

MAKING AID MORE EFFECTIVE THROUGH GENDER, RIGHTS AND INCLUSION: EVIDENCE FROM IMPLEMENTING THE PARIS DECLARATION

Analytical Summary



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Summary

Overview of the study

The purpose of this study has been to build an evidence base on the relationship between human rights, social exclusion and gender equality, the aid effectiveness agenda as set out in the Paris Declaration and the wider agenda of development effectiveness towards which the Paris Declaration seeks to contribute. The specific intention is to provide practical evidence-based recommendations for strengthening aid effectiveness and progress towards achieving the Millennium Development Goals (MDGs) for the Third High Level Forum (HLF3) in Ghana (September 2008) and to build support for those recommendations among Paris Declaration stakeholders. The evidence gathered for the study focused on how effectively gender, rights and exclusion are being addressed through the aid instruments, country level dialogue, relationships and decision-making processes through which the Paris Declaration is being implemented.

The study has involved six country case studies covering widely differing contexts (Bangladesh, Bolivia, Kenya, Sierra Leone, Uganda and Vietnam). The country case studies involved visits carried out between late November 2007 and January 2008. This evidence was complemented by eleven desk studies of examples of relevant experience and initiatives from other countries, as well as a wider review of the literature.

Key issues

The examples reviewed show that the Aid Effectiveness agenda can be strengthened by addressing gender, human rights and equity issues.

- Aid reforms have encouraged a more participatory—i.e. more democratically owned—and coherent approach to policy making through the PRSP process, resulting in policy commitments to the MDGs, particularly in relation to gender equality. These goals are increasingly being mainstreamed into national development planning processes although the degree of ownership of policies and processes varies greatly between countries. This variation mainly reflects domestic political interests, capacities and institutions.
- Processes of harmonisation and alignment have generally encouraged a more coherent and aligned approach to the provision of aid in support of the policies, including those directly related to equity and rights that are set out in the national Poverty Reduction Strategy or development plan. The effectiveness of alignment very much depends, however, on the strength of government leadership in setting out and implementing frameworks for aid management and for implementing processes such as gender equality mainstreaming or identifying groups that are currently excluded.
- The establishment of common results frameworks either at the national level or in relation to particular programmes (including at sector level) can help to build consensus and ensure clarity on policy priorities. This includes highlighting whether policy and resource allocation decisions take sufficient account of equity and human rights commitments. Strengthening monitoring and evaluation systems around the common results framework, including an expanded role for independent regional and international oversight, provides an entry point for defining disaggregated quantitative and qualitative data and analysis that is required to measure how effective and equitable are programmes.
- Similarly, country case study examples of basket funding have shown that, when implemented with a results framework, they provide a significant opportunity to address equity and rights issues. This is illustrated for example by the case of basket funding support to the education sector in Bolivia. The sector programme set a clear results framework with objectives, basket-

funding arrangements, gender-disaggregated monitoring indicators, and technical support to the Ministry of Education.

While there are clear complementarities between the Paris Declaration and the promotion of equity and rights some concerns were raised on risks that the processes associated with the Paris Declaration may encourage:

- An excessively narrow dialogue and process of country ownership between donors and central policy ministries, notably ministries of finance, to the exclusion of other branches of government and civil society;
- Processes of harmonisation between donors that lead to a 'lowest common denominator' approach on social issues, while potentially marginalising donors with a particular interest in these issues who pursue them through project-based activities;
- A technocratic focus of donor-government dialogue on improving aid management mechanisms, which risks losing sight of wider considerations of development effectiveness and social justice;
- Threats to the funding of civil society organisations in both their advocacy and service delivery roles as donors seek to channel resources through government systems. A particular risk is that of 'premature alignment' to the use of government systems which prove in fact not to be capable of effective service provision.

The common thread in all these concerns is the potential for a capture of the aid and policy processes by powerful donor agencies and interest groups within national governments. The concern is that these are actors who are either not sensitive to the significance of equity and rights issues in achieving development effectiveness, or who prioritise other objectives (such as economic growth) while not sufficiently challenging institutional obstacles to pursuing social goals.

Study findings

The key findings of the study can be summarised more specifically as follows:

Country ownership of the equity and rights agenda is not broad based

- Donors and government partners have made policy development more consultative.
- Donor approaches to civil society 'voice' in the past—typically in the production of PRSPs—have been characterised by 'one shot' consultations with civil society groups.
- Progress in establishing more institutionalised forms of civil society participation in the policy process remains limited.
- The limited role of civil society in policy making restricts the range of interests and perspectives represented within policy dialogue and the wider policy implementation process.
- Promoting an active role for civil society—through protecting and expanding policy space and encouraging capacity building and networking—can sharpen focus and increase social accountability for progress on equity and rights.
- However, the ability of CSOs to play an effective role in participating and promoting gender, rights and inclusion is also constrained by lack of capacity
- Where there has been success, there has been effective collaborative working between government, civil society organisations and academic institutions to build capacity.

Country ownership: key commitments on equity and rights have not been implemented

- Policy frameworks have paid attention to equity and rights.

