Voluntary action has a long tradition in most European countries, even though the degree to which it exists and the forms which it takes vary with individual states' political, democratic, socio-cultural and economic conditions.

2. Voluntary action involves learning, sharing and helping others: it enables the young and not-so-young to acquire experience of life, civic spirit and vocational skills. It plays a part in transmitting knowledge. It makes unemployed volunteers more employable, and helps to keep the elderly active.

3. Voluntary action represents a substantial proportion of the gross domestic product in many states. It responds to social change, new needs and human suffering. Sometimes, it anticipates political intervention by creating new types of service, which later provide paid employment. Voluntary action is therefore a source of jobs.

4. The Assembly has always urged the need for the forces of civil society to emerge, as a guarantee of social cohesion and expression of participatory democracy. Voluntary action should enable all citizens to play a part in the democratic process, and its role should be particularly encouraged in the central and east European states, which are working to consolidate their new-found democracy.

5. The Assembly welcomes the United Nations initiative, which also turns the spotlight on the Council of Europe's on-going activities, such as its European Convention on the promotion of a Transnational Long-term Voluntary Service for Young People and its work on a code of ethics for young volunteers; the Assembly strongly favours the development of a genuine culture of voluntary service, necessarily extending to the Council of Europe itself.

6. The Assembly accordingly asks the Committee of Ministers to call on Member States to:

i. become involved, during this celebratory year, in information and awareness-raising campaigns on voluntary action, emphasising the invaluable contribution which volunteers make to the community, and the vital need for partnership between volunteers and professionals in all fields, particularly the social sector;

ii. declare a European Day of Volunteerism;

iii. seek to identify and eliminate, in their laws and practice, any obstacles which directly or indirectly prevent people from engaging in voluntary action, and to reduce tax pressure which penalises voluntary action;

iv. adopt and promote, in accordance with their national traditions, dynamic policies favouring voluntary action which, inter alia:

a. recognise the democratic, humanitarian, social, educational, training and eco-

conomic

value of voluntary action;

b. endorse the role played by voluntary action in involving citizens in the democratic process;

c. give voluntary workers legal status and adequate social protection, while respecting their independence, and removing financial obstacles to volunteering;

d. use various measures and incentives to encourage everyone and all sectors of the community – including political leaders, the active, the unemployed, the disabled, the elderly, the retired, migrants, refugees, and the excluded – to become involved in voluntary action;

e. help, particularly by earmarking budgetary and other resources, to support and develop voluntary initiatives of value to the community, while ensuring that the funds in question are appropriately used and allocated;

v. urge voluntary associations and volunteers themselves to respect the values and principles of the Council of Europe in their objectives and their activities and to remain politically neutral.

7. The Assembly takes the view that the Committee of Ministers should also:

i. urge the member states to ratify the European Convention on the Promotion of a Transnational Long-term Voluntary Service for Young People, so that it can come into force by the end of 2001, and use up-to-date technologies, such as the Internet, to implement it;

ii. work for ratification of this Convention by the European Union and non-member states of the Council of Europe;

iii. speed up preparation of the code of ethics for young volunteers, setting out the rights and duties of young volunteers in Europe, with a view to finalising it as soon as possible;

iv. sponsor the organisation of an annual European televised contest, in cooperation with Eurovision, designed to reward outstanding individual, group and community volunteer achievements;

v. institute a European observatory and registry of volunteerism.

8. Finally, following the example set by other international organisations, the Committee of Ministers should bring the voluntary dimension into the Council of Europe Secretariat and recruit volunteers to work alongside Council staff and experts in areas which are insufficiently developed, such as the rights and welfare of children, the promotion of women's status, the fight against trafficking in human beings and anti-racism.

II. Explanatory memorandum by the Rapporteur

1. The motion for a recommendation (Doc. 8645), originally tabled by Mrs Pulgar, who has since left the Assembly, and now carried on by your Rapporteur, seeks to improve the status and role of volunteers. Its main purpose is to associate the Council of Europe and especially the Parliamentary Assembly with the events of 2001, designated by the United Nations as the International Year of Volunteers.

2. In order to complete this report, the Social, Health and Family Affairs Committee held a Seminar on Voluntary Work in Brighton on 14 and 15 October 2000. The Rapporteur also met the IYV 2001 Team and is very grateful for their generous help and advice.

The Council of Europe's deliberations on voluntary action

3. This motion also reflects the Council of Europe's on-going concern with this question, demonstrated by the many regular reports on "international voluntary service" prepared by our Social Affairs Committee from the sixties to the eighties and by Committee of Ministers Recommendations, such as the text, now slightly dated, on social security for workers without professional status, including voluntary workers, (Rec(91)2) and the more recent Recommendation (94)4, encouraging member states to establish a voluntary service at national and European level.

4. This work within the Council of Europe has resulted, *inter alia*, in the recent European Convention on the Promotion of a Transnational Long-term Voluntary Service for Young People (<http://conventions.coe.int>), which was opened for signature in May 2000. However, whether due to genuine impediments or a lack of information, it has so far (at 21.12.2000) been signed (but not ratified) by only five countries (France, Luxembourg, Romania San Marino and the United Kingdom), whereas five ratifications are required for its entry into force. The Convention is open to non-member states of the Council of Europe.

5. Why was this Convention drawn up? Transnational voluntary service contributes to civic education, inter-cultural exchange and the development of a European consciousness among young people. It provides an educational opportunity (part of what we call informal learning) to serve society and give practical expression to the concept of mutual responsibility.

