

Memorandum

Highlighting key issues of the Roundtable of Development Partners on
“The Role of Civil Society Organizations (CSOs) in Public Advocacy and Policy Dialogue in
the New Members States of the EU, the Western Balkans, Turkey and NIS”
October 27-28, 2005, Paris, France

Introduction

The roundtable meeting was **co-convended** by the European Commission and the World Bank as a natural follow-up to three events that took place in the course of 2005:

1. The recommendations of the 3rd CSO Forum convened by the World Bank ECA NGO Working Group in June 2005 in Bratislava, in cooperation with a group of multilateral donors;
2. The adoption of the Paris Declaration on Aid Effectiveness on March 2 , 2005;
3. Bilateral discussions between the European Commission, the World Bank and other donors to improve sustainability of the CSO sector across the region.

The roundtable gathered **approximately 50 people** representing various institutions:

- bilateral donors
- multilateral donors
- other international intergovernmental organizations
- private and public foundations
- non-profit organisations (from the region or serving the region) and engaged in policy dialogue.

The objective of the meeting was to discuss the role of independent think-tanks and policy centers in public advocacy and transparent policy dialogue, and explore the role of the donor community, operating in the countries of the region, in supporting this important function of the CSO sector. During the two-days meeting, the discussion focused on various dimensions of public advocacy and policy dialogue, practical examples from various parts of the region, factors that hamper this process, and the role played by private and public sector donors.

In their opening remarks, Aristotelis Bouratsis, representing the EC, and Maninder Gill, representing the WB, set the tone for the meeting and outlined its main objectives. They referred to:

- the rapid development of civil society in the region
- the significant and increasing role of civil society in shaping public policy
- the value of cross-border transfer of know-how in policy development
- insufficient consultations between donors
- the necessity to live up to the expectations of civil society in terms of donor coordination
- the principle of voluntary participation of donor agencies in the process.

Maninder Gill (WB) also referred to the recommendations formulated during the CSO Forum in Bratislava which called upon the donor community to give priority to the following issues:

- Promoting a CSO Enabling Legal Environment
- Public Advocacy, Policy Dialogue and Good Governance
- Delivery of Social Services and Creation of Social Capital
- CSO Financial Sustainability
- Capacity Building, Knowledge Sharing and Networking.

Following the introductory remarks, Jan Pakulski (WB) explained that the roundtable was the outcome of two parallel processes:

1. the initiative of several donor agencies who in the Spring of 2004 had expressed an interest in closer collaboration and information exchange regarding their respective programs aimed at civil society development and engagement
2. the WB led 4-years effort to reach out towards CSOs and seek their feedback on the policies and programs supported by the WB. The process culminated in Bratislava in June 2005 where a group of region-based CSOs, supported by the World Bank, convened an International Forum on CSO sustainability.

The Paris roundtable provided an opportunity to have a substantive discussion on one priority (out of the five identified in Bratislava) “Public Advocacy, Policy Dialogue and Good Governance”, and seek agreement on the process that would allow institutions - either individually or collectively - to contribute to the sustainability of CSOs.

Three panel discussions centered respectively on theory, practice and the prerequisites for effective CSO participation in policy dialogue. The presentations and subsequent discussions concentrated on the following aspects of the policy dialogue i.e. involving civil society and its representation, the civil society organisations:

1. Building policy dialogue

- Information: a **one-way relation** in which government delivers information to citizens.
- Consultation: a **two-way relation** in which citizens provide feedback on issues defined by government.
- Active participation: a **partnership** in which citizens actively shape policy options, but where government retains the responsibility for final decisions.

2. Why involve citizens?

Policy dialogue allows governments to:

- Improve the **quality** of policy and strengthens its legitimacy
- Respond to calls for greater government **transparency, accountability & openness**
- Meet the challenges of the **information society**
- Strengthen **public trust** in the government.

3. Why not involve citizens?

Policy dialogue carries the risk of:

- **Delays** in decision-making
- **Blurring** responsibility and accountability
- **Capture** by special interest groups
- Exacerbating **conflict**
- **Undermining public trust** if expectations are not met.

4. Evaluation gap

There is a need to develop appropriate evaluation tools to:

- Assess the **costs and benefits** for both government and civil society
- Improve the **effectiveness of government** efforts to inform and consult citizens
- Enhance **CSO capacity** to engage government
- Support **evaluation as a means of learning**: not for audit or management objectives.

5. How to mitigate the risks associated with an open policy dialogue?

- Assess the costs and ensure the necessary **political will** at the highest possible level
- Build-up the **capacity and professionalism** of local think-tanks and independent research institutes
- Facilitate **public access** to information and policy analysis
- Create a seat at the table (**empower**) for civil society representatives.

