



# **Consultation Paper**

## **Preparing the European Commission Communication on Civil Society Organisations in Development**

*This document - which is available in English, French and Spanish - does not represent an official position of the European Commission. It is a tool to explore the views of interested parties. The suggestions made in this document do not prejudice the form or content of any future proposal the European Commission will make.*

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### List of Acronyms

ACP	Africa, Caribbean and Pacific
CSO	Civil Society Organisation
DAC	Development Assistance Committee
DCI	Development Cooperation Instrument
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
ENPI	European Neighbourhood and Partnership Instrument
EU	European Union
INGO	International Non Governmental Organisation
LA	Local Authority
MFF	Multiannual Financial Framework
NSA	Non State Actor
OECD	Organisation for Economic Cooperation and Development

# Have your say! Take part in the debate

Brussels, 12 March 2012

## Why your contribution matters

The European Commission is seeking your views on the future policy of the EU with regard to support to Civil Society Organizations (CSOs) in development.

Development is at the heart of the EU's external action. The overarching objective of EU development policy is the eradication of poverty in the context of sustainable development.

To help prepare the future policy on CSOs in development (which will be presented in a 'Communication'), the European Commission is currently undertaking wide-ranging consultations with interested stakeholders. As part of this process, we would like to invite you to respond to the questions in this consultation paper.

Focus is on a number of issues high on the agenda of the current international debate where your views are of particular importance. They relate to CSOs roles in contributing to pro-poor policies and in making the management of public affairs more transparent and effective. They also address the conditions necessary for CSOs to work in this direction.

CSOs and other stakeholders are invited to contribute to this consultation. Contributions are particularly sought from local CSOs in Partner Countries. Input from public authorities from Partner Countries including Local Governments is also welcome.

This consultation paper contains 19 open questions. You may choose to respond to all questions or only to selected questions relevant to your organisation.

You can contribute to this online consultation until the 7<sup>th</sup> of May 2012. Please send your contribution to [DEVCO-CSO-CONSULTATION@ec.europa.eu](mailto:DEVCO-CSO-CONSULTATION@ec.europa.eu). The contributions will be analysed and summarised in a report that will be published on the website of DG DEVCO in July 2012.

We look forward to hearing about your views and experiences. Make your voice heard in Europe!

*Unit D2 'Civil Society, Local Authorities' of the DG DEVCO of the European Commission is responsible for this consultation process and the forthcoming Communication. If you have any questions or comments, please contact us via the email address: [DEVCO-CSO-CONSULTATION@ec.europa.eu](mailto:DEVCO-CSO-CONSULTATION@ec.europa.eu)*

*Please note that this English version is the original version of the consultation paper.*

## **Respondent's Information (mandatory)**

**Name of the organisation:** International Trade Union Confederation

**Location (country):** Belgium

**Email address: (optional)** paola.simonetti@ituc-csi.org

If you leave your email address we will send you the consultation report in July 2012. We will not use it for any other purpose or share your email address with third parties. Your email address will not be published.

➤ **Type of organisation/ institution:**

Civil Society Organisation:

Business association

Faith-based organisation

Non Governmental Organisation

Trade Union

Other:

Cooperative

Foundation

Think-tank/ research institution

Professional/ Industrial Organisation

Partner Government

National

Local/ regional

International Organisation

Other donor

European Union Member State

Other:

**If you answer on behalf of a Civil Society Organisation, please also complete the questions below: (indicated with an asterisk\*)**

• **Nationality of the organisation:\***

international

If you work for a national branch of an international organisation, please fill the details below for your branch only:

• **Number of staff of the organisation:\***

1-3

31-100

4-10

More than 100

11-30

• **Sectors of intervention:\***

Agriculture

Conflict prevention

Decent work

Education

Entrepreneurship

Environment

Financial services

Governance

Health

Humanitarian aid

Human rights

Population issues

Other:

Water resources and sanitation

• **Geographical coverage:\***

- Africa                       Europe  
 America                       Oceania  
 Asia

• **Do you consider the organisation:\***

- Local: grassroots organisation  
 National:  
     National CSO  
     National branch of an international CSO  
     Association or platform of CSOs at national level  
 Regional: network, federation  
 International  
 Other:

• **Has the organisation received EU funding in the past three years? \***

- Yes                       No

• **Has the organisation been involved in some sort of dialogue with EU Delegations in the past three years? \***

- Yes                       No

➤ **It is normal practice to publish contributions, together with the identity of the contributor, on the European Commission (DG DEVCO) website. If you do not agree, please tick the option of your choice below:**

- I want my contribution to be published in an anonymous form.  
 I want my contribution to be treated as confidential and not be published.

# Part 1: Background and vision

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## 1.1 Towards a new policy on CSO. Why this consultation?

Civil Society Organisations (CSOs) are high on the international agenda. They are increasingly recognized as key players in promoting democratic governance, equitable development and inclusive growth. However in many countries they also face increasing challenges relating to the legal and political space in which they operate.

The important roles played by CSO were acknowledged in the recent [Agenda for Change](#)<sup>1</sup> (adopted by the European Commission in 2011) which sets out a forward looking and more strategic approach to reducing poverty. Human rights, democracy and other key elements of good governance are key components of this approach. The Agenda identifies scope for the EU *"to work more closely with (...) civil society (...) as their role in development grows."* In particular, it puts strong emphasis on the need for the EU to strengthen its links with different CSOs through regular dialogue and use of best practices. It also stresses the importance of support to the emergence of an organised local civil society (i.e. in Partner Countries) able to act as a watchdog and partner in dialogue with national governments.

The role of CSOs in oversight functions and their participation in budget processes is also stressed in the policy proposal of the future of budget support, the [Communication on the future of EU Budget Support to Third Countries](#)<sup>2</sup>, which proposes to link budget support to the governance situation.

There is therefore a need for a comprehensive update of the policy framework for CSOs in development. In fact, almost 10 years have passed since the European Commission issued its last [Communication on the participation of Non State Actors \(NSAs\) in EC Development Policy](#)<sup>3</sup> (2002).

Against this background, the European Commission is now preparing a Communication on how to further strengthen its engagement with CSOs in line with the Agenda for Change. This will fit well with the ongoing work to design the future instruments and programmes covering the period 2014-2020.

### What is meant by CSOs?

For the purposes of this paper, CSOs include a wide range of formal and informal organizations created voluntarily by citizens, which can vary in structure, governance and scope. Their aim is to promote an issue or an interest, either general or specific. In a broad sense, CSOs include all non-market and non-state organizations and structures in which people organize themselves to pursue shared objectives and ideals.

Civil Society therefore covers a broader spectrum of organizations, such as various categories of associations, community-based organizations, foundations, environmental groups, independent research institutes, trade unions, faith-based organizations, and the not-for-profit media. Professional organisations such as cooperatives, trade unions, chambers of commerce and business associations are also included.<sup>3</sup>

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<sup>1</sup> The Agenda for Change presents a proposal for a new policy for development cooperation. URL: [http://ec.europa.eu/europeaid/what/development-policies/documents/agenda\\_for\\_change\\_en.pdf](http://ec.europa.eu/europeaid/what/development-policies/documents/agenda_for_change_en.pdf)

<sup>2</sup> URL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0638:FIN:EN:PDF>

<sup>3</sup> URL: [http://eur-lex.europa.eu/LexUriServ/site/en/com/2002/com2002\\_0598en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2002/com2002_0598en01.pdf)

<sup>4</sup> Mistakenly, CSOs have long been considered synonymous with non-governmental organisations (NGOs). The term NGO is typically used to describe those organisations in the public sphere that are legally constituted, independent and not-for-profit. NGOs can often be distinguished from informal or ad hoc groups by their degree of institutionalisation and professionalism. Finally, the term CSO is more or less equivalent to the term Non State Actor (NSA), which is often used in EU policy documents and agreements. However the term CSO is now increasingly used.