6. This Convention is intended as a tool to facilitate, promote and support transnational voluntary service for young people up to the age of 25. Under its terms, young people should receive preparation and training for voluntary action: this work is not remunerated, but the young people should receive board, lodging and pocket money; they should be insured against certain health risks, etc. The value of the experience thus gained by young people is officially recognised and formalised by a certificate.

7. When called on to state its opinion on the draft of this Convention, the Assembly expressed its strong support and its belief that the European Union should associate itself with this undertaking.

8. Furthermore, a code of ethics for young volunteers is currently being drawn up

under the Council of Europe Youth Programme and should be finalised and adopted in the course of the year 2001.

9. The UN International Year of Volunteers is a timely initiative and throws the spotlight on these Council of Europe achievements; it is essential to seize this opportunity to "sell" the Convention: i.e., to disseminate it, make it better known and work for its ratification within our respective parliaments, so that it can enter into force before the end of the Year.

2001: International Year of Volunteers (IYV 2001)

10. The International Year of Volunteers (<http://www.iyv2001.org>) aims to promote and facilitate the work of volunteers everywhere in the world, whether young or old, whether or not members of an organisation, and to help in setting up a network for them.

11. The Year is co-ordinated by the United Nations Volunteer Programme (<http://www.unv.org>), which was set up in 1970 by the UN General Assembly and is part of the UN system. It works in fields as diverse as conflict prevention and peace building, urban development, the environment, micro-credits, and information technology, mainly using professional people with volunteer status.

12. To mark the Year, many countries have set up national committees, responsible for reviewing the overall situation of volunteers in their country and proposing specific initiatives. In addition, the UNV has drawn up an interesting list of suggestions of possible activities during the year, for the attention of States, various groupings, businesses, trade unions or any interested party (see Appendix).

Volunteers: who and why?

13. No state can exist without volunteers, whether they are individuals or groups, organised or informal. In many countries, voluntary action contributes significantly to both society and the economy and fosters social cohesion and political stability.

14. The economic contribution made to society by voluntary activity is estimated at 8% of gross domestic product and may even reach 14% of GDP, depending on the country concerned (see: Study of the extent and role of volunteering – 1997 – National Centre for Volunteering, Dr Gaskin and Davis Smith). This contribution is rarely reflected in official statistics or recognised by governments and politicians. According to the UN's figures, there were 40 million volunteers aged over 15 years in formal programmes throughout the world in 1993. Nine million of these were in France. Belgium has 2.5 million volunteers, a very high percentage in terms of its total population.

15. Volunteering rates in the central and eastern European countries are markedly lower: in Slovakia, for example, one person in ten is involved in voluntary action, compared to four in ten for Sweden or the Netherlands.

16. Men and women are almost equally represented in voluntary action.

17. Governments alone cannot always respond to society's challenges and apply appropri-

ate solutions: the role of civil society is undeniable and undisputed. Voluntary action helps the young and less young to acquire experience, civic spirit and vocational skills: it provides satisfaction for employed adults and retired persons; it fosters the handing down of knowledge; it is a factor in successful ageing ("active ageing").

18. Volunteer action has a role to play in the fight for full employment, insofar as it improves the "employability" of the unemployed, helps restore their self-confidence, opens doors to them and provides them with new qualifications that are of value in the labour market. In addition, voluntary action is often behind the creation of new kinds of services and paid employment.

19. Volunteers are part of civil society, the existence and development of which are guarantors of democracy and peace: the Assembly has emphasised the role of civil society on many occasions and in numerous declarations. In a world where money tends to be thought of as the supreme value and where the "me-culture" is gaining ground, most of the time voluntary action is a gift to others and an expression of sharing.

Patterns and areas of voluntary action

20. Voluntary action exists in various forms and to varying degrees, depending on countries' cultural and religious traditions and on political and economic factors. Sometimes it emerges to compensate for the state's shortcomings and to respond to social changes and human suffering: one of the most recent examples is voluntary action on behalf of Aids victims. However, even in regions where the welfare state is highly developed, such as Scandinavia, it has always continued to exist.

21. In central and eastern European countries, voluntary action was severely undermined by communism, which made it forced or mandatory. It is now playing a significant role in the transition process and in building democracy, and is responding to social problems that were previously unknown, such as homelessness and poverty, or were unacknowledged, such as the rights of the disabled. Its renaissance is frequently tied in with the adoption of new Constitutions and recognition of the right of association.

22. This phenomenon is sometimes triggered by a particular event. For example, in the difficult circumstances of the 1999 earthquakes, Turkey saw an impressive flow of volunteers heading to the devastated sites in order to demonstrate their solidarity. This event led to increased recognition and development of the civil society sector.

23. In France, the wreck of the Erika and the subsequent oil slick drew hundreds of volunteers to the oil-polluted beaches and coastline, intent on cleaning them up with whatever came to hand.

24. In addition to the traditional forms of volunteer work, new technologies such as the Internet are giving rise to such gestures. For example, All experts (www.allexperts.com) aims to help people find solutions to problems as rapidly as possible, and consists of a team of specialists with skills in a wide range of subjects, available to reply to questions within twenty-four hours.

25. The United Nations Volunteers Programme, mentioned above, has also established

an Internet site for volunteers working in areas as diverse as translation, data analysis, teaching, on-line medical diagnosis, fund-raising, etc.