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- National development programmes have provided a main arena for alignment and consideration of gender mainstreaming and equality of access to resources.
- Achieving implementation and moving beyond the stage of subscribing to joint strategies, however, has usually proved slow and difficult because of both political and capacity constraints
- Under Paris Declaration implementation, the donor focus -- and capacity building interventions -- has been on managerial efficiency in the implementation of harmonised systems, with a far weaker focus amongst donors on development effectiveness and the need to strengthen capacity to implement equity and rights-focused programmes.
- There is a tendency for those ministries charged with integrating equity and rights to be marginalised and lack capacity.
- There has been far greater success when these cross-cutting ministries have been championed by powerful actors and/or have been well led.
- Donors have had most success in mainstreaming equity and rights approaches and goals when acting at programme and sector level.
- Similarly, experiences with basket funding have shown that, when implemented with a results framework, they provide a significant opportunity to address equity and rights issues
- Decentralisation creates enhanced opportunities for mutual accountability but should also increase attention to both political interests and technical capacity gaps.

Approaches to mutual accountability have tended to focus on a narrow aid management agenda

- Focusing on strengthening the non-executive branches of government and broader civil society in their accountability roles enhances accountability around social goals of equity and rights.
- While donors have had some success when engaging with accountability mechanisms of the State to ensure the realisation of rights, this type of engagement could be more concerted and systematic.
- In some cases, donors have not focused sufficiently on encouraging progress in improving the legal framework for NGOs.
- Accountability of donors to partner governments is critical if there is to be national ownership of equity and rights goals.

Managing for results provides a strategic entry point for integrating social goals

- There have been instances where a result-based focus on M&E data and systems has promoted social goals in the policy cycle through a focus on linking the measurement of social outcomes to improved policy design and delivery.
- Despite these signs of good practice, there is a tendency for donors to interpret managing for results in terms of operational, rather than development, results.
- There is evidence of a link between a lack of social analysis and poor social policy performance/outcomes.
- Results-based management links to the earlier identified need for capacity building in policy implementation.
- Supranational (regional or UN) independent monitoring of progress towards social goals against International human rights commitments/protocols is promising.

Donors have not been consistent or effective in mainstreaming social issues

- Donor approaches to harmonisation have emphasised operational efficiency goals and have not been sufficiently motivated by equity and rights issues.

- This partly reflects the relative lack of influence that equity and rights-promoting donors have in a donor community where those donors with the most influence do not appear to be giving weight to these issues.

In summary, while there has been progress in attention to human rights, gender and equity issues at the policy level, the extent of implementation and monitoring of these commitments is less advanced and has not been given the sustained attention by partner governments or donors. This is where efforts should now be focused and this presents a series of challenges for achieving better social outcomes.

Recommendations

The main **recommendations** from the study are the following:

1. The principle of country ownership should translate into a participatory dialogue on aid and development effectiveness that recognises the legitimacy of civil society engagement in the democratic ownership of the policy process.
2. Civil society organisations that advocate on behalf of poor and excluded groups need to build their capacity to engage effectively in policy dialogue, implementation and monitoring, understand the changing aid and policy making environment, seek opportunities for collaboration regionally and internationally, and find ways to fund their activities that ensure they remain responsive and accountable to the constituencies they seek to represent.
3. Those donors and international agencies with capacity to promote and build capacity for mainstreaming equity and rights goals need to harmonise effectively to maximise their influence both within the donor community and in national policy dialogues. Other major donors (including the multilateral development banks) need to review their policies and processes to ensure that sufficient priority is given to building capacity for equity and rights mainstreaming.
4. Governments need to have effective instruments and processes, with accompanying capacity building, to implement policy commitments on equity and rights.
5. Donors should contribute to strengthening democratic governance through building the capacity and enhancing the accountability of the judicial and legislative branches of the State.
6. The international human rights framework provides a set of standards for mutual accountability and for building partnerships based on the Paris Declaration, with its focus on the institutions and processes necessary for supporting democratic ownership and mutual accountability.
7. Effective implementation of national human rights commitments requires the building of specific forms of capacity within a wide range of government systems at central and local levels. This in turn requires strong government leadership and coordinated and long-term support from development partners, including the systematic use of programmatic approaches to address cross-cutting social issues.
8. Shared results-based frameworks can be a powerful tool for agreeing priorities and providing a basis for alignment to pursue social goals. They need to be supported by strengthening the social component of monitoring and evaluation systems and disaggregated (qualitative and quantitative) data collection.
9. Mainstreaming social screening procedures, through national systems of social impact assessment, may be a powerful instrument for increasing attention to rights and equity issues.

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Abbreviations

CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
CSO	Civil Society Organisation
DAC	Development Assistance Committee
DFID	Department for International Development
DoL	Division of Labour exercise (Uganda)
DPG	Development Partners Group
EDPRS	Economic Development and Poverty Reduction Strategy (Rwanda)
EFA	Education for All (Nepal)
ERS	Economic Recovery Strategy (Kenya)
GADN	Gender and Development Network
GJLOS	Governance, Justice, Law and Order Sector (Kenya)
GMAG	Gender Mainstreaming Action Group (Cambodia)
GMAP	Gender Mainstreaming Action Plan (Cambodia)
HAC	Harmonisation, Alignment and Coordination Group (Kenya)
HLF3	Third High Level Forum
HNPSP	Health, Nutrition and Population Sector Programme (Bangladesh)
HSSP	Health Sector Support Programme (Tanzania)
INGO	International NGOs
JAHSR	Joint Annual Health Sector Review (Tanzania)
JAS	Joint Assistance Strategy
JEEHS	Joint External Evaluation of the Health Sector (Tanzania)
JLOS	Justice, Law and Order Sector
KJAS	Kenya Joint Assistance Strategy
MDG	Millennium Development Goal
MPI	Ministry of Planning and Investment (Vietnam)