In line with the Agenda for Change, the forthcoming Communication will focus on supporting CSOs in Partner Countries. The Communication will also provide a strategic framework for engagement at the global and the regional level, mirroring the importance of CSO participation in major global and regional initiatives. Attention will be put on recognizing CSOs' diversity, specificities, added value and complementarity in development.<sup>5</sup> The operational implications of the policy will also be addressed at the various levels.

The Communication will build on the results of the [Structured Dialogue on the involvement of CSOs and Local Authorities \(LAs\) in EC development cooperation](#)<sup>6</sup> held between March 2010 and May 2011. The Structured Dialogue was an extensive multi-stakeholder consultation process aimed at making the EU partnership with CSOs and LAs more effective.

Although CSOs and LAs were both involved in the Structured Dialogue, they belong to two different systems and both deserve specific and comprehensive policy coverage. Notwithstanding the importance of promoting multi-actor approaches, the forthcoming Communication will focus on CSOs<sup>7</sup>. This is also in line with the trend in recent years to differentiate strategies for engaging with the two sets of actors.

The objective of this consultation is to gather views, ideas and good practices of stakeholders, notably of local CSOs, in relation to the new areas of engagement presented in the second part of this paper. Stakeholders' views and experiences in these fields are of particular interest to feed the preparation of the Communication, including by sharing of good practices.

Although the Communication will have a broader scope, building on the results of the Structured Dialogue, for the purpose of this consultation, the present consultation paper will only cover selected issues where views from stakeholders are particularly important. Additional consultations may be held also covering the regional and global dimensions.

## 1.2 Shaping a new approach

As development actors in their own right CSOs have traditionally played an essential role in fighting poverty, inequality and exclusion, mainly but not exclusively through the implementation of projects and the direct provision of services.

There is an agreement on CSO playing various roles, spanning from service delivery to governance-related roles. The latter include: i) participation through policy dialogue in the design of strategies and policies (this may include budgeting) and related advocacy activities; and ii) watchdog and oversight functions to ensure government (possibly also donor) fulfillment of commitments (including policy and budget implementation monitoring).

In recent years, CSOs have shown growing interest and have actively engaged in defining and fulfilling these roles in democratic governance.

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<sup>5</sup> Studies and evaluations show that the variety of CSOs is widely underestimated and consequently their potential often neglected (professional associations, trade unions, cooperatives, foundations, etc. have a specific added value).

<sup>6</sup> URL: [https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured\\_dialogue](https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured_dialogue)

<sup>7</sup> A dedicated Communication on 'Local Authorities: Actors in Development' was published in 2008 and provided a framework for engagement with LAs in development and highlighted their key role, which remains valid in the current context. URL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0626:FIN:EN:PDF>

CSO participation in public policy processes is increasingly considered important to promote inclusive and effective pro-poor policies. In addition to parliaments and other oversight bodies, CSOs can play an important role through their involvement in budget processes; by holding decision makers to account for collecting and using public funds effectively and efficiently; and by calling for policies that improve service deliveries. CSOs can reinforce demand for greater transparency on public revenues and expenditures. Overall CSOs can substantially contribute to building accountable and legitimate states.

Notwithstanding the fact that CSOs will continue to play an important role in service delivery and in contributing to the implementation of national development policies, the forthcoming Communication will include a focus on engaging more strategically with CSOs in governance-related areas. In line with the Agenda for Change the new policy will address how to support the emergence of an "organised local civil society able to act as a watchdog and partner in dialogue with national governments". A more strategic engagement with CSOs is considered complementary and consistent with overall EU support to partner governments.

It is also important to consider CSOs oversight roles as part of the national accountability system and in relation to the overall political society including parliaments and political parties.

A precondition for the proposed approach is the presence of an 'enabling environment' for CSOs, which guarantees their right to exist and allows them to perform their various roles.

CSOs are also central actors in promoting transparency and in fighting corruption through important and promising initiatives at the global, regional and country level. The importance of transparent practices as the basis for enhanced accountability to various stakeholders was also confirmed in the recent international commitments on aid effectiveness<sup>8</sup>. Transparency of decision-making processes and development results is important in relation to partner governments as well as donors themselves.

The proposed approach will build on the broadly accepted acknowledgement of CSOs as "actors in their own right" with a "right of initiative". Whilst pursuing their own agendas, CSOs can make an important contribution to the implementation of sound national development strategies, including by providing complementary services beyond the reach of the public sector and by promoting innovations. Focus should be on avoiding fragmentation and promoting a coordinated approach.

The "right of initiative" and the new governance-related roles come with responsibilities. CSOs should therefore make progress in strengthening their internal governance and democratic functioning, and in enhancing their social legitimacy and their capacity for outreach, representation and dialogue.

While taking into account internal country dynamics and the political context (including relations with the political society), EU support to the governance-related roles of CSOs should be in line with fundamental values of the EU<sup>9</sup>.

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<sup>8</sup> See also article 11 of the Busan Partnership Document.

<sup>9</sup> See article 21 of the Lisbon Treaty (p. 28): "(...) democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law." URL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0013:0045:EN:PDF>

Following the proposal on the future budget of the Union, the so-called [Multiannual Financial Framework \(MFF\) for 2014-2020](#)<sup>10</sup>, engagement with CSOs in middle income countries will require adequate consideration in light of the planned decreases in EU funding through geographical programmes (CSOs would continue to have access to Thematic and Regional Programmes however).

## 1.3 Setting the Scene

### 1.3.1 The International Policy Framework

At the international level the role of CSOs as actors in their own right was for the first time acknowledged in the [Paris Declaration on Aid Effectiveness](#)<sup>11</sup> (2005) and the [Accra Agenda for Action](#)<sup>12</sup> (2008), in which developing and donor countries committed to working with CSOs to provide an enabling environment and to ensure CSO contributions to development reach their full potential. The importance of CSOs was most recently confirmed in the [Busan Partnership Document](#)<sup>13</sup> which emphasized their role in promoting democratic ownership, accountability and addressing as well the necessity to promote an enabling environment<sup>14</sup>.

### 1.3.2 The EU Policy Framework and Support to CSOs

Civil society has been of major interest to the EU since the 1970s through a progressive policy framework and various support schemes.

On the policy side, the [Cotonou Agreement](#)<sup>15</sup> (2000) was an important milestone as it for the first time in the EU's cooperation with African, Caribbean and Pacific (ACP) countries, politically and legally recognized the role that non-state actors (NSAs)<sup>16</sup> can play in development. In 2002 the Commission issued a [Communication on the Participation of Non-State Actors in EC Development Policy](#)<sup>17</sup> in which it confirmed this participatory approach and stressed the need to involve CSOs systematically in programming, to promote the CSO participation in decision-making, and acknowledged the need to provide them with support, notably for capacity development.

Participation of all stakeholders in the development process was also one of the key messages of the [European Consensus on Development](#)<sup>18</sup> (2005), which recognized the diversity and vital role of CSOs, reiterating the EU's commitment to capacity development of civil society.

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<sup>10</sup> URL: [http://ec.europa.eu/europeaid/how/finance/mff/financial\\_framework\\_news\\_en.htm](http://ec.europa.eu/europeaid/how/finance/mff/financial_framework_news_en.htm)

<sup>11</sup> URL: <http://www.oecd.org/dataoecd/15/3/46874580.pdf>

<sup>12</sup> URL: <http://siteresources.worldbank.org/ACCRAEXT/Resources/4700790-1217425866038/AAA-4-SEPTEMBER-FINAL-16h00.pdf>

<sup>13</sup> URL: [http://www.aideffectiveness.org/busanhlf4/images/stories/hlf4/OUTCOME\\_DOCUMENT\\_FINAL\\_EN.pdf](http://www.aideffectiveness.org/busanhlf4/images/stories/hlf4/OUTCOME_DOCUMENT_FINAL_EN.pdf)

<sup>14</sup> See also article 22 of the Busan Partnership Document: "Civil society organisations (CSOs) play a vital role in enabling people to claim their rights, in promoting rights-based approaches, in shaping development policies and partnerships, and in overseeing their implementation. They also provide services in areas that are complementary to those provided by states. Recognising this, we will: a) Implement fully our respective commitments to enable CSOs to exercise their roles as independent development actors, with a particular focus on an enabling environment, consistent with agreed international rights, that maximises the contributions of CSOs to development. b) Encourage CSOs to implement practices that strengthen their accountability and their contribution to development effectiveness, guided by the Istanbul Principles and the International Framework for CSO Development Effectiveness." (p. 6).