26. The most popular areas for voluntary action are still sport, leisure activities, education, the social sector and assistance for the elderly, etc. The voluntary sector detects new needs, such as personalised help for the unemployed, especially mentoring, management of associations, nature and environmental protection, palliative care for the terminally-ill, etc.

27. Voluntary action also encompasses politics and human rights. In particular, international organisations in the UN system make use of volunteers and, for example, the OSCE uses them for long-term monitoring of election processes, especially in the newly emerging European democracies.

28. The Council of Europe could profitably draw on this practice, particularly in those areas of its work where financial restrictions have resulted in reduced activity, such as children's rights and child protection, promotion of women's equality, the fight against trafficking in human beings, anti-racism, etc.

Recognition and promotion of volunteer action

29. Although many countries have legislation or regulations governing the right of association or the right to form trade unions, very few have systematically and comprehensively recognised the value of voluntary action and granted volunteers a genuine legal status.

30. Spain has enacted legislation in this field: Law 6/1996 on Voluntary Work provides a definition of volunteers and their rights and duties. Bearing in mind voluntary action's role as a pillar of civil society's participation in social affairs, a National Plan for Voluntary Action (1997-2000) was prepared in conjunction with the NGOs and the seven Ministries concerned, aimed at raising awareness, encouraging support for voluntary action and ensuring coordination of the various activities. A second Plan is currently being prepared.

31. A few countries have attempted, with varying degrees of success, to remove the obstacles to receiving social security payments while simultaneously carrying out an activity.

32. In the United Kingdom, for example, a number of programmes and measures have been in place since the 1980s to encourage unemployed and disabled people to become involved in voluntary action in the health and social services sector. In Ireland, an unemployed person may carry out voluntary action so long as this does not compromise his or her availability or the search for paid employment or training. In Germany, persons in receipt of unemployment benefit are permitted to perform up to 17 hours of voluntary work per week.

33. Recently the private sector – and government bodies – has begun to take an increased interest in voluntary action, to improve both businesses' brand image and their internal workings. It is no longer rare to see businesses sponsoring projects by internal or external groups of volunteers. Staff members' involvement in volunteer work is often perceived as a positive factor in their development, and paid leave or financial assistance may be made available.

Conclusions

34. The Rapporteur believes there is a clear and growing political interest in the phenomenon of voluntary action and its potential role in society.

35. The Rapporteur hopes that this report will provide an opportunity for the Parliamentary Assembly to associate itself with the International Year of Volunteers and to come out clearly in favour of developing a culture of voluntary service in Europe. There is much to be done in this respect.

36. The Council of Europe's member states should be invited to adopt and promote energetic policies in favour of voluntary action which would, *inter alia*:

- recognise voluntary work's social, educational and training value and its independent nature;

- endorse the role of voluntary action as a means of public participation in the democratic process;

- grant legal status and adequate social protection to volunteers;

- encourage, by various measures, involvement in voluntary service by everyone, including disadvantaged minorities in traditionally excluded groups: unemployed persons, migrants and the disabled or elderly;

- assist in supporting and developing voluntary action initiatives, particularly by allocating financial resources.

37. The states should concentrate on identifying and removing any obstacles in their legislation and practice, especially administrative and financial barriers, which prevent people, directly or indirectly, from carrying out voluntary action.

38. During this particular Year, the member states should undertake awareness-raising campaigns on voluntary action, emphasising volunteers' invaluable contribution and the essential partnership with other professional actors in almost all sectors of voluntary activity, particularly the social field.

39. The Council of Europe member states should also be invited to ratify the European Convention on the Promotion of a Transnational Long-term Voluntary Service for Young People as rapidly as possible and to take steps to implement it using up-to-date technological resources such as the Internet.

40. The Council of Europe should speed up the drafting of a European code of ethics for young volunteers and launch it at a possible European conference on voluntary action: this could close the International Year.

41. Finally, in line with other international organisations, the Council of Europe would be well advised, particularly in light of the restrictions on staff recruitment, to make use of

volunteers, who could work alongside the Council's staff and experts in developing certain activities within its remit that are currently somewhat neglected, such as child protection, promotion of equality for women, the fight against racism, etc.

Appendix I: Ideas for action during the International Year of Volunteers 2001
(extracts from the IYV 2001 brochure)

- Telling the story of "what we did to succeed" to a newspaper or radio;
- Presenting a report on the achievements of volunteers in the country;
- Creating a documentation centre on volunteering in your school or high school;
- Paying tribute to volunteers' talents by awarding prizes;
- Determining the urgent needs in your own sector of volunteer work;
- Proposing your services to a volunteering organisation;
- Thinking about collective action programmes within your community;
- Assessing the potential for volunteer activities within your company;
- Submitting ideas to your IYV 2001 National Committee;
- Supervising volunteers if you have experience in voluntary work;
- Offering your help to people with Aids, accident victims or the disabled;
- Counselling others if you have experience of illness, dependency or grief;
- Dreaming up a brilliant advertising or fund-raising idea for volunteer work;
- Applying the example of success elsewhere to your community;
- Making your business or industrial concern a sponsor for volunteering;
- Sharing your ideas, projects and successes on the IYV 2001 website;
- Training volunteers in management or accounting;
- Expressing your support for voluntary work in your political party's programme;
- Giving your employees or civil servants leave for voluntary work;
- Considering whether voluntary work could replace certain court sentences;
- Use volunteers to provide training in social or health activities;
- Selling supplies at preferential prices to voluntary groups;
- Organising a seminar or "market" for sharing volunteering experiences;
- Donating blood;
- Visiting children in orphanages;
- Providing free legal advice;
- Collecting and distributing used clothes, shoes, toys or food to poor families;
- Providing the elderly in need with letter-writing services, health checks, etc;
- Cleaning schools, community centres, hospitals;
- Cleaning up beaches, rivers, parks, nature reserves;
- Creating prizes, awards, certificates for volunteers and solidarity actions...