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MGLSD	Ministry of Gender, Labour and Social Development (Uganda)
MTEF	Medium Term Expenditure Framework
MFPEd	Ministry of Finance, Planning and Economic Development (Uganda)
MGLSD	Ministry of Gender, Labour and Social Development (Uganda)
NDP	National Development Plan
NEPAD	New Partnership for African Development
NGO	Non-Governmental Organisation
NIMES	National Integrated Monitoring and Evaluation System (Kenya)
NSDP	National Strategic Development Plan (Cambodia)
PEAP	Poverty Eradication Action Plan (Uganda)
PEDP	Primary Education Development Programme (Bangladesh)
PMA	Plan for the Modernisation of Agriculture (Uganda)
PND	National Development Plan (Bolivia)
PPA	Participatory Poverty Assessment
PRS	Poverty Reduction Strategy
PRSP	Poverty Reduction Strategy Paper
PSIA	Poverty and Social Impact Analysis
RGC	Royal Government of Cambodia
SADC	Southern African Development Community
SADPD	Secretariat of the African Decade of People with Disabilities
SAFOD	Southern Africa Federation of the Disabled
SEDP	Socio-Economic Development Plan (Vietnam)
SWAp	Sector Wide Approach
TWG-G	Gender Technical Working Group (Cambodia)
UJAS	Uganda Joint Assistance Strategy
UN	United Nations
UNCT	UN Country Team

UNDAF	UN Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	UN Children's Fund
UNIFEM	UN Development Fund for Women
WATSAN	Water and Sanitation Sector

1 Introduction

“The Paris Declaration aims to increase the impact aid has in reducing poverty and inequality, increasing growth, building capacity and accelerating achievement of the MDGs.”

(Paris Declaration on Aid Effectiveness, paragraph 2).

The purpose of this study has been to build an evidence base on the relationship between human rights, social exclusion and gender equality, the aid effectiveness agenda as set out in the Paris Declaration and the wider agenda of development effectiveness towards which the Paris Declaration seeks to contribute. The specific intention is to provide practical evidence-based recommendations for strengthening aid effectiveness and progress towards achieving the Millennium Development Goals (MDGs) for the Third High Level Forum (HLF3) in Ghana (September 2008) and to build support for those recommendations among Paris Declaration stakeholders. The evidence gathered for the study focused on how effectively gender, rights and exclusion are being addressed through the aid instruments, country level dialogue, relationships and decision-making processes through which the Paris Declaration is being implemented.

The Paris Declaration signals a joint understanding of, and commitment to, the principles of country ownership, mutual accountability, harmonisation, alignment and managing for results. There is growing recognition that gender discrimination, inequality and social exclusion constrain progress towards the MDGs and therefore make aid less effective. Addressing gender equality, human rights and social exclusion collectively signals a commitment to the distributional equity dimensions of development effectiveness.

The Paris Declaration's overall goal is poverty reduction and achievement of the MDGs. Although the targets set out in the Paris Declaration are primarily focused on aid delivery mechanisms, the Paris Declaration also provides a potentially powerful framework for mutual accountability around a shared set of actions to achieve development goals. Recognising the need for the progressive fulfilment of human rights for all individuals and groups, regardless of social identity, to achieve the MDGs provides a sharpened focus on the potential of the Paris Declaration's role. This paper documents and demonstrates how equity and rights issues have been integrated into and benefit current approaches to aid effectiveness, as well as where they have been omitted.

The study has involved six country case studies covering widely differing contexts (Bangladesh, Bolivia, Kenya, Sierra Leone, Uganda and Vietnam). The country case studies involved visits carried out between late November 2007 and January 2008. This evidence was complemented by eleven desk studies¹ of examples of relevant experience and initiatives from other countries, as well as a wider review of the literature. The key features of the context are summarised in Annex C and in Table 1.1 in relation to the analytical framework set out in Annex B. These focus on: the poverty reduction strategy and its relationship to the national development plan or equivalent statement of government priorities; the attention the policy framework gives to equity and rights and evidence on government commitment and implementation; key features of the harmonisation and alignment process and the role of donors; and the capacity and influence of civil society organisations.

¹ Enhancing Gender Mainstreaming in Cambodia; Nepal Education for All SWAp; Nepal Social and Political Exclusion and Human Rights in the PRSP; Rwanda Multi-Agency Gender Audit; The “Delivering as One UN” System in Rwanda; SADC Protocol on Gender and Development; Secretariat of the African Decade of Persons with Disabilities; Southern Africa Federation of the Disabled; Tanzania Joint External Evaluation of the Health Sector; Nicaragua Common Fund to Support Civil Society; Zimbabwe Gender Scoping Study.