<sup>15</sup> The Cotonou Agreement is a treaty between the European Union and the African, Caribbean and Pacific Group of States ('ACP countries') which was originally signed in June 2000 in Cotonou, Benin. It entered into force in 2003 (revised in 2005 and 2010) and is the foundation of ACP-EU political and development cooperation.

<sup>16</sup> In the Cotonou Agreement, the concept of 'Non State Actors' refers to: "the private sector, economic and social partners, including trade union organisations and civil society in all its forms" (article 6). This open-ended definition has helped ACP-EC policy-makers and practitioners to look beyond the world of (urban-based) NGOs and to recognise the huge diversity and dynamism of civil society.

<sup>17</sup> URL: [http://eur-lex.europa.eu/LexUriServ/site/en/com/2002/com2002\\_0598en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2002/com2002_0598en01.pdf)

<sup>18</sup> URL: [http://ec.europa.eu/development/icenter/repository/european\\_consensus\\_2005\\_en.pdf](http://ec.europa.eu/development/icenter/repository/european_consensus_2005_en.pdf)

In 2011, in response to the 'Arab Spring' the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission issued a Joint Communication outlining a [New response to the changing Neighbourhood](#)<sup>19</sup> and committed to building and consolidating healthy democracies. The EU intends to further strengthen its support to CSOs in situations where governments engage in violations of human rights and democracy standards.<sup>20</sup> A similar approach, applying to all regions, was presented in the Agenda for Change.<sup>21</sup> As already outlined, in the Agenda for Change focus is on the importance of governance. It calls for strengthened links between the EU, CSOs, social partners and LAs through regular dialogue.

In the proposal for a new Multiannual Financial Framework (MFF) for 2014-2020 the Commission proposed that the EU commit to further promote its shared values of democracy and human rights, including through the empowerment of CSOs to take part in development strategies and processes.

On the operational and support side, CSOs benefit from support from different Geographical and Thematic Instruments and Programmes, including the European Instrument for Democracy and Human Rights (EIDHR).

In 2007, the [Development Cooperation Instrument](#)<sup>22</sup> (DCI) was set up, in which a new 'actor-based' programme was established for 2007–2013, making it possible to directly fund partner countries' CSOs in addition to European CSOs. The objectives of this programme, which has a budget of € 1.6 billion, are to facilitate the involvement of NSAs (i.e. CSOs) and LAs in policy formulation and their capacity to deliver basic services to the poorest sections of the population in developing countries, thus contributing to poverty reduction.

EU support to CSOs is also increasingly channelled through bilateral EU aid programmes, which are articulated around the development priorities of a particular country or region. Finally, some European CSOs also play an important role as implementing partners of EU humanitarian operations managed by ECHO, the European Community Humanitarian Office.

### 1.3.3 Conclusions of the Structured Dialogue

In recent years, several evaluations<sup>23</sup> conducted on the involvement of CSOs in EU development cooperation signalled gaps between policies and implementation and highlighted the need to build a more strategic partnership. In response to these evaluations and to other developments the European Commission launched in March 2010 a [Structured Dialogue on the involvement of CSOs and Local Authorities \(LAs\) in EC development cooperation](#)<sup>24</sup>. Over 700 representatives of CSOs and LAs from the EU and 60 partner countries as well as representatives from the Member States, the

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<sup>19</sup> URL: [http://ec.europa.eu/world/enp/pdf/com\\_11\\_303\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com_11_303_en.pdf)

<sup>20</sup> Specifically, it also committed to making EU support more accessible to CSOs in neighbouring countries through a dedicated Civil Society Facility, and to promoting media freedom by supporting CSOs' unhindered access to the internet and the use of electronic communications technologies.

<sup>21</sup> See Agenda for Change, section 2: "Should a country loosen its commitment to human rights and democracy, the EU should strengthen its cooperation with non-state actors and local authorities and use forms of aid that provide the poor with the support they need. At the same time, the EU should maintain dialogue with governments and non-state actors." (p. 5).

<sup>22</sup> URL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:378:0041:0071:EN:PDF>

<sup>23</sup> See: the European Court of Auditors (2009), Special report no. 4 'The Commission's management of Non State Actors' Involvement in EC development cooperation'. URL: <http://eca.europa.eu/portal/pls/portal/docs/1/9038812.PDF> ; Particip (2008) 'Evaluation of EC Aid Delivery through Civil Society Organisations'. URL: [http://ec.europa.eu/europeaid/how/evaluation/evaluation\\_reports/2008/1259\\_docs\\_en.htm](http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/2008/1259_docs_en.htm); Floridi, M. and Sanz-Corella, B. (2009) 'Capitalisation Study on Capacity Building Support Programmes for NSAs under the 9th EDF'. URL: [http://ec.europa.eu/europeaid/what/civilsociety/documents/final\\_rep\\_capit\\_study\\_en.pdf](http://ec.europa.eu/europeaid/what/civilsociety/documents/final_rep_capit_study_en.pdf) ; David McCormick, Yves Rambaud, Paola Minoia (2009) 'NSA&LA thematic programme Mid-Term Review'. URL: <http://ec.europa.eu/development/how/consultation/index.cfm?action=viewcons&id=4886>

<sup>24</sup> URL: [https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured\\_dialogue](https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured_dialogue)

European Parliament and the European External Action Service including EU Delegations participated in the process.<sup>25</sup> The 14-month multi-stakeholder dialogue process addressed the following three issues: i) the roles, value added and complementarity of CSOs and LAs in EU external cooperation; ii) how to reconcile the aid effectiveness agenda and the right of initiative of CSOs; iii) alternative aid delivery mechanisms.

The Structured Dialogue reconfirmed the role of CSOs and LAs as actors in their own right, recognizing their right of initiative. It emphasized the importance of promoting conditions conducive to maximizing their contributions (the so-called 'enabling environment') and of promoting political multi-stakeholder dialogue as a means to foster democratic ownership in development. The potential for a renewed partnership between CSOs and LAs in countries where decentralization schemes exist was also explored.

Consensus emerged about the leading role of local CSOs in identifying local priorities and about the added value of CSOs from EU countries, for example in relation to development education and awareness-raising.

In order to enhance EU support, stakeholders emphasised the importance of understanding the local arena through regular and strategic mappings and through building of in-house expertise on relevant themes and by making available the necessary resources and guidance. An important role was foreseen for the EU in strengthening the exchange of information, knowledge and experience among donors in the realm of support to CSOs. In addition, the EU was called on to draw from an appropriate and flexible mix of funding mechanisms, incorporating sensible actor differentiation.

The Structured Dialogue produced recommendations for all actors involved (i.e. CSOs, LAs, the EU, and also for partner governments). A strong consensus emerged for a focus on implementation at country level, through a contextualized approach involving partner governments. The outcomes of the Structured Dialogue have already fed into the Commission's recent proposals on Agenda for Change and on budget support to third countries. The Structured Dialogue has also largely contributed to the preparatory work of the EU Common Position for Busan. As a follow up, at headquarter level, a Policy Forum between the EU and CSO and LA representative bodies is being set up to provide a space for regular dialogue on policy issues related to development.

## **Part 2: Issues for Consultation**

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Building on the vision outlined, this section presents a number of selected issues on which stakeholder views are particularly important. They constitute the 'building blocks' of a strategic engagement with CSOs at country level, to allow for their full participation in the public sphere.