Reporting committee: Social, Health and Family Affairs Committee

Reference to committee: Doc. 8645 and Reference No. 2486 of 3 April 2000

Draft recommendation unanimously adopted by the committee on 12 December 2000

Members of the committee: Mr. *Cox* (Chairman), Mrs *Ragnarsdóttir*, Mr. *Hegy*, Mrs Gatterer (Vice-Chairs), Mrs Albrink, MM. *Alis Font*, Arnau, Mrs *Belohorská*, Mrs *Biga-Friganovic*, Mrs Björnemalm, MM. *Cesário*, *Christodoulides*, Chyzh, Dees, Dhaille (Alternate: Mr *About*), Duivesteijn, *Evin*, *Flynn*, Gamzatova, Gibula, Glesener, Gregory, Ms *Gülek*, MM. Gusenbauer, Gustafsson, Haack, Hancock (Alternate: Mr *Vis*), Mrs Høegh, Mr. Hrebenciuc, Mrs Jirousová, Ms Lakhova, Mrs Laternser, Mr. Liiv, Mrs Lotz, Mrs Luhtanen, M. Lupu, Mrs Markovska, MM. Marmazov, Martelli, *Marty*, Mattei, Monfils, Mozgan, Mularoni, *Ouzky*, Padilla, Mrs Paegle, Mr Pavlidis, Mrs *Poptodorova*, Mrs *Pozza Tasca*, MM. Raskinis, Rizzi (Alternate: Mr *Polenta*), Santkin, Smirlis, Mrs Stefani, MM. Surján, *Tahir*, *Telek*, Troncho, Vella, Mrs Vermot-Mangold, MM. Volodin, Voronin, Wójcik

NB: The names of those members present at the meeting are printed in italics.

Secretaries to the committee: Mr Newman., Mrs Meunier and Ms Karanjac

LAW ON VOLUNTARISM IN CZECH REPUBLIC

Act No. 198 of 24 April, 2002 on Volunteer Services, amending certain regulations (Volunteer Services Act)

The Parliament has adopted the following Act of the Czech Republic:

PART ONE VOLUNTEER SERVICES

Article 1 Subject of the Act

- (1) This Act sets out conditions under which the State supports volunteer services organized under this Act rendered by volunteers without a claim to remuneration.
- (2) This Act does not apply to
- activities governed by specific legal regulations, even if they correspond to the characteristics of volunteer services stipulated by the Act;
 - activities, which do not correspond to the characteristics of volunteer services stipulated by this Act, even when performed by volunteers.

Definitions Article 2

- (1) Volunteer service is an activity where a volunteer renders
- assistance to unemployed, socially weak or medically handicapped people, seniors, members of national minorities, immigrants, persons who have finished serving their imprisonment sentence, drug addicted people, victims of domestic violence as well as assistance to children, youth and families in their free time;
 - assistance during natural, environmental or humanitarian disasters, during the protection and improvement of environment, cultural heritage protection, preparation of cultural charity events or collections for people as per letter a), or;
 - assistance in the implementation of development programmes and assistance under the framework of operations, projects and programmes of international organizations and institutions, including international non-government organizations.
- (2) Volunteer services in the meaning of paragraph 1 are not activities related to the satiation of personal interests or activities carried out under the framework of entrepreneurial or other income-generating activity or under an employment, service or membership contract.

(3) According to its nature, volunteer services can be either short-term or long-term, if performed for a period exceeding three month.

Article 3

- (1) Volunteer can be a natural person
- a) over 15 years of age if volunteer services are performed on the territory of the Czech Republic;
 - b) over 18 years of age if volunteer services are performed abroad,

who has freely decided to render volunteer services on the basis of his/her skills, knowledge and qualities.

(2) A volunteer renders volunteer services on the basis of a contract¹ concluded with a delegating organization; in case of a long-term volunteer service or in case of a short-term volunteer service abroad, this contract must have a written form.

(3) If a natural person is a party to an employment, service or member contract or if he/she is a pupil or student, then he/she renders volunteer services outside his/her employment, service or membership contract, schooling or education.

(4) Performance of military service or alternative civil service constitutes an obstacle to rendering volunteer services.

Article 4

(1) A delegating authority under this Act is a legal entity located in the Czech Republic, which selects, registers and prepares volunteers for rendering volunteer services and which concludes with the volunteers contracts, under the condition that it has received an accreditation (Article 6).

(2) A receiving organization under this Act is a person for the need of which volunteer services are rendered, capable of concluding an agreement with the delegating organization and capable of maintaining its obligation under such an agreement.