Table 1.1 Comparison of key features of country contexts

CCS	Donors	Government	Civil society
Bangladesh	Concern that harmonisation has produced a 'lowest common denominator' outcome amongst donors. The Joint Assistance Strategy has not led to increased attention to equity and rights.	Lack of ownership of the PRSP. National and sectoral policy frameworks articulate a commitment to equity and rights but this is not carried through in implementation.	Civil society highly active in advocacy (social movements and social mobilisation). This has influenced the PRSP. CSOs have concerns about new donor funding mechanisms.
Bolivia	The government expects donors to align with the National Development Plan (PND), but this lacks credible implementation mechanisms making alignment difficult.	High level of government ownership of the PND (which replaces the earlier PRSP), which has strong commitment to social goals. However this is contested within the legislature and by local governments controlled by the opposition.	High level of consultation and ownership of earlier PRSP, but the PND divides civil society opinion.
Kenya	The Donor Harmonisation, Alignment and Coordination (HAC) group produced the Kenya Joint Assistance Strategy (KJAS). The Economic Recovery Strategy (ERS) is basis for alignment.	High level of ownership of ERS. Policy commitment to equity and rights but limited implementation progress and weak capacity of key government bodies to promote implementation.	Some CSOs able to take advantage of opportunities after 2002 election for engaging in more participatory policy making. Others lack capacity and have concerns about donor funding mechanisms.
Sierra Leone	Harmonisation and alignment centres on the Poverty Reduction Strategy Paper (PRSP).	Weak ownership of the PRSP which ended in 2007. Government lacks capacity and confidence to assume leadership role, though human rights have policy prominence.	Civil society capacity to participate is generally weak and so can only be organised/consulted around discrete events (e.g. elections).
Uganda	Harmonisation and alignment has occurred around the Poverty Eradication Action Plan (PEAP), Uganda Joint Assistance Strategy (UJAS) and Division of Labour (DoL) exercise.	High level of ownership of PEAP, strong policy commitment to equity and rights and some implementation progress, reflecting influence of committed individuals in government.	CSOs under some pressure from revision of registration requirements and changes to donor funding policies. Engagement in policy processes but capacity to do this effectively is limited.
Vietnam	The Socio-Economic Development Plan (SEDP) sets out basis for harmonisation and alignment and framework for sector policies.	High level of government ownership of the SEDP and of aid effectiveness agenda through Hanoi Core Statement. Policy commitment to social goals but variable implementation progress.	Civil society is weak and channels for legitimate participation in policy making are narrow and controlled. Lack of donor strategy towards CSO development.

2 Evidence

“Equality between men and women and the active involvement of both genders in all aspects of social, political and economic progress are key prerequisites for poverty reduction. Gender equality should be a core part of all policy strategies. The EC and EU Member States recognise gender equality as a common goal as well as one of the five common principles of EU development cooperation.”

(EC Draft Programme of Actions Implementing Communication on Gender Equality and Women’s Empowerment in Development Cooperation)

In this section we present a summary of the evidence emerging from the country case studies and the complementary desk studies. In so doing we highlight examples of good practice, challenges, missed opportunities and failings. This evidence provides the basis for the recommendations made in Section 3.

2.1 Country ownership and mutual accountability

1) While donors and government partners have made policy development more consultative, civil society’s role remains limited.

Country ownership of the equity and rights agenda is not broad based

- Donors and government partners have made policy development more consultative.
- Donor approaches to civil society ‘voice’ in the past—typically in the production of PRSPs—have been characterised by ‘one shot’ consultations with civil society groups.
- Progress in establishing more institutionalised forms of civil society participation in the policy process remains limited.
- The limited role of civil society in policy making restricts the range of interests and perspectives represented within policy dialogue and the wider policy implementation process.
- Promoting an active role for civil society—through protecting and expanding policy space and encouraging capacity building and networking—can sharpen focus and increase social accountability for progress on equity and rights.
- However, the ability of CSOs to play an effective role in participating and promoting gender, rights and exclusion is also constrained by lack of capacity.
- Where there has been success, there has been effective collaborative working between government, civil society organisations and academic institutions to build capacity.

Donors and government partners have made policy development more consultative. In all the case study countries, poverty reduction strategies were articulated through a process that has been more consultative than in the past though the extent of implementation of the approaches encapsulated in poverty reduction strategies has varied greatly between countries. This has been

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most notable in consultation over the development of poverty reduction strategies and similar policy frameworks. In most cases this has involved civil society and there has been a significant degree of attention to equity and rights in the national policy framework.

- In Kenya, Uganda and Vietnam, the poverty reduction strategy has been firmly integrated into national development planning processes, suggesting a high level of government leadership. In Bolivia, the PRSP was abandoned and replaced by a national development plan (with a significant change of focus and priorities and a much less consultative approach) following a change of government. This has an extremely strong focus on a social agenda (conceived in terms of the social exclusion of the indigenous minority) but is highly contested domestically. In Sierra Leone the PRSP has not been integrated into national policy processes and a revised PRSP is under preparation. In Bangladesh, there is little evidence of commitment to the PRSP although it was developed through a highly consultative process.
- In general, “fragile situations” (such as Sierra Leone which is emerging from a long-running conflict) present particular challenges both for making policy processes more consultative and for implementing policy in a participatory way. The particular problem is that the severe erosion of capacity that results from prolonged conflict or in some cases political repression leaves both government and civil society organisations ill-equipped to engage with policy processes. Civil society organisations may have evolved with very specific mandates and functions (for instance substituting for failures of public service delivery) that are not readily adaptable to new functions. A strategic and harmonised approach to capacity development is especially important given the depth of the capacity problem and the many urgent priorities to be addressed. However, the violation of rights and forms of social exclusion are in general central to the causes of conflict and risks of falling back into violence. So strengthening accountability and the ability of development initiatives to address exclusion is likely to be central to successful peace-building initiatives.

Donor approaches to civil society ‘voice’ in the past—typically in the production of PRSPs—have been characterised by ‘one shot’ consultations with civil society groups. In cases where the policy statements and approaches of governments are in line with donor discourse but where civil society is constrained, as in Vietnam, it is possible, although short sighted, for donors to ignore this issue and deal exclusively with government partners. In contexts where government is opposed to donor interference and where civil society is strong, as in Bolivia, the complexities of ‘country ownership’ become all too apparent.