These issues, presented in the box below, are deeply intertwined as they represent the different elements of, and conditions for, CSO participation in policy processes and in domestic accountability. Some issues are internal to CSOs, while others result from external factors (such as the legal space for CSOs granted by a government).

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<sup>25</sup> For detailed information on the Structured Dialogue process, activities, participants and results see: [https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured\\_dialogue](https://webgate.ec.europa.eu/fpfis/mwikis/aidco/index.php/Structured_dialogue)

## Structure of the consultation

There are seven issues and 19 questions.

- Section 2.1 summarizes the evolutions deriving from the latest international debates and present issues of interest for CSOs. The following sections further develop these topics.
- Section 2.2 "Responding to the challenges related to a shrinking legal and regulatory space for CSO action" addresses issues which represent basic pre-conditions for CSOs.
- Section 2.3 on "Promoting CSOs participation in public policy processes and in domestic accountability" focuses directly on themes related to challenges and opportunities for enhanced participation of CSOs in policy dialogue and oversight work, as emphasized in the Agenda for Change.
- Section 2.4 on "Enhancing CSOs internal capacity" presents a series of issues relating to external (donor) support aimed at strengthening CSO capacities needed, notably to play an effective role in policy process and oversight functions.
- Section 2.5 on "CSO internal governance and accountability" presents questions specifically related to transparency, accountability and representativeness of CSOs, which are key internal challenges to CSOs themselves.
- Building on the previous paragraphs, section 2.6 on "Towards a consistent EU engagement with local CSOs at country level" addresses how the EU, notably EU Delegations, could promote a consistent approach to enhance CSO roles in governance.
- Section 2.7 opens up to other "emerging issues" in the CSO arena influencing their future engagement.

### 2.1 Framing current international debates

All the elements underlined above are essential and have also been addressed in international debates around development effectiveness, for example in the *Busan Partnership for Effective Development Cooperation*, adopted at the end of the 4<sup>th</sup> High-Level Forum on Aid Effectiveness.

The Busan Partnership Document resulted from inclusive negotiations among developing countries, traditional and new donors, multilateral and bilateral institutions and civil society. Busan marked a shift from 'Aid effectiveness' to 'Development effectiveness': from a technical focus on aid management tools and disbursement procedures (agreed upon by Donors and Developing Countries in Paris and Accra) to a broad based recognition of the variety of inputs and actors that contribute to development, on the basis of shared principles and differential commitments (articles 14, 28 and 29). This calls for improved coordination of actions to avoid fragmentation.

In this new framework, relevant issues were raised which are of interest also for CSOs. In Busan, stakeholders committed to providing an enabling environment for CSOs to exercise their roles as independent development actors, consistent with agreed international rights. Moreover, inclusive partnerships were recognized as a fundamental tool to achieve development results. In this sense, Busan makes explicit reference to the principle commonly referred to as "democratic ownership".

The latter implies that governments systematically promote spaces for constructive participation of a variety of stakeholders (including Civil Society) in the different development policy phases. Policy dialogues can be considered a key mechanism for translating "democratic ownership" into practice. Busan also makes explicit reference to CSOs self-regulatory mechanisms, encouraging them to implement practices that strengthen their accountability, their transparency and their contribution to development effectiveness. The translation of these principles requires commitment from all development actors including Donors, Partner Countries, and CSOs themselves.

**Question 1:**

**How can CSOs apply in their activities the Aid and Development Effectiveness principles of Busan?** (max. 3,000 characters)

Article 11 of the 'Busan Partnership for effective Development cooperation' recognises as 'shared principles': agreed international commitments on human rights, decent work, gender equality, environmental sustainability and disability (to) form the foundation of our cooperation for effective development.

The international trade union movement commits to engage in the GPEDC and its governance and working structures in the post Busan processes, in particular in shaping the proposed building blocks on "private sector", on "results and accountability" and others, such as Human Rights Based Approaches, in order to meet the agreed ambitions as set out in the preamble, the common goals and commitments of the GPEDC. We will actively support the promotion of rights based approaches in development and contribute to establishing relevant indicators on decent work, social protection, democratic ownership and other socially relevant development effectiveness targets. [http://www.ituc-csi.org/IMG/pdf/tu\\_reaction\\_to\\_bod\\_en.pdf](http://www.ituc-csi.org/IMG/pdf/tu_reaction_to_bod_en.pdf)

Article 22 states that: Civil society organisations (CSOs) play a vital role in enabling people to claim their rights, in promoting rights based approaches, in shaping development policies and partnerships, and in overseeing their implementation (...) Recognising this, we will (...) Encourage CSOs to implement practices that strengthen their accountability and their contribution to development effectiveness, guided by the Istanbul Principles and the International Framework for CSO Development Effectiveness.

In that perspective the TUs have developed their own 'Principles & Guidelines on Development effectiveness' <http://www.ituc-csi.org/tu-development-effectiveness-profile.html> . They have been elaborated on a consultative basis by trade union organisation representatives both in the North and the South. The International Trade Union Confederation (ITUC) coordinated this process, with the support of its regional structures, affiliated organisations, Solidarity Support Organisations, and Global Union Federations.

The Principles and Guidelines are designed to serve as a common reference for development cooperation initiatives, strengthening working methodologies and ultimately contributing to enhancing the impact of trade union cooperation programmes.

Indeed, the Principles have been followed up, in a second stage, by the "TUDEP - Trade Union Development effectiveness Profile". The TUDEP is meant to be a learning tool to support trade union development actors in putting the Principles in practice, as well as, facilitating the monitoring and evaluation of their implementation.

We recall that the TUs principles have been developed in the context of the Open Forum process

on CSOs development effectiveness, culminating in the Istanbul Principles and the International Framework for CSO Development Effectiveness <http://www.cso-effectiveness.org/-global-report,052-.html>

## 2.2 Responding to the challenges related to a shrinking legal and regulatory space for CSO action

The starting point of any strategic engagement with CSOs depends on a set of pre-conditions relating to their ability to exist, to register, to seek funding, and to perform their roles in society. In the technical language, the pre-conditions are referred to as the 'enabling environment' that guarantees their participation in the development processes. It refers to a functioning democratic legal and judicial system that ensures - in law but also in practice - the right to organise, to secure funding, to freedom of expression and information, and the right to participate in public affairs with the aim of effectively and freely contributing to the public sphere.

In recent years the promotion and protection of an enabling environment for CSOs has been a recurrent theme in international debates. Its importance as a pre-condition for development has been reiterated in a number of international engagements and most recently in the Busan Partnership Document (article 22).

However, recent years have shown a narrowing of the democratic and legal space for civil society to work in many countries, notably in relation to their policy engagement and monitoring roles. Restrictions have taken different forms, including hampering information flows; political pressures to unwarranted interference in internal CSOs affairs; tracking or blocking of funding; impediments to register; threats to personal security and personal properties; etc. In many countries civil society has been considered a "threat" and its potential contribution to development has often been misunderstood and neglected. Obviously the absence of enabling conditions has hit CSOs particularly hard in countries characterized by repressive regimes, in fragile states and in countries affected by conflict. However, in order to develop more conducive conditions for CSO action, there are challenges to be addressed also in countries that do not fall within those categories.

Governments are primarily responsible for ensuring and guaranteeing such favourable conditions<sup>26</sup>. These conditions are intertwined with internal and external factors relating to the broad governance framework. They include laws, regulations, policies and practices, which are often influenced by political, socio-cultural and economic factors. The actual implementation of enabling conditions and their monitoring requires a collective effort of all actors including Governments, Donors, International Organizations, CSOs, the media and citizens themselves.