Another discussant pointed to a different aspect of the policy dialogue: the lack of balance between CSOs, often supported by the donor community, and public authorities often inadequately trained to engage in policy dialogue:

1. Engagement in policy dialogue is likely to result in:
 - a better quality of the policies
 - a better policy mix
 - a better environment for policy implementation
 - a stronger ownership of the policy outcomes.
2. Necessary preconditions for effective policy dialogue engagement:
 - a well developed civil service - a strong sense of the public interest (primarily among civil servants)
 - professional techniques to shape policy (lack of distinction between policy and politics)
 - openness and transparency
 - viable mechanisms and institutions for policy coordination.
3. An unbalanced development of civil society can lead to:
 - CSO consultations taking the place of policy consultations (allowing CSOs – not tempered by effective, professional civil servants – to argue for unrealistic policies).

4. Need for balance between the participants when engaging in policy consultations:
 - increased capacity of governments
 - increased capacity of parliaments as participants in consultations and as a “mediating” body.

Several other observations and comments were made during the discussions that are important as background information for the donor agencies:

Wide and changing scope of policy engagement of CSOs: refugees, humanitarian assistance, homelessness, children welfare, health, youth¹.

Gradual institutionalization of the international development work provided by the agencies set up by governments in the region.

Democracy building usually not integrated in the development policies.

Misconceptions of aid created in the previously occupied (colonized) countries or having large minority from the donor country.

Little openness of governments towards CSOs.

Delicate line between interference and support for the election process – requires donors’ attention to avoid countereffect.

Only limited number of CSOs able to combine ability of raising issues and putting them on the agenda with the technical assistance required to properly address these issues.

Dominance of project funding vs. institutional (or general) support for advocacy and policy groups is detrimental to their autonomy and flexibility.

Lack of attention for indigenous grant making mechanisms able to provide unrestricted support for policy work.

Restrictive regulations concerning civil society and CSOs are put into fiscal provisions instead of statutory/registration laws which are subject to verification consistency with the European Declaration for the Human Rights.

Corporatist interest representation model (dominant in EU/Europe) difficult to adapt in post-totalitarian countries due to clientelism, paternalism, maintaining status quo by the powerful groups.

Prerequisites for effective think-tank – legitimacy – why should they listen to us?

- *morally independent - no vested interests, courage to say unpopular things*
- *technical excellence - equal to private sector*
- *political integrity - ability to work with all political actors from democratic spectrum*

¹ Texts in *italics* are quotes of the discussants

Regional perspective was added in the second part of the discussions with contributions from the break-out groups focused on Central Europe, Balkans and Turkey and NIS. These contributions addressed to the donor community focused on the contextual specificities and can be summarized in the following points:

Assumptions:

- There is diversity within the NIS with regards to the progress made on economic and political reforms.
- The ‘colour’ revolutions in Georgia, Ukraine, and Kyrgyzstan have had an impact on political developments, especially on civil society development in other countries of the region.
- Some countries (e.g., Ukraine) have greater incentives to promote democratic change than others (e.g., various Central Asian states) because of their proximity to and inclusion in the European neighborhood policy.

Obstacles to public advocacy:

1. Lack of capacity

- CSOs lack experience as well as capacity and skills to engage in effective policy dialogue and public advocacy
- Government officials lack experience in engaging and communicating with CSOs on policy matters
- There is a lack of a “debate culture” and communication skills that are necessary for effective policy dialogue and public advocacy

2. Lack of political space and/or will

- Lack or weak democratic institutions in some countries
- Disinterested governments who do not wish to engage in policy dialogue
- Lack of local partners even when donor funds exist

3. Lack of transparency

- Lack of independent media in many CIS countries

4. Lack of funding

- Even where capacity exists or has the potential to develop, sometimes the necessary funds are lacking

5. Lack of donor mechanisms to respond to windows of opportunity

- Self-censorship due to political considerations or other constraints on donors

There were other more general comments/suggestions concerning other geographic regions:

1. Explore lessons learnt to recognize that even some countries that did meet the EU accession criteria, the processes for working with civil society required further discussion/improvement.
2. Important to acknowledge that the models talked about for a successful civil society and engagement with governments are probably not reached anywhere.
3. Context is very important – CSOs may be doing similar work but under very different circumstances.
4. Necessary not to lose sight of the purpose and positives of a vibrant civil society under a mountain of guidelines, checklists, toolkits and prerequisites.

In of the context of public policy dialogue, Canadians have coined the term of “assured listening”. In a survey of stakeholders, there was acknowledgment that CSOs were but one voice in a very complex setting but that they required assurances that their views were at least considered – “assured listening”. The management of diversity requires diverse tools.