(3) The delegating authority may, besides concluding contracts with receiving organizations, conclude volunteer services contracts with volunteers for its own benefit. The condition for that is that the subject of contracts concluded with the receiving organizations and with volunteers should be for the same type of volunteer services and the volunteers should not be members of the delegating organization and should have no legal relation to it. In such cases, the relationship between the volunteers and the organiza-

¹ Civic code

tion, for the benefit of which volunteer services are being performed, are adequately governed by the provisions on rights and obligations of delegating and receiving organizations and provisions on the rights and obligations of the volunteers..

Contracts

Article 5

(1) For the performance of short-term volunteer services (unless the volunteer service is rendered abroad), at least the place, subject and length of the volunteer services must be agreed upon by the volunteer and the delegating authority, and, according to the nature of the services, working and protection tools must be provided to the volunteer or Police certificate no more than three months old and medical certificate no more than three months old must be submitted (para 2, letter b), point 3).

(2) Contract between a volunteer and a delegating organization on rendering long-term volunteer services or short-term volunteer service abroad must always include:

a) name, surname, birth number or the date of birth (if birth number has not been issued), place of permanent residence of the volunteer and the name and address of the delegating organization;

b) agreement on:

1. participation in a preparatory training organized by the delegating organization; the preparatory training must include (according to the nature of the volunteer services) provision of information to the volunteer on possible risks connected with rendering the volunteer services which could present a threat to his/her life or health;

2. the provision of Police certificate no more than three months old and a written statement that at the time of the agreement no criminal prosecution is held against the volunteer (according to the nature of the volunteer services);

3. submission of a medical certificate no more than three months old (according to the nature of the volunteer service), where a medical practitioner on the basis of an assessment of the volunteer specifies activities the volunteer is unable to perform because of his medical condition;

4. submission of a certificate (according to the nature of the volunteer service) confirming that the volunteer has been informed on contagious diseases, including anti-malarial prevention (prophylaxis), if conditions on the territory where the volunteer is to render his services require so;

as conditions for the participation on volunteer services,

c) the location, subject and period of rendering volunteer services within the framework of specific programme or project of volunteer services;

d) mode of provision of alimentation and housing to the volunteer;

e) obligation of the volunteer to return an aliquot part of the costs invested by the delegating organization in case he/she prematurely terminates his/her volunteer services for reasons

other than those deserving special consideration;

f) according to the nature of the volunteer services, agreement of reimbursement of expenses connected with the necessary preparation of volunteer for the participation in a specific volunteer services programme or project, reimbursement of expenses connected with the transportation to the place of activities abroad and back, pocket-money for daily expenses in the place of his/her activities, provision of working tools and personal protection tools,

g) according to the nature of volunteer services, the scope of working hours, break periods, conditions for requesting leave and reasons under which the volunteer services can be prematurely terminated.

(3) The contract between a volunteer and a delegating organization on rendering long-term volunteer services may include also a provision stipulating that before setting-off, the volunteer should register for pension insurance if he/she meets requirements as per special legal regulations², and that the delegating organization shall pay for him/her pension insurance derived from at least the minimum basis³, if long-term volunteer services are performed in an extent exceeding in average 20 hours per week.

(4) A volunteer is not entitled to remuneration for the rendering volunteer services.

(5) In the agreement on working hours, breaks, conditions for leave and security at work, appropriate employment regulations shall be used and during the stipulation of the pocket-money amount, regulations on travel subsistence shall be used accordingly.

Delegating organization **Article 6**

(1) A delegating organization is granted accreditation by the Ministry of Interior (further only "the Ministry"). The Ministry grants accreditation on the basis of a proposal of the Accreditation Committee consisting of one representative of the Ministry of Foreign Affairs, Ministry of Education, Youth and Sports, Ministry of Interior, Ministry of Labour and Social Affairs, Ministry of Environment, Ministry of Health, Ministry of Culture, Ministry of Finance and the Governmental Council for Non-state Non-profit Organizations; the Accreditation Committee is an advisory body to the Government.

(2) The Ministry grants accreditation as per paragraph 1 to a civic association, public beneficial society, church or religious society or legal entity of a church or religious society if it shows that given the professional composition of its bodies, employees or members, concrete projects or volunteer services programmes and financial competence, it is capable of organizing and implementing volunteer services projects and to meet other duties resulting from this Act. Accreditation is issued for the period of three years.

(3) The Ministry keeps a list of delegating organizations, which received accredita-

² Art. 6, para 1, letter d) of the Act No. 155/1995, on pension insurance as amended by later regulations.

³ Art. 3, Art. 5b and 16 of the Act No. 589/1992 Coll., on insurance payments for social insurance and contribution to the State Employment Policy as amended by later regulations.

tion. This list is public and accessible electronically. This list also stipulates individual types of volunteer services and services specialization and provided by the delegating organizations.

Article 7

(1) Before sending a volunteer to render volunteer services, a delegating organization is obliged to conclude an insurance contract for material damage or medical harm suffered by the volunteer (caused either by himself/herself or by another agent). The volunteer is responsible only for harm caused intentionally.

(2) Before sending a volunteer to render volunteer services abroad, a delegating organization shall conclude medical insurance for the volunteer according to the nature of the volunteer services to be rendered and according to the conditions in the state or on the territory where the volunteer services are to be carried out.

(3) If volunteer services are rendered outside the place of the volunteer's permanent residence, the delegating organization guarantees to the volunteer dutiful and health-risks-free housing according to the nature of the volunteer services and the implementation of volunteer services (according to the nature of the services) in conditions not threatening his/her life or health.