### **Question 2:**

**How do you think that different actors, including the EU, could help to promote an enabling environment for CSOs (a) in repressive regimes, (b) in fragile /conflict countries, (c) other countries? Can you suggest good practices from your experience?** (max. 3,000 characters)

For TUs the most important pillar of enabling environment for their existence and effective functioning is the ILO Conventions, especially Convention 87 Freedom of Association and

<sup>26</sup> Governments are called to adopt and enforce at minimum existing commitments in international and regional instruments that guarantee fundamental rights.

Protection of the Right to Organise and the closely linked Convention 98 Right to Organise and Collective Bargaining. Taken together these two Conventions provide the key definition of trade union rights throughout the world. It is worth reminding that among the rights contained in the United Nations Universal Declaration of Human Rights is the right to form and join trade unions, establishing trade union rights as human rights.

Basic trade union rights are under threat in many countries, and must be defended with vigour and commitment (see visual chart <http://survey.ituc-csi.org/spip.php?page=generalgraphs>) . This is the actual purpose of TUs international development initiatives, which of course can be focused at different levels ranging from very extreme situations of rights violations to socio-economic development support (decent work).

TUs fully support the provisions of Article 22 of the 'Busan Partnership', stating that CSOs must be enabled 'to exercise their roles as independent development actors, with a particular focus on an enabling environment, consistent with agreed international rights, that maximises the contributions of CSOs to development'.

Emphasis should be also placed on the following principles recommended by the Multi-Stakeholder TT, and also included in the CSOs Framework to enhance the creation of an EE based on international HR standards: freedom of expression, association and right to assembly; legal status recognition of CSOs; the right to operate free from unwarranted state interference; the right to communicate and cooperate; the right to seek and secure funding.

The EU should always comply with these commitments. This is even more true in cases of repressive regimes and/or fragile and conflict situation, where international actors are often the only ones that can play the crucial role of supporting politically and operationally the independence and autonomy of CSOs in the partner country, in supporting their right of initiative, and in promoting (social) dialogue and other mechanisms for democratic participation.

Concerning TUs experiences, it is important to underline their crucial role in facilitating peace and democracy building (TU preventive diplomacy), by supporting social dialogue with national governments, employers and trade unions.

The EU should increase support to these international solidarity channels, which are indeed aimed at awareness raising and reinforcing the capacity of TUs organisations in the partner countries. The EU SD recommendations state: 'CSOs are stimulated to build on successful strategic partnerships at local, national and international level to speak with a stronger voice'. DCI Thematic programs (and also the EIDHR) remain the most valid instruments, reinforcing global and regional envelopes

**Question 3:**

**What, in your experience, are good indicators to measure progress in the area of "enabling environment" for CSOs' actions?** (max. 3,000 characters)

For TUs the most important indicators in the area of the enabling environment are the ratification and the actual implementation of ILO Conventions provisions (especially 87 and 98). The ILO Reporting mechanisms are indeed aimed at assessing the respect of the Conventions in a tripartite setting. The full respect of freedom of association and collective bargaining are essential conditions to the recognition of TUs as legitimate and independent actors in their own right.

See on this: Freedom of Association and Development (ILO – 2011)

[http://www.unglobalcompact.org/docs/issues\\_doc/labour/tools\\_guidance\\_materials/wcms\\_160208.pdf](http://www.unglobalcompact.org/docs/issues_doc/labour/tools_guidance_materials/wcms_160208.pdf)

Furthermore, the existence and functioning of social dialogue structures/mechanisms is also an indicator of progress of enabling environment. As a matter of facts social dialogue contributes to and strengthens democracy, as it improves participation of various key groups in society in decision-making on basic elements of economic and social development.

Therefore the EU should make the social dialogue a specific point in its development cooperation approach (European history has shown social dialogue to be at the heart of inclusive, democratic and sustained development), both in terms of capacity development for the actors and in terms of supporting the social dialogue mechanisms as enabling environment.

Recognition of trade unions as agents in development and support through targeted procedures for national, regional or sub regional initiatives for capacity building, training, technical assistance for socio-economic expertise, could be most costs-effective and addressing direct peer to peer learning based on the trade union characteristics as specific, member based and representative development actors and social partners.

Initiatives on social dialogue support must be based on careful needs assessment processes, with direct participation of the (most) representative workers and employers organizations and the ministries of labour and make profit of the successful ILO programme experiences on social dialogue (PRODIAF and others), including the Decent Work Country Programs.

Once again, thematic programs of the DCI - especially the envelope on global challenges and also the EIDHR - remain the most valid instruments to do so.

#### **Question 4:**

**How could the media, including the social media, contribute to an "enabling environment" for CSOs?** (max. 3,000 characters)

Social Media can play a useful role in gathering information and supporting social communication both in partner countries and in developed countries. They can be very helpful in collaborating with CSOs in organising awareness rising initiatives, campaigning, and development education actions, creating public opinion support for international solidarity. Of course social media could provide a valid contribution when conditions for freedom of speech and press are ensured.

However social media are also limited and cannot replace the basic efforts for awareness raising, capacity development and political leadership within civil society and they cannot replace the need for representative and accountable social movements as drivers for societal change.

### **2.3 Promoting CSOs participation in public policy processes and in domestic accountability**

In line with the Agenda for Change, CSO participation in public policy processes is increasingly seen as a core factor in ensuring inclusive and effective pro-poor policies and in the related allocation and management of public resources. CSOs can voice and articulate citizens' priorities, empower marginalized groups. They may also bring expertise to the debates, for example derived from their experience in (sectoral) service delivery.

As mentioned in 2.1, within the international debate on aid effectiveness this is commonly referred to as "democratic ownership". Democratic ownership implies that governments systematically

promote spaces for constructive participation of a variety of stakeholders (including Civil Society in its varied forms) in the different development policy phases. In Busan, Governments, international Institutions including the EU and Civil Society committed to 'operationalizing' this principle. Policy dialogues can be considered a key mechanism for translating "democratic ownership" into practice.

In functioning democracies, national parliaments, Supreme Audit Bodies and the Judiciary are the institutions tasked with oversight and to build reinforced accountability systems to hold governments accountable (notably but not only at the national level). CSOs can also play a determinant role in these domestic accountability systems. By analysing budget proposals, monitoring and tracking public revenues and expenditures, CSOs can contribute to ensuring that public resources are used to maximize impact on poverty reduction and equitable growth.

The recent [Communication on the future of EU Budget Support to Third Countries](#)<sup>27</sup> called for systematic support to domestic accountability, with particularly focus on CSOs' role in oversight functions and participation in budget processes. The Communication calls for "strengthening the openness, transparency and accountability of the budget process" and promotes a "participatory budget approach".<sup>28</sup> This is an important new area of engagement for EU support. In various ways CSO are already involved in some budget support operations.<sup>29</sup> Additional CSO experiences and lessons learnt are important to translate these policy lines into concrete practices.

CSO participation in "multi-stakeholders policy dialogues" - alongside partner governments, other national actors, LAs and donors - is another promising area of engagement where views and experiences from stakeholders are important.

It is therefore important to recognize that CSOs' participation in public policy making and budget oversight constitutes a political and complex issue which not surprisingly has had mixed results across regions.<sup>30</sup> The roles of CSOs in these processes are not politically neutral and may entail risks. Dependency of funding for CSO oversight and policy activities on funding from external sources may lead to additional risks and tensions.

#### **Question 5:**

**What are, in your experience, the challenges and opportunities for CSO involvement in policy dialogues including in terms of institutional mechanisms and operational rules? Can you provide there good examples?** (max. 3,000 characters)

For TUs the most effective institutional and operational mechanism to grant policy dialogue at national level in the partner countries is social dialogue, as it includes all types of negotiation, consultation or exchange of information between or among representatives of governments, workers and employers, on issues of common interest relating to national economic and social policy. As a matter of facts, when social partners are involved in discussing and drafting national

<sup>27</sup> URL: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0638:FIN:EN:PDF>

<sup>28</sup> "Participatory budget processes" are processes in which citizens and CSOs are involved in formulating and monitoring budget implementation, potentially leading to more equitable and effective public spending and fostering transparency and ownership. Participatory interactions in these budgetary processes may range from consultation, information sharing and monitoring. Participation in budgetary processes is a key entry point for CSO engagement in choosing public priorities and actions.