Progress in establishing more institutionalised forms of civil society participation in the policy process remains limited. Evidence suggests that when civil society plays only a limited role in bringing fresh perspectives and interests into policy processes, donor-government dialogue on social issues can become trapped in entrenched positions or excessively focused on relatively narrow aid management issues. Civil society participation in public policies can improve the effectiveness of policy while at the same time strengthening social accountability between citizens, policy makers and service providers:

- Civil society organisations have in two case study countries – Bangladesh and Bolivia -- played a significant role in the policy process. Civil society engagement in other countries however appears to be dependent on access to donor funding and capacity to engage in policy processes is considered limited. In most countries there are concerns that the shift away from direct funding of specific NGOs by donors either to more programmatic approaches, or to funding through government, will disadvantage at least some NGOs in their capacity to engage effectively in advocacy and policy processes. In Vietnam the political space for civil society engagement in policy making is constrained, and in Uganda government action may be limiting the scope for civil society advocacy.

The limited role of civil society in policy making restricts the range of interests and perspectives represented within policy dialogue and the wider policy implementation process. Strong government leadership and lack of sustained attention to equity and rights by donors can therefore militate against productive dialogue.

- This is illustrated by the example of rural water supply sector-wide approach in Vietnam where donors have had significant reservations about the approaches used by government in an over-centralised sector. In the absence of effective contributions to policy from civil society, progress in reaching consensus has required willingness from government and donors to learn from and reflect on experience. In both rural water supply and the government's programme of infrastructure-based support to the poorest communes (known as P135), this has led to an acceptance that government approaches have been over-centralised and insufficiently participatory.

Promoting an active role for civil society—through protecting and expanding policy space and encouraging capacity building and networking—can sharpen focus and increase social accountability for progress on equity and rights. Strong civil society networks can become an effective lobby within policy design and implementation to ensure more responsive, inclusive and socially progressive policy:

- The case study on the sustained dialogue between civil society advocacy groups and governments on gender equality in Southern Africa demonstrates the impacts of a broadened accountability framework that includes civil society.
- In the Kenya country case study, the NGO coalition promoting HIV/AIDS support has a stronger role and therefore more input to national policy making than those focused on rights, because of the range of community groups that it can draw on for support and to take action. Where NGOs, groupings or networks are well organised or have gained experience at the level of strategic responses they can respond, if a participatory approach is taken in national plans and aid instruments such as Sector Wide Approaches (SWAs), Joint Assistance Strategies (JASs) and Poverty Reduction Strategy Papers (PRSPs). In contrast, local agencies focused on specific community level service provision do not have the capacity to lobby effectively at the national policymaking level. Those NGOs that can challenge the government, such as Human Rights watchdog agencies, can be vulnerable if funding comes only through government. The evidence underlines how important strong NGO networks can be to hold government accountable and ensure an effective lobby for social issues in the national policymaking process.

However, the ability of CSOs to play an effective role in participating and promoting gender, rights and inclusion is also constrained by lack of capacity:

- In Kenya, for instance, CSOs are, on the whole, not very effective in their engagement with government at this national level. It is difficult to gauge how widely government plans are owned in the country. Wide dissemination and consultation with formal CSOs for developing Vision 2030 does not mean CSO involvement and participation in the design of policies or ensuring government accountability. The NGO network has been unable to provide an effective voice holding the government to account. The need to strengthen the civil society sector so it can play a role within policy making was a clear concern of CIDA in their engagement on gender and equality.
- The case study of the common fund for support to civil society in Nicaragua, although in its early stages, demonstrates how a combination of harmonised capacity building and network strengthening can create the potential for accountability spaces in which NGOs can engage with government over policy design and performance.

Where there has been success, there has been effective collaborative working between government, civil society organisations and academic institutions to build capacity:

- In Uganda, for example, lead CSOs have consistently contributed to capacity building for gender and equity budgeting, by supporting government departments in producing training manuals and by strengthening the capacity of other CSOs, widening the pool of civil society engagement with gender and equity budgeting.

2) Country ownership: commitments to equity and rights at the policy level have not been carried through to implementation

Country ownership: key commitments on equity and rights have not been implemented

- Policy frameworks have paid attention to equity and rights.
- National development programmes have provided a main arena for alignment and consideration of gender mainstreaming and equality of access to resources.
- Achieving implementation and moving beyond the stage of subscribing to joint strategies, however, has usually proved slow and difficult because of both political and capacity constraints.
- Under Paris Declaration implementation, however, the donor focus -- and capacity building interventions -- has been on managerial efficiency in the implementation of harmonised systems, with a far weaker focus amongst donors on development effectiveness and the need to strengthen capacity to implement equity and rights-focused programmes.
- There is a tendency for those ministries to be charged with integrating equity and rights to be marginalised and lack capacity.
- There has been success when these cross-cutting ministries have been championed by powerful actors and/or have been well led.
- Donors have had most success in mainstreaming equity and rights approaches and goals when acting at programme and sector level.
- Similarly, experiences with basket funding have shown that, when implemented with a results framework, they provide a significant opportunity to address equity and rights issues
- Decentralisation creates enhanced opportunities for mutual accountability but should also increase attention to both political interests and technical capacity gaps.