(4) A delegating organization can conclude with a volunteer, who at the time of the conclusion of the contract did not reach the age of 18, a contract under Art. 5 only with a written and notarised consent of his/her legal representative or with the consent of his/her legal representative recorded into a protocol at the delegating organization; without such consent the agreement is invalid.

(5) In case of a volunteer under 18 years, performance of volunteer services inadequate to the anatomic, physiologic and psychological specialities of his/her age or services posing higher risk of accident or other medical harm must not be agreed upon; a volunteer of this age must not be sent to render volunteer services abroad.

(6) During the selection of volunteers to conclude contract with, a delegating organization is obliged to observe the equal treatment principle, with the exception of cases where the nature of volunteer services does not allow to do so.

Article 8

(1) (1) Before sending a volunteer off, the delegating organization shall conclude with the receiving organization a written contract specifying the conditions for the perform-

ance of volunteer services (taking into account the nature of the specific programme or volunteer services project mutually agreed upon with the receiving organization), the subject and the length of volunteer services, type of housing and boarding, equipment with working tools and personal protection tools, mode of monitoring of the volunteers services by the delegating organization in order to monitor the compliance with the contract and to evaluate the work of volunteers. Such contract between the delegating and receiving organization must include also provisions setting out a duty of the receiving organization to inform the delegating organization on risks which could pose a threat to the life or health of volunteers during the performance of volunteer services and the duty to immediately adopt measures eliminating or (in case of non-removable risks) limiting these risks.

(2) A delegating organization must not enter into an agreement with the receiving organization, the subject of which would be activities of enterprising nature or activities, the purpose of which would be to replace the work performed otherwise by employees or members of the receiving organization or activities provided to the receiving organization by other persons under the framework of its business.

(3) Delegating organizations are obliged to publish annual reports on their activities in an appropriate form, at latest by 30 June of the following calendar year.

Article 9

(1) If the Ministry finds out that a delegating organization, which was granted an accreditation, does not meet conditions stipulated by this Act for the issuance of accreditation (Art. 5, para 2) any more or that it continues to fail to meet the obligations stipulated by this Act even though it was duly notified by the Ministry, the accreditation of this organization shall be cancelled after a discussion in the Accreditation Committee. The Ministry shall make sure that the fulfilment of obligations resulting from contracts concluded is not affected.

(2) If a volunteer concluded a contract with a delegating organization and this delegating organization ceased to exist, the rights and obligations resulting from this contract are transferred to the legal successor of this organization or, if there is no such successor, to the State. The Ministry shall then without unnecessary delay transfer these rights and obligations to another suitable delegating organization.

(3) The Ministry, acting on its own or on somebody else's incentive, is entitled to check if a delegating organization meets the requirements stipulated by this Act; the activities of the Ministry are then governed by the Act on State Control.

**The use of volunteer services by the State
and territorial self-governing units
Article 10**

State authorities, organizational units of the State, authorities and administrative bodies of territorial self-governing units may use volunteer services within the extent of its lawful legality for the purposes stipulated in Art. 2; in such a case, their status is that of receiving organization, as stipulated by this Act. They may also, especially during organization of volunteer services abroad, mediate (free of charge) the conclusion of agreements between a delegating organization located in the Czech Republic and a receiving organization.

**Subsidy
Article 11**

(1) The Ministry may provide to a delegating organization a subsidy covering

- a) insurance payments on the basis of an insurance contract concluded by a delegating organization under Art. 7, para 1;
- b) part of expenses related to the record-keeping on volunteers, their preparation for rendering volunteer services and organization of the performance of the volunteer services,
- c) insurance payments for pension insurance paid under Art. 5, para 3 for a volunteer derived from a minimum basis where long-term volunteer services are performed at least in the extent exceeding in average 20 hours per week.

(2) During a calendar year, subsidies as per paragraph 1 are forwarded to delegating organizations in advance payments and after the end of the calendar year, delegating organizations shall account for it on the basis of real expenses occurred, numbers of volunteers sent off to render volunteer services and the real amount of pension insurance payments in the amount as per para 1, letter c). Delegating organizations shall provide the Ministry (upon its request) with information needed for the calculation of subsidies and advances for the subsidies.

(3) During a calendar year, subsidies as per paragraph 1 shall not be provided to organizations, which have agreed upon or which have received from receiving organizations payments or other financially measurable benefits.

**PART TWO
Amendment of the Act on Public Medical Insurance
Article 12**

In Art. 7, para 1 of the Act No. 48/1997 Coll., on Public Medical Insurance amending and changing certain related regulations, as amended by the Act No. 242/1997 Coll., Act No. 127/1998 Coll. and Act No. 155/2000 Coll., the dot after letter m) is being replaced by a

comma and a new letter n) is being inserted which shall read as follows:
"n) persons rendering long-term volunteer services on the basis of a contract with a delegating organization, which has been granted accreditation by the Ministry of Interior, in the extent of at least 20 hour per week, unless the volunteer pays insurance payments under Art. 5 or unless the State covers his/her insurance payments under the previous letters a) to m)".