<sup>29</sup> See Reference Document on "Engaging Non state Actors in New Aid Modalities". URL: [http://capacity4dev.ec.europa.eu/sites/default/files/file/09/11/2011 - 1127/nsa\\_en\\_ver\\_web.pdf](http://capacity4dev.ec.europa.eu/sites/default/files/file/09/11/2011 - 1127/nsa_en_ver_web.pdf)

<sup>30</sup> The 2011 Paris Declaration Survey showed that systematic mechanisms to support continuous engagement with Civil Society were absent, experiences registered were limited to information sharing, focused mainly on policy formulation, neglecting other phase of the policy process and there are divergent views on the results and impact. The evidence of efforts is scarce and monitoring impossible; weaknesses in tracking and following up progress need also to be addressed. See chapter 2 of the 'Aid Effectiveness 2005-10: Progress in Implementing the Paris Declaration' report by the OECD (2011). URL: <http://www.oecd.org/dataoecd/25/30/48742718.pdf>

development policies (principle of democratic ownership and participation), these latter reflect a more balanced approach to economic and social development (inclusion of decent work objectives).

See Social dialogue in development: [http://www.norad.no/en/tools-and-publications/publications/publication/\\_attachment/268453?\\_download=true&\\_ts=12edd101546](http://www.norad.no/en/tools-and-publications/publications/publication/_attachment/268453?_download=true&_ts=12edd101546)

As stated above the EU should promote social dialogue initiatives more concretely, through strengthening the capacity of social partners and through supporting policy dialogue with national governments. Also the EESC has expressed its recommendations in this sense: see EESC opinion REX/296 §3.5 [http://www.ituc-csi.org/IMG/pdf/FIN\\_en.pdf](http://www.ituc-csi.org/IMG/pdf/FIN_en.pdf) )

According to the recommendations of the EU structured dialogue, the EU Delegations in the partner countries should actively engage in regular and inclusive multi-stakeholders policy dialogue across different development actors. The inclusion in the dialogue of diverse development actors, such as local TUs and social partners, beyond the traditional development NGOs, is an essential element of democratic ownership of national development policies.

Additional supporting channels to involve social partners and CSOs in policy dialogue at county level is indeed through ILO offices in partner countries and the Economic and Social committees in the partner countries (when they exist and functioning properly).

Thematic programs of the DCI - especially the envelope on CSOs - remain the most valid instruments to do so, as focused at strengthening political organisational capacity of the organisations.

#### **Question 6:**

**How can progress related to CSO participation in policy dialogues at country level be measured and monitored?** (max. 3,000 characters)

An absolute prerequisite for any participation in policy dialogue is of course freedom of association, assembly and speech... For TU, special multi stakeholder mechanisms exist (<http://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-on-freedom-of-association/lang--en/index.htm>),

Also the recently established mechanism with a special rapporteur of the UN on the rights to freedom of peaceful assembly and of association is an important reference for policy guidance. (<http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SRFreedomAssemblyAssociationIndex.aspx>)

As stated before, when it comes to policy dialogue with partner countries governments the existence of active and functioning social dialogue mechanisms and structures are sources for assessing the actual social partners' participation in decision making at national level.

Considering policy dialogue between the EU delegations and local development actors a periodic mapping/assessment should be undertaken in order to take account of the unique features and diversity of CSOs and their experience in relations to partner countries institutions.

These mapping should follow an 'actor based approach', including the most relevant and

representative CSOs at national level, representing the sectors. The experience of the EU Structured Dialogue proved that this is possible if political will is there.

**Question 7:**

**What are the most effective entry points for CSOs in "participatory budgetary processes"?**<sup>31</sup> (max. 3,000 characters)

TUs as social partner organisations need to be involved when it comes to decision making on national public budget and spending. Social Dialogue is once again the main institutional framework (entry point) for social partners to provide effective and real contributions to the decision making process and oversight. Accessibility to information and transparency in the overall consultation and participation process are pre-conditions for an effective role of social partners.

Social partners should be also formally consulted by the EU delegations in partner countries, prior to negotiate bilateral cooperation with the national government (budget support). This would be very much helpful to the EU itself in order to gather alternative and prior information on the actual country needs.

**Question 8:**

**Responding to the Communication on Budget support, how could the EU promote CSOs role in "domestic accountability and in oversight functions"? What, in your experience, are the related risks and how should these be managed?** (max. 3,000 characters)

When referring to CSOs role in budget support it is often described as 'watch-dog', underling the mere monitoring nature of their involvement. However TUs cannot be considered only as watch-dog organisation, as they can contribute to policy making, budget making and monitoring, because of their institutional role in social dialogue. The EU Court of Auditors itself recalls the need for more transparency and accountability of budgetary processes. This is why we call up to the maximum transparency from the EC and MS when implementing budget support: data and relevant information should be made public and accessible to enable citizens, parliaments, social partners and CSOs to hold their government to account.

Of course this is very difficult as in many cases partner governments might be reluctant in doing so. This is why we insist on the fundamental role of social partners, and their inclusion in policy dialogue at national and European level, when it comes to planning, implementing and monitoring social policies, sustainable employment policies and labour rights, social protection/social protection floors, socio-economic growth, and role of the private sector.

**Question 9:**

**In your opinion, what criteria should be used to ensure that representative and legitimate CSOs take part in policy dialogue and in budgetary oversight work?** (max. 3,000 characters)

Democratic ownership, representation/accountability legacy, and sustainability should be the guiding principles to legitimate CSOs in effectively taking part in policy dialogue and participatory budget processes. These principles pertain to the actual nature, strategic objectives, and organisational capacity of the organisations in question. In this sense, the specificity of membership based organisations should be taken into account (see EESC opinion REX/296 §1.8 [http://www.ituc-csi.org/IMG/pdf/FIN\\_en.pdf](http://www.ituc-csi.org/IMG/pdf/FIN_en.pdf) ). TUs have defined (and committed to) those principles as follows:

Trade unions define democratic ownership as respect for and responsiveness to the objectives and priorities of trade union partners, with a view to building their self-reliance within the context of

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<sup>31</sup> See footnote 28.

the mission of the international trade union movement. Democratic ownership in the trade union movement is a dynamic concept that takes account of local and global challenges facing trade unions as international actors. This means that receiving partners, based on the challenges they face in their operating environment at country and regional levels, define and determine their own needs within their democratic structures and elected leadership. These are in turn a reflection of the plans, choices and orientations of their affiliated members.

Supporting partner organizations hold up the priorities (...) recognizing and respecting the receiving partner's primary responsibility in these tasks.

Trade union partner organizations are liable to a system of mutual accountability at political, operational and financial levels, which should be supported by appropriate common assessment tools and learning processes to gain increased effectiveness in future initiatives. Trade union organizations are bound to multiple forms of downward and upward accountability. First and foremost, trade union partners are responsible to their members for giving account of the actions they have taken (...) Partner organizations are also bound to accountability towards external donors (governments/agencies) in terms of using resources according to agreed standards (...) partner organizations in turn are accountable to their leaders and members and must seek to ensure political coherence and sound financial management. Finally, supporting and receiving partners are mutually accountable to each other.

Trade unions understand sustainability as the long-term viability of development outcomes, as well as the strengthening of cooperating trade union organizations. (...) Sustainability comprises self-reliance, ownership, autonomy in political and economic terms and the preservation of the environment for future generations. It also contributes towards eventual independence from external assistance of supporting partner organizations (...) support empowerment and self-financing mechanisms.