Policy frameworks have paid attention to equity and rights. Donors have contributed to making policy processes more open and accessible through alignment around the PRSP process. The case study evidence indicates good progress, with different levels of consultation and ownership between donors, government and civil society according to context. There is plenty of evidence that in strengthening harmonisation and alignment, donors and government partners in some contexts have successfully integrated equity and rights:

- In Rwanda, the 'One UN' pilot initiative has allowed the UN Country Team (UNCT) to align its country framework [United Nations Development Assistance Framework (UNDAF) 2008 – 2012] to the national priorities in the government-owned Economic Development and Poverty Reduction Strategy (EDPRS). The EDPRS highlights gender, environment, social inclusion and HIV and AIDS as cross-cutting issues and these have also been integrated into the UNDAF. Gender and human rights task forces have now been established and one of their key roles is to check that gender and human rights are actually being mainstreamed into UN programmes. Government representatives have also taken an active role in ensuring that UN activities are aligned with those of other development partners.
- In Vietnam, progress in integrating the PRS into the country-owned Socio-Economic Development Plan (SEDP) provides a clear basis for alignment of donors providing budget support around government priorities, including social goals.

National development programmes have provided a main arena for alignment and consideration of gender mainstreaming and equality of access to resources. In specific cases these national development programmes (which are increasingly replacing poverty reduction strategies, as in Rwanda, Bolivia, Kenya, Uganda and Vietnam) place a central importance to social issues.

Achieving implementation and moving beyond the stage of subscribing to joint strategies, however, has usually proved slow and difficult because of both political and capacity constraints. Despite the different contexts represented by the country case studies, the outcome is often the same. The challenge of mainstreaming equity and rights has not yet been satisfactorily resolved.

- In Bangladesh, although the approach to developing Sector Wide approaches (SWAs) process led to increased focus on social exclusion and gender inequality in education and health strategy documents, there has been no government commitment to implementation.
- In Uganda, the ownership of gender equality results by different parts of government involves negotiation. The relationship between Ministry of Finance, Planning and Economic Development (MFPED) and Ministry of Gender, Labour and Social Development (MGLSD) in their respective technical support to gender and equity budgeting is not straightforward. Whilst collaboration between social development sector and finance ministry staff has undoubtedly been effective, in the Social Development Sector Joint Annual Review (December 2007) the question of attribution of results on gender and equity budgeting was raised as an issue by MGLSD staff. MGLSD saw its responsibilities for gender mainstreaming producing results in other areas of government, but that the Ministry was not credited with achievements in which it had played a part. The issue was also raised of the constraints resulting from levels of technical expertise in complex financial matters amongst social development sector actors.
- In Bolivia, progress has stalled as a result of lack of agreement on key aspects of policy (within different levels of the Bolivian government and with donors) and problems relating to institutional capacity in government to carry through highly ambitious programmes in a charged political atmosphere.
- The case study of Education for All (EFA) SWAp in Nepal, for example, demonstrates that despite a sea change in the use of disaggregated social data for education monitoring, there remain very serious risks to an effective results-based sector policy because of a lack of capacity at local level to collect the data and a lack of capacity at central level to interpret the data (see Box 2.3).
- The case study on the Secretariat of the African Decade of Persons with Disabilities (SADPD) illustrates how an ambitious programme of mainstreaming on a marginal social policy theme requires significant investment in capacity building if implementation is to follow.

Under Paris Declaration implementation, the donor focus -- and capacity building intervention -- has been on managerial efficiency in the implementation of harmonised systems, with a far weaker focus amongst donors on development effectiveness and the need to strengthen capacity to implement equity and rights-focused programmes. This is discussed in more detail in Section 2.3 (Harmonisation and Alignment).

There is a tendency for those ministries charged with integrating equity and rights to be marginalised and to lack capacity. In some instances, politically marginalised ministries with cross-cutting responsibilities, including Women's Affairs or Social Welfare, are tasked with the responsibility of tackling cross-sectoral integration, yet lack the political clout, human resources and technical capacity to do this effectively:

- The Ministry of Gender in Kenya, for example, has limited resources or skills to put pressure for consideration of equity and rights at key points of strategic plan making, budget allocations and performance evaluation. Working with gender equality-focused NGOs, the Ministry has successfully lobbied the National Integrated Monitoring and Evaluation System (NIMES) project to include some gender indicators but this has taken some time.

There has been success when these cross-cutting ministries have been championed by powerful actors and/or have been well-led. In these instances, Ministries are better able to play an effective role in integrating gender and equity issues. 'Policy champions' or 'agents of change' have long played a crucial role in mediating stakeholder interests and promoting policy in the face of political opposition. They commit themselves to policy goals, mobilise coalitions to support those goals, deal effectively with the opposition and often provide a vision of improved policy outcomes that help other stakeholders tolerate transition.

- In Uganda and in Cambodia, committed and well placed individuals have been the key to advancing gender equality in the central policy process (see Box 2.1). The Uganda country case study examples of the national assessment of local government, gender and equity budgeting and gender mainstreaming in the Plan for the Modernisation of Agriculture (PMA) demonstrate the influence of committed and capable individuals.