PART THREE
AMENDMENT OF THE ACT ON PENSION INSURANCE
ARTICLE 13

Act No. 155/1995 Coll., on Pension Insurance, as amended by the Act No. 134/1997 Coll., Act No. 289/1997 Coll., Act No. 224/1999 Coll., Act No. 18/2000 Coll., Act No. 118/2000 Coll., Act No. 132/2000 Coll., Act No. 220/2000 Coll., Act No. 166/2001 Coll., Act No. 188/2001 Coll. and Act No. 353/2001 Coll. is amended as follows:

1. In Art. 6, para 1, the dot after letter c) is being replaced by a comma and a new letter d) is being inserted (including a footnote), which shall read as follows:
"d) performance of long-term volunteer services on the basis of a contract concluded with a delegating organization under special legal regulations;6a) for period before the submission of a registration form, participation on insurance is possible for maximum of two years immediately before this day.
6a) Act No. 198/2002 Coll., on Volunteer Services, amending certain regulations (Volunteer Services Act)"

2. In Art. 6, letter 2, the first sentence is being replaced by the following sentence: "Participants on the insurance are also people over 18 years of age if they submitted a registration form for the participation on insurance."

3. Paragraph 4 in Art. 107 is being cancelled.

PART FOUR
Amendment of the Act on Employment
Article 14

In Art. 13, para 2 of the Act No. 1/1991 Coll., on Employment, as amended by the Act No. 578/1991 Coll. And Act No. 160/1995 Coll., the dot after letter g) is being replaced by a comma and a new letter h) is being inserted which shall read as follows:
"h) of performance of long-term volunteer services in the extent exceeding in average a minimum of 20 hours per week on the basis of a contract between a volunteer and a delegating organization, which has been granted accreditation by the Ministry of Interior."

PART FIVE
Amendment of the Act on Income Tax
Article 15

Act No. 586/1992 Coll., on Income Tax, as amended by the Act No. 35/1993 Coll., Act No. 96/1993 Coll., Act No. 157/1993 Coll., Act No. 196/1993 Coll., Act No. 323/1993 Coll., Act No. 42/1994 Coll., Act No. 85/1994 Coll., Act No. 114/1994 Coll., Act No. 259/1994 Coll., Act No. 32/1995 Coll., Act No. 87/1995 Coll., Act No. 118/1995 Coll., Act No. 149/1995 Coll., Act No. 248/1995 Coll., Act No. 316/1996 Coll., Act No. 18/1997 Coll., Act No. 151/1997 Coll., Act No. 209/1997 Coll., Act No. 210/1997 Coll., Act No. 227/1997 Coll., Act No. 111/1998 Coll., Act No. 149/1998 Coll., Act No. 168/1998 Coll., Act No. 333/1998 Coll., Act No. 63/1999 Coll., Act No. 129/1999 Coll., Act No. 144/1999 Coll., Act No. 170/1999 Coll., Act No. 225/1999 Coll., finding of the Constitutional Court published under No. 3/2000 Coll., Act No. 17/2000 Coll., Act No. 27/2000 Coll., Act No. 72/2000 Coll., Act No. 100/2000 Coll., Act No. 103/2000 Coll., Act No. 121/2000 Coll., Act No. 132/2000 Coll., Act No. 241/2000 Coll., Act No. 340/2000 Coll., Act No. 492/2000 Coll., Act No. 117/2001 Coll., Act No. 120/2001 Coll., Act No. 239/2001 Coll., Act No. 453/2001 Coll., Act No. 483/2001 Coll., Act No. 50/2002 Coll., Act No. 128/2002 Coll. and Act No. 210/2002 Coll., is being amended as follows:

1. In Art. 4, para 1, the dot after letter zi) is being replaced by a comma and a new letter zj), which shall read as follows (including footnote), is being inserted:
"zj) benefits provided in connection with the performance of volunteer services under special legal regulations.4h)
4h) Act No. 198/2002 Coll., on Volunteer Services, amending certain regulations (Volunteer Services Act)."

2. In Art 19, para 1, the dot after letter zb) is being replaced by a comma and a new letter zc), which shall read as follows, shall be inserted:
"zc) income related to the performance of volunteer services rendered under special legal regulation.4h)".

PART SIX
Amendment of the Act on Inheritance Taxes, Gift Taxes and Real Estate Transfer
Taxes
Article 16

In Art. 20, para 15 of the Act No. 357/1992 Coll., on Inheritance Taxes, Gift Taxes and Real Estate Transfer Taxes, as amended by the Act No. 117/2001 Coll., the term "free gain of property in connection with performance of volunteer services rendered under special legal regulation13b)" is being inserted after the term "purposes".

Footnote No. 13b) shall read:

"4h) Act No. 198/2002 Coll., on Volunteer Services, amending certain regulations (Volunteer

Services Act).".

The current footnote No. 13b) shall be marked as footnote No. 13c), including reference to the footnote.

PART SEVEN
Effectiveness
Article 17

This Act comes into effect as of 1 January, 2003.

Klaus Havel Rychetský

"A LEGAL STATUS FOR VOLUNTEERS: FACILITATING ENGAGEMENT AND MOBILITY (VISAS)"

The most precious values of volunteering come from its flexibility. Volunteering gives the opportunity to express creativeness, adding value to the local or the international communities by designing and implementing new projects. Flexibility means also tolerance. Volunteers and their organisations may have the possibility to express and disseminate their philosophy and political ideal (inwards - by delivering their own trainings and evaluating their own projects- and outwards - calling for and recruiting new volunteers, expanding their projects to new fields of voluntary action).

EXCESSIVE PAPER WORK CREATES ADDITIONAL RECRUITMENT COSTS AND RESTRICT THE FREEDOM OF EXPRESSION AND ACTIVE PARTICIPATION, WHICH LEAVES NO ROOM FOR DIVERSITY.