All to point to the fact that accountability, representativity and ownership should be based on organised civil society constituencies

**Question 10:**

**In your opinion your opinion, what should be the role of European or international CSOs in supporting local CSO participation in policy processes and oversight functions including at country level?** (max. 3,000 characters)

The role of international/European CSOs is necessary to strengthen political advocacy, as well as, to support capacity development of local CSOs (see also Q 12). These two objectives are intrinsically linked to each other.

- advocacy from national to global: showing interlinks between global and national development policies (on the basis of information sharing with and representation of local partners)
- supporting enabling environment at national level: holding governments/donors accountable on their international commitments through monitoring compliance against international HR commitments (i.e. ILO) and policy dialogue
- supporting political/organisational capacity (capacity development) at regional and national level on development policies and CSOs effectiveness
- increasing mobilisation in developed countries: campaigning, awareness raising and development education initiatives

As the EESC states in its opinion (see REX/349 [http://www.ituc-csi.org/IMG/pdf/ces839-2012\\_ac\\_en.pdf](http://www.ituc-csi.org/IMG/pdf/ces839-2012_ac_en.pdf)):

In a globalised world, it is necessary to recognise the international nature of CSOs and take advantage of their potential as responsible global actors. At the same time, in a multipolar world there is less and less sense in maintaining the distinction between CSOs from the North and the South. Support for the CSO networks, coordination platforms, federative mechanisms and support for their members, inter alia, should therefore be included in the development activities funded by donors and more particularly by EU cooperation.

Changes are needed in the system for granting European development funding through CSOs. It is necessary to introduce arrangements such as the "framework agreements", operational grants, cascading subsidies, multiannual agreements, emergency funding and implementation of the "toolbox" defined in the Structured Dialogue. CSO networks, federations and confederations should, in the EESC's view, be the main recipients of this type of funding.

## 2.4 Enhancing CSOs internal capacity

The ability of CSOs to enhance their contribution to development is challenged by various internal capacity constraints ranging from management and leadership challenges to problems in constituency building, representativeness (so internal governance issues) and fundraising and communication. The capacity constraints are particularly evident in relation to CSOs policy engagement.

Donor support focused on CSO capacity development has been limited and seems to have produced modest results so far. The classical support scheme is criticized for being "supply driven" and rigid, focusing on technical capacities linked to project management and service delivery or accountability to donors, and for not being sufficiently contextualized.

There is an emerging consensus towards a new scheme based on a reinforced role for local CSOs, focusing on actual demand formulated by the organisations themselves, based on self assessment of the existing capacity. The potential of South-South and triangular cooperation in this respect is increasingly recognized.

Donors need to refine the approach to capacity development of CSOs, building on lessons learned and promising innovations. Risks in stepping up external support in this area, including fuelling donor-driven CSOs and losing sight of development objectives, should be taken into account.

### **Question 11:**

**What approaches should be developed to improve donor support to capacity development of CSOs?** (max. 3,000 characters)

The "call for proposals" system is for trade unions one of the most disabling elements. Using the "toolbox" and the actor and dialogue based approach should allow for a more successful mutual engagement between the EU and the trade unions (at all levels). The actor and dialogue based approach should be able to evaluate the potential impact and added value of the CSO actors in-country.

Strengthening capacity development of CSOs deserve great recognition in the context of development cooperation. The challenge is to strengthen capacities of CSOs in partner countries in terms of political and organisational capacity. For TUs capacity development refers to the

ability of regional/sub-regional and national trade union organisations in the South in supporting political and organisational settings in order to improve their impact on development cooperation policies and practices.

Political capacity:

- Increase the awareness and understanding of international development agendas and their consequences for trade unions at global, regional and national level, providing capacity for their participation to decision-making processes on development policies, according to democratic ownership principle;
- Promote the sustainable, social development paradigm by fighting inequality, implementing the Decent Work Agenda, establishing social protection mechanisms (such as social protection floors) and foster green jobs, strengthening balanced labour market development, progressive taxation and fiscal programmes and just trade and investment rules, as well as ensuring social, economic and ecological coherence in public and private policies.

Organisational capacity:

- Supporting democratic organisations through internal governance, policy development and organising mechanisms support
- Improve cooperation modalities among trade union partners, ensuring coherence and improved contextualisation of development initiatives: promoting Trade Union Principles and Guidelines on Development Effectiveness and the TUDEP - Trade Union Development Effectiveness Profile;

In many cases the question arises whether for certain categories of broad based, memberbased actors, such as trade unions, a certain degree of core funding would not be more appropriate than the current project or programme based approach in order to strengthen the overall capabilities of the actor based on its own resources, action plan and political priorities (applied use of “country systems”).

### **Question 12:**

**What are the role and the added value of international/ EU based CSOs in this area?** (max. 3,000 characters)

A clear distinction in role and mission as well as in relevance for the policy should be made between international CSOs on the one hand and the so-called “EU based” organisations.

It does matter whether your constituency and thus your representation and decisions making is based on a worldwide constituency or only on an EU based constituency.

The responses beneath are based on our identity as an international CSO operating with membership based affiliates worldwide.

- advocacy from national to global: showing interlinks between global and national development policies (on the basis of information sharing with and representation of local partners)
- supporting enabling environment at national level: holding governments/donors accountable on their international commitments through monitoring compliance against international HR commitments (i.e. ILO) and policy dialogue
- supporting political/organisational capacity (capacity development) at regional and national level on development policies and CSOs effectiveness

- increasing mobilisation in developed countries: campaigning, awareness raising and development education initiatives
- supporting new forms of cooperation between CSOs such as south-South cooperation

Thematic programs of the DCI - especially the envelope on CSOs - remain the most valid instruments to do so, as focused at strengthening political organisational capacity of the organisations.

## 2.5 CSO internal governance and accountability

In order to effectively play a governance role and to participate in policy shaping, CSOs have come under increasing pressure to show that they are accountable, transparent and representative and to reinforce their credibility at all levels (spanning from grassroots organizations to national platforms and global alliances). Progress in this area is important to identify legitimate, transparent and representative interlocutors that maintain a high degree of representativeness of their 'social base'.

CSOs have embarked on several self regulation processes in recent years. The Busan Partnership Document acknowledged those efforts (i.e. in CSOs "own" development effectiveness) and underscores the importance of improving CSOs' internal governance, notably through the implementation of the so-called [Istanbul Principles](#)<sup>32</sup>, elaborated through the Open Forum consultative process. The principles set a sound framework for CSOs own work, which now needs to be translated into action at the different levels. There are other similar initiatives to develop frameworks, including specific to some categories of actors as trade unions, foundations and INGOs (e.g. the Charter of Accountability) which also need to be acknowledged and followed up.

### **Question 13:**

**What are, in your opinion, the main challenges CSOs face in implementing these mechanisms for improving internal governance? How can CSOs monitor progress in the implementation of such mechanisms?** (max. 3,000 characters)

The TUs Principles and Guidelines are designed to serve as a common reference for development cooperation initiatives, strengthening working methodologies and ultimately contributing to enhancing the impact of trade union cooperation programmes.

Indeed, the Principles have been followed up, in a second stage, by the "TUDEP - Trade Union Development effectiveness Profile". The TUDEP is meant to be a learning tool to support trade union development actors in putting the Principles in practice, as well as, facilitating the monitoring and evaluation of their implementation.

Methods for PME should be improved in order to make them more and specifically relevant for measuring progress in social change and sustainability in development (outcome mapping and log-frame).

### **Question 14:**

**Should the EU support CSOs in implementing mechanisms for improving internal governance? And if yes, how?** (max. 3,000 characters)

Yes, as stated above internal governance is fundamental to achieve capacity development and

<sup>32</sup> URL: [http://www.cso-effectiveness.org/IMG/pdf/final\\_istanbul\\_cso\\_development\\_effectiveness\\_principles\\_footnote.pdf](http://www.cso-effectiveness.org/IMG/pdf/final_istanbul_cso_development_effectiveness_principles_footnote.pdf)

therefore development effectiveness. Therefore it should be supported when/if the need emerges. However CSOs are actors in their own right, and their independence and autonomy should not be put at risk by possible external interferences, or possible imposition on particular kind of mechanisms should be used. For example, TU already have their own standards/principles. In other words, EU support should be respectful of existing mandates, structures and working methodologies of the CSOs and should engage when appropriate in policy dialogue instead of imposing “one size fits all” approaches to internal governance.