Box 2.1 Enhancing gender mainstreaming in the policy process in Cambodia and Uganda

In recent years, gender equity and development has been recognised as a priority for action by the Royal Government of Cambodia (RGC). The RGC has internalised international rights commitments into key national policies and decisions, with gender equality components included in the National Strategic Development Plan (NSDP) 2006-2010. A whole section of Cambodia's Medium Term Expenditure Framework (MTEF) (2003-2007) was devoted to gender development and the MTEF is currently being used to feed into ministry budgets and action plans. The Ministry of Women's Affairs (MoWA), identified by the RGC as one of six priority ministries, has been given a mandate to promote gender mainstreaming in the other line ministries. Much of the MoWA's success in mainstreaming gender in key policy documents can be attributed to the work of the Minister herself, who has high credibility with donors and politicians and a strong working relationship with the Ministry of Finance. In addition, the creation of a Gender Technical Working Group (TWG-G) was in part a result of a World Bank staff member's perseverance in promoting donor harmonisation. With the support of the TWG-G, Gender Mainstreaming Action Groups (GMAGs) have been established in line ministries, preparing Gender Mainstreaming Action Plans (GMAPs) to implement gender equality policy commitments.

In Uganda, a small core of key actors played a central role in shaping gender outcomes in a series of important national processes, developed and introduced over the period of development of the Third Poverty Eradication Action Plan (PEAP III). The good working relationships and technical interaction between these different players, engaging as peers, using their voluntary time and having common objectives was identified in many different interviews as a decisive factor in the progress Uganda is internationally judged to have made in mainstreaming gender. As the Budgeting for Gender and Equity Guidelines Manual for Facilitators illustrates, key actors in Uganda are very aware of the influence of highly committed individuals, with continuity amongst the actors: 'Never doubt that a small committed group of people can change the world. Indeed that is all that ever has.'²

Sources: 'Enhancing Gender Mainstreaming in Cambodia' Case Study; Uganda Country Case Study Report

Donors have had most success in promoting mainstreaming of equity and rights approaches and goals when acting at programme and sector level. When the scope of the challenge of integrating social goals is downscaled from a cross-sectoral (or 'pillar') approach to a sector focus, it then appears to be a more attainable target for alignment and harmonisation. Successful cases have included attempts to consider socially excluded target groups and gender equality for sector policy, as in the case of the Second Primary Education Development Programme (PEDP II) in Bangladesh and the Justice, Law and Order Sector (JLOS) SWAp in Uganda.

² Quote attributed to Margaret Mead and quoted on the back cover and frontispiece of the Budgeting for Gender and Equity Guidelines Manual for Facilitators, PMAU/MFPED 2007

Donors and sector partners have also been able to adopt rights-based approaches as frameworks for sector interventions, as in the case of the Governance, Justice, Law and Order Sector (GJLOS) programme and in the case of water sector reform³, both in Kenya. Sector support and harmonisation of donor action can also provide a framework for innovative action by NGOs. In Kenya this has happened with regard to social exclusion and human rights activities within the GJLOS programme.

Similarly, experiences with basket funding have shown that, when implemented with an agreed results framework, they provide a significant opportunity to address equity and rights issues:

- This is illustrated by the case of basket funding support to the education sector in Bolivia. The sector programme set a clear results framework with objectives, basket-funding arrangements, gender-disaggregated monitoring indicators, and technical support to the Ministry of Education.

Decentralisation creates enhanced opportunities for mutual accountability but should also increase attention to both political interests and technical capacity gaps. Programme implementation under decentralisation depends particularly strongly on capacity at lower levels of government, which is generally weak compared to capacity at the senior level in central ministries:

- Decentralisation in Bolivia has given certain powers to Prefects though funding comes from the central government. The Decentralisation Law has, in Bolivia's highly charged political atmosphere, exacerbated conflicts including between the Prefects and sector ministries where responsibilities are shared between central and departmental (provincial) governments.
- Bangladesh's highly centralised government system has proved particularly unsuccessful in achieving a shift to a more responsive, accountable and effective form of service provision.

³ Ferguson C, 2008. 'Human rights and aid effectiveness: Inter-linkages and synergies to improve development outcomes in the health sector', Draft report for OECD-DAC Govnet, Human Rights Task Team.

3) Donors and government partners have tended to adopt a limited and “managerial” approach to mutual accountability, with an opportunity missed for supporting systematically the progressive fulfilment of human rights.

Approaches to mutual accountability have tended to focus on a narrow aid management agenda

- Focusing on strengthening the non-executive branches of government and broader civil society in their accountability roles enhances accountability around social goals of equity and rights.
- While donors have had some success when engaging with accountability mechanisms of the State to ensure the realisation of rights, this type of engagement could be more concerted and systematic.
- In some cases, donors have not focused sufficiently on encouraging progress in improving the legal framework for NGOs.
- Accountability of donors to partner governments is critical if there is to be national ownership of equity and rights goals.

Focusing on strengthening the non-executive branches of government and broader civil society in their accountability roles enhances accountability around social goals of equity and rights. Mutual accountability in dialogue on aid has tended to focus on the operational performance of the aid management system rather than the larger question of development effectiveness. Participation as an instrument in the policy process can increase the **social accountability** of policy makers and service providers to citizens and service users. Participation in its own right can empower people to exercise choice in relation to the design of policy and allocation of public resources. ‘Short routes’ to accountability bring citizens and providers together through participatory mechanisms in the delivery of social policy, while ‘long routes’ to accountability link citizens and policy makers in the design of policy frameworks (World Bank 2003). In the wake of Paris Declaration commitment to mutual accountability donors have increasingly been promoting both ‘long routes’ (typically around PRS design) and ‘short routes’ (institutions such as user committees and instruments such as scorecards, typically around service delivery) to accountability. There is an opportunity here, however, for donors to be more proactive in identifying policy spaces, channels and tools for amplifying voice in policy design and implementation.