- Facilitation and recognition of diversity should be the basis for any national or international regulation on voluntary service. The legal status of volunteers should

take into account its non-economic nature. Volunteers should not be classified as employees.

Clearly there is a need to distinguish a volunteer from an employee. The European Court of Justice, to give an example, defined the concept of employees and workers as "any person getting salary or wages in money or kind in exchange for full or part time work". This definition is explicitly only used for the realm of economic life.

- A volunteer is not active in economic life. The amounts in kind or money for the volunteer are not given in reciprocity for his/her work, but in order to provide for basic living. This allows him/her to contribute to the common good and learn for his/her own social and personal maturity.

This status should be elaborated to take account of the following administrative/legal requirements for organisations and volunteers:

► **Residence permits**

The facts: In countries where a residence permit is requested there is a lack of clarity about the legal title under which this should be issued (a volunteer is neither a worker, nor a student, a trainee or an Au-pair). In practice, this conflict is solved by issuing the wrong residence permit. Additionally, in some countries volunteers have to deliver proof of sufficient income (i.e. equivalent to the minimum wage). In the case of projects where the volunteers are provided with accommodation and food "in kind" and only pocket money, the administration may refuse to give a residence permit because of insufficient 'income'. The result is that young volunteers are not motivated to cope with these administrative procedures without any practical benefit for them and they do not apply for a residence permit.

What we recommend: Voluntary service should be a legal title itself for the issue of residence permits.

► **Work permits**

The facts: The facts: As a general trend, States still require work permits for volunteers. Again there is a need to highlight the lim-

its between the concepts of volunteer and worker.

What we recommend: Work permits for volunteers are to be eliminated.

► **Visas**

The facts: Voluntary service is not listed in the alien laws as a reason for a visa. Volunteers face additional problems when applying for visas, as voluntary service is still not recognised as a legal title (as in the case of students, workers or Au pairs). Regarding the participation in European Union programmes of third country nationals, the legal/administrative barriers make their inclusion in European voluntary service programmes much more difficult. Children of migrants with a legal residence permit in an EU-Member State have difficulties to obtain a visa for EU countries outside the Schengen Agreement. They go through application for a residence and work permit, comply with compulsory medical visits, and have to invest a lot of supplementary energy, time and money to fulfill the different administrative steps. The accordance of volunteer-visas for longer than three months is still part of the general restrictive visa policy for fear of increased migration and of black labour.

What we recommend: Visas should be more easily issued to volunteers coming in the frame of international voluntary service exchange programmes via acknowledged organisations. As for the case of residence permits, voluntary service should be a legal title itself for the issue of visas.

▶ **Social security/insurance**

The facts: In some countries volunteers are not covered by the national social security.

As a matter of fact, the consideration of the volunteer as a kind of worker in some countries has to be understood in the light of the perceived necessity to protect him/her against illness, accident, unemployment, etc.

What we recommend: A minimum insurance for the volunteer during the service is necessary covering illness, accident, third party liability... However this can be recognised outside the legal framework for employees

▶ **Tax exemptions/non-deduction of "payroll taxes"**

The facts: Some countries almost render impossible legal running of voluntary service activities. According to some national systems, coverage of the volunteer's basic living expenses (food, lodg-

ing and pocket money) can already be subject to taxation and social security payments. This can severely limit the number of organisations able to host full-time national or transnational volunteers.

What we recommend: Volunteers and the organisations in which they are involved are to be exempted from payroll tax deductions. They are not employees. Pocket money is not a salary. Deducting income tax from the volunteers' pocket money, food and lodging, even if it is reimbursed at the end of the year, causes real difficulty in making ends meet.

▶ **Special allowances and advantages**

The facts: The lack of recognition means that volunteers have to accept financial disadvantages compared to other low-income groups (like students, or unemployed or pensioners). Volunteers do not get reduction in prices for public transport, cultural events, etc, because they do not participate in an institutionalised framework. In some cases volunteers' families lose their family allowances and tax reductions when a member of the household engages in voluntary service. This represents an obstacle to volunteering in families with a low income.

What we recommend: Any financial obstacle, which directly or indirectly prevents people from engaging in voluntary action, should be eliminated. Voluntary service has proved to be a successful tool for inclusion. And those coming from disadvantaged backgrounds should specially get facilities rather than being prevented from volunteering.

► **Recognition of voluntary service**

The facts: In most countries, there is no social awareness of the added value of voluntary service. Voluntary service still has political "bad reputation" in many countries with short democratic tradition.

What we recommend: The law should promote and recognise voluntary service. Voluntary service should be acknowledged as a valuable means of participation in civil society, as a means of infor-

mal learning, as a means of inclusion. Volunteers add value to the local communities and the experience that volunteers get from their projects will potentially benefit themselves and their communities of origin, upon their return.

Finally, legislative and/or administrative standards for recognition of organisations to receive, to supervise and to send out volunteers should also be established. Recognition of voluntary service organisations is necessary:

- to protect the voluntary nature of such programmes (i.e. preventing importation of cheap labour);
- to ensure the personal and social development aspect (supervision, learning programmes);
- to provide for individual and group support in case of difficulty.

Source: "A legal status for volunteers: facilitating engagement and mobility (visas)";

Author: Annika Lopez Lotson

www.avso.org