## 2.6 Towards a consistent EU engagement with local CSOs at country level

All the elements developed above should be integrated in a coherent EU strategy at country level. It is important to base such a strategy on a thorough understanding of CSO dynamics, including the roles that different categories of CSO play in various fields, such as in governance, human rights, social and economic development, social dialogue, the business environment, etc.

For donors, gaining a sound understanding of local CSOs including their capacity and dynamics in relation to other forces at play is a first step for a meaningful engagement with CSOs, connecting the different areas of intervention in which they take part. "CSO mapping studies" can be a useful tool in this respect.

### **Question 15:**

**Are there other key elements, in addition to the ones discussed above, to be considered in building a solid and informed EU engagement with local CSOs in a given country?** (max. 3,000 characters)

- EU should respect subsidiarity and give preference to CSO own(ed) methods and systems of cooperation (“use country/CSO systems by default”)
- EU should support TUs networking support through global networks to grant coherence of development initiatives
- EU delegations should adopt more proactively and in a permanent way a multistakeholder approach when it comes to policy dialogue, including TUs as development actors
- EU should verify whether social dialogue and respect of ILO CLS in a given country is genuine before engaging
- EU should avoid 'activity overlap' and 'funding overkill' - projects should be needs based
- EU should coordinate better with member states when it comes to bilateral cooperation
- EU should keep supporting CSOs both in LDCs and MICs, increasing the thematic programs
- EU should work with ILO and workers and employers organisations, on decent work country programmes

### **Question 16:**

**How should country level political dynamics be considered in engaging with CSOs and supporting their governance-related roles?** (max. 3,000 characters)

Even in a changing political scenario, TU would continue to fulfil their role of representing workers and monitoring the respect of human/TU rights in the workplace - irrespective of the political level.

EU Delegations have to be aware of the CSOs specific characteristics and diversity, on the basis

of which they can bring diverse forms of contributions to development processes. For example TUs: e.g. decent work and social protection social/economic issues

EU should promote social partners and the development of social dialogue as part of a democratic system long term

Special attention should be given to the problem of the unwarranted state/government interference when it comes to CSOs, in particular TU, support. The EU should therefore consider the to use preferentially the TU own(ed) channels for international trade union development cooperation.

## 2.7 New areas for reflection

In addition to the issues elaborated above, several new areas for reflection have recently emerged concerning the relation between CSOs as well as other actors and influential sources of power and innovation. This section is therefore dedicated to selected topics which require more in-depth understanding and for which we ask your feedback.

- The 'Arab Spring' highlighted the potential role of social (sometimes spontaneous) movements and other forms of civic action - particularly by young people - which may have impact on more 'traditional' CSOs.
- Related to this, people are increasingly using new channels to make their voices heard; new forms of online activism through – but not limited to – social media are also gaining prominence and may provide opportunities and challenges for CSOs.
- Diaspora is a fast-emerging force for development in the globalizing world. Through their initiative, contacts and resources, Diaspora can make valuable contributions to their countries of origin.
- Adding to the already complex landscape of CSOs in development, in recent years other actors are increasingly engaging in so-called *private initiatives* in development, often small-scale philanthropic projects, which can take various forms and are gaining traction.

### **Question 17:**

**In your view, what are the implications and opportunities for CSOs related to the above mentioned trends?** (max. 4,000 characters)

Many of these “trends” are not new, we have seen this in other situations (Poland and Eastern Europe in general...). The main issue on this kind of initiatives, is their spontaneous direct response or action on situations of need and underdevelopment. However they are more "signs of the times" than real responses, as their character is very much "re-active" and rarely pro-active in terms of structured and implementable proposals and way forward. Also the political leadership is very often unsolved and proven to be destabilising for the consolidation of the movements.

Very often also the necessary instruments for allowing civil society participation as actors in their own right are missing. Institutionalisation of participatory mechanisms such as social dialogue or

Economic and Social Committees or similar types of consultative and participatory institutions can play an important role in structuring representation and accountability across societal borders.

**Question 18:**

**How should the EU respond to these trends in your opinion?** (max. 4,000 characters)

The EU should be aware of the development of re-active initiatives and understand them as criticising current policy constellations (eg. the Arab spring came as a "surprise", institutions did not take note of what was developing as a reaction; at the contrary they continued giving the old regime good points on macro-economic criteria whilst the fire was already burning in civil society).

However we should recognise the contradictions that may arise in "institutionalising" this kind of initiatives through ODA support. Most of these initiatives are short term and do not have the ambition or potential to be "permanent" or "structurally" pro-active. They could at best generate other, more forward looking and structured initiatives (see also at the Indignados or Occupy Wallstreet phenomena: to be taken serious as an expression of protest, but not really embodying the alternatives that are needed. These will probably emerge randomly, very often promoted through existing social movements (trade unions, womens organisations, cooperatives ...).

A number of principles are here at stake when it comes to sustainability, ownership and accountability. Especially in the latter two examples (diaspora and philanthropic, the question of ownership often becomes the major burden for sustainability once the situation allows for in-country leadership in communities and organisations.

Accountability is another issue (although the other face of the coin), that especially relates to the individu based social-networks setting. Social networks are conglomerates of individuals without representational or accountability mechanisms (constituencies should not be, in all meanings, virtual). Being a possible strenght in mobilisation and awareness raising, electronic "assambleism" is very unlikely to be the way to implement and conduct public policies.

The main response of the EU may be to enter into a proactive dialogue with the local and international CSO community. However EU should not step into support without ensuring dialogue and the sustainability criteria in terms of representation, and accountability.

Trade Unions very often play an important role in the civil society mobilizations, allowing to capitalise on their capacity to take leadership and because of their economic and social development agenda as well as on the basic issues of freedom of association and assembly.

## **2.8 Additional comments**

**Question 19** (max. 4,000 characters)

Decent Work Agenda, contributing to inclusive and sustainable growth, must be included when it comes to concentration of sectors at country level. Social partners must be included from the start in policy dialogue to ensure democratic ownership of development policies which goes beyond government's involvement;

Thematic programmes must be reinforced, as they represent the most accessible way of supporting organisations, such as trade unions, which could not operate otherwise because of antagonistic position of governments undermining their right of initiative (risk of Budget Support

modalities);

Support to capacity building of trade unions as social partners should be granted in the 'Thematic envelope for public goods and challenges', as well as, Decent Work Agenda should be prioritized and adequately resourced within the 'Human Development' sub-theme;

An actor-based approach should be undertaken within the 'Envelope for CSOs and LAs', allowing more adaptable and effective partnership modalities with the variety of development actors having different structures, objectives and mandates. Recognition should be given to membership-based organisations, such as trade unions, making use of alternative funding mechanisms developed during the Structured Dialogue like the 'partnership/framework agreements'.

Differentiation between countries or group of countries must be based on relevant indicators such as UN Human Development Index, responding to the poverty reduction objectives and cannot be used as a tool to support (mutual) economic interest of the EU vis-à-vis the emerging economies;

The programming process (drafting of Country Strategy Papers) must fully involve the European Parliament, guaranteeing democratic screening and accountability of EU development policies;

Private sector can provide important contributions to development. However, it must operate in compliance with the international labour standards and in support of local development needs. Social dialogue should be promoted as the central strategy to ensure local democratic ownership.

Meeting ODA Commitments: the EU has committed itself to the collective target of spending 0.7 % of its GNI on ODA by 2015. In line with this objective, trade unions ask the EU to considerably increase its ODA to meet the 0.7% target within the next MFF