The Paris Declaration emphasises **political accountability** institutions, stressing the importance of the role of parliament in scrutinising budget and policy proposals, while parliamentary committees provide an important potential avenue for oversight of specific legislative or policy issues. In addition to political accountability mechanisms, **administrative accountability** for policy delivery is built on clear standards and protocols of practice as well as internal review processes to monitor compliance. From the service user’s perspective clear complaints procedures strengthen administrative accountability. In respect of **judicial accountability**, rights incorporated into constitutions or other national legislation provide the opportunity for citizens to challenge government legislation and policy, while quasi-judicial accountability mechanisms such as independent Ombudspersons are often able to provide critical oversight of government performance against rights protection and fulfilment.

While donors have had some success when engaging with accountability mechanisms of the State to ensure the realisation of rights, this type of engagement could be more concerted and systematic. The case of strengthening an internal state accountability mechanism in Bolivia, the *Defensor del Pueblo*, is instructive as an example of good practice (see Box 2.2).

Where donors have supported capacity building for legislative institutions, this has played a useful role in strengthening parliamentary engagement for accountability on social issues:

- In Vietnam, for instance, capacity building support for the social affairs committee has strengthened parliamentary engagement particularly on the recent gender legislation. This support has been the result, however, of long-running engagement by a small number of donors, and has taken place largely outside the wider framework of donor harmonisation.
- In Kenya, parliamentarians require skills and support if they are to hold government accountable and be partners in the ownership of the policy making process. Donors have taken action to try to strengthen women parliamentarians as a lobby group so they can challenge the budget and the gender implications of resource management. As an informal lobby group they did not have leverage.

Box 2.2 Strengthened accountability mechanisms for the progressive realisation of human rights: The Office of the *Defensor del Pueblo* in Bolivia

This example was selected because of the key role of the office in the protection of human rights, and the use of basket funding arrangements by donors providing support. The *Defensor del Pueblo* is independent of the executive and reports directly to Parliament. The office is charged with protecting and promoting human rights, including gender equality and social inclusion. In protecting human rights, the 2006 annual report praised policies to extend economic and social rights, such as enhanced social protection, but criticised the erosion of civil and political rights, such as attacks on freedom of speech. In promoting human rights, the *Defensor* has helped to reformulate the law on Domestic Violence and has been working to promote greater understanding and awareness of domestic violence within the police and the military.

The office of the *Defensor* is a good vehicle for donors to promote the equity and rights. Several donors provide support through basket funds, and discuss the Five Year Strategic Plan, which is a useful means for donors to enter into policy dialogue with the *Defensor*. Although there are no immediate threats to funding there are a number of issues about the sustainability of the basket funding arrangement. On the Bolivian side, the *Defensor* believes that the Bolivian Treasury should be showing more commitment to the important human rights activities by providing funding for the programmes not just for the staffing and establishment. On the donor side, the basket funding is forcing reconsideration of the role of each donor within the basket and whether the contribution of each is sufficient or sufficiently visible.

Source: Bolivia Country Case Study

In some cases, donors have not focused sufficiently on encouraging progress in improving the legal framework for NGOs:

- In Vietnam, one aspect of the lack of an effective donor approach in relation to CSOs has been the limited priority accorded to implementation of the proposed legislation on NGOs that would clarify their legal status, for instance in proposing passing of this legislation as an element of the Poverty Reduction Support Credit (PRSC) matrix.

Beyond the systemic expansion of accountability institutions and instruments, the case study material suggests that **accountability of donors to partner governments is critical if there is to be national ownership of equity and rights goals.** The evidence indicates that there has been less emphasis by donors and government partners on accountability of donors to governments, rather than government to donors, reflecting the balance of power and capacity in most (but not all) cases:

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- In Kenya the donor partnership principles have relatively straightforward commitments on mutual accountability. However these have still to be tried out in practice and this undermines national ownership. The mechanisms are not, as yet, fully developed. The government feels that there are still problems getting information on donor plans and disbursements. The Kenya Joint Assistance Strategy (KJAS) gives different scenarios against which the development partners will assess levels and modalities of assistance, and will cooperate in assessing performance. However, government's role in this process is not defined although it is dependent on data provided by government.
- The case study on the Rwanda Multi-Agency Gender Audit provides, however, an interesting illustration of how institutional changes in accountability relations can be tackled through coordinated activity between government and development partners. The audit looked at the internal systems and capacity of government ministries, departments and agencies, but specifically in order to identify the standards and monitoring processes that would enable the government to know clearly what to expect from development partners and how to hold them to account on their gender commitments.

2.2 Managing for results

4) Results-based frameworks provide a strategic entry point for integrating social goals

Managing for results provides a strategic entry point

- **There have been instances where a result-based focus on M&E data and systems has promoted social goals in the policy cycle through a focus on linking the measurement of social outcomes to improved policy design and delivery.**
- **Despite these signs of good practice, there is a tendency for donors to interpret managing for results in terms of operational, rather than development, results.**
- **There is evidence of a link between a lack of social analysis and poor social policy performance/outcomes.**
- **Results-based management links to the earlier identified need for capacity building in policy implementation.**
- **Supranational (regional or UN) independent monitoring of progress towards social goals against International human rights commitments/protocols is promising.**

There have been instances where a result-based focus on M&E data and systems has promoted social goals in the policy cycle through a focus on linking the measurement of social outcomes to improved policy design and delivery. Adopting results-based policy frameworks