The discussion was concluded with the observation that despite the long list of shortcomings on the CSOs’ side, there is a strong belief about the important role civil society plays in development. Participants noted that working with civil society carries certain risks but also acknowledged that “*there in no perfection in this world*” and donor agencies should be prepared to take that risk. It was suggested that perhaps risk could be reduced if the non-state actors were encouraged to work internationally in their “natural” domains like political parties with political parties, trade unions with trade unions, etc.

The moderator summarized this part of the discussion recognizing four overarching observations/recommendations for donors’ consideration when preparing their plans:

- Diversity in the region.
- Lack of suitable working conditions (enabling environment).
- Limited capacity of CSOs (including weak umbrella organizations).
- Necessity to promote bilateral dialogue and networking at the international level.

The public advocacy and policy dialogue work cannot be imposed or introduced without the full participation of local indigenous actors. The presenters discussed various strategies to improve the sustainability of the public policy engaged CSOs. Several elements were mentioned as key to the CSO sustainable development:

- clear vision and mission
- sense of ownership (belonging to stakeholders not to the donors)
- maximizing own resources (advisory committees, visionary people, maximize partnership effects, use the networks throughout the world)
- sound fiscal management and marketing
- sustainability as a strategy from day 1.

Another presenter explained the financial instruments used by a rather limited group of donors to achieve the necessary prerequisites for a sustainable organisation:

- general purpose grants allow to respond to changing needs
- funds for re-granting (to give to other CSOs)
- support community foundations and local governments since changes can be made by communities and not only by enlightened elites.

The conclusion was rather pessimistic as the discussant had the impression that “*CSOs were swimming against the tide*” because so few donors do use such “low prescriptive” financial mechanisms.

Many other comments/observations/questions asked during the discussion on the role of public and private donors and development CSOs. One of the presenters argued that the role of Europe in the development work is important and that Europe delivered a lot. Models of developmental aid change, CSOs are not held in high esteem by the European institutions as in the past, having lost their privileged partner status. Therefore, CSOs need to adjust to work within new legal and fiscal regime in higher dependency on outside funding (public). The key question though was: Are the CSOs, with whom the donors work with, not only legitimate but also relevant? In this context, the argument was made for developing skills to become “*grant entrepreneurs, entrepreneurs on development*” and take risks. However, the reference was made to the “*dichotomy of being flexible and responsive as possible vs. accountability towards taxpayers*”.

Bratislava Follow-up

Taking advantage of the presence of some 20 agencies at the meeting that actively support civil society development in the region, a special session was also set up to discuss the outcomes and follow up to the International Forum on CSO sustainability, held in Bratislava last June.

The session served a useful purpose of up-dating those who had not been present in Bratislava and did not participate in an internal discussion that took place among a number of donors on the last day of the Bratislava Forum. The participants welcomed the European Commission’s decision to support a 3-year program to support CSO sustainability in the region by providing core resources towards enhanced coordination among donors in the area of civil society development.

There was lively discussion principally endorsing 5 issues/topics identified at the CSO Forum in Bratislava as the main programmatic guideline for the nearest future. It was suggested that the topic “*What donors should do within their own organizations to address these issues?*” also be added.

It was concluded that there are three levels of coordination where the cooperation of the donors could be strengthened:

- Plan 1 – “*at least sharing*” donors voluntary share plans & projects with other donors.
- Plan 2 – “*sharing and using synergies*” in addition donors seek synergies
- Plan 3 – “*modifying own plans as a result of exchange with the others*” donors adapt.

There was discussion on the need of mapping “*who does what*”, but participants agreed that such effort would be redundant in view of active donors coordination already taking place in the field.

Most participants expressed their support for the initiative of “light” donor coordination, underlining that the roundtable was the first occasion for them to meet other donors’ representatives and discuss substantive matters. Others were more cautious, expecting some reservations within their own organisations. As one of the discussants expressed it *“how the notion [of coordination] might be internalized within mother institutions”*.

After a lively exchange of opinions, there was practically unanimous support for the process to continue and include the following steps:

1. Self-nominated (or invited by the co-conveners of the meeting) 3-4 person drafting committees will be asked to develop background notes on all 5 topics to be addressed. Individual participants are expected to volunteer before November 5, 2005. The draft paper prepared by ICNL on CSO legal framework is to be used as a template for other four topics.
2. Jan Pakulski and Jeremy Nagoda will produce a concept note reflecting the opinions presented during the discussion and explaining the process itself. The concept note will be subject to comments by the participating organizations.
3. The Commission and the World Bank will undertake bilateral consultations with other agencies and foundations to probe their interest in participating in a 3-year program to support CSO sustainability in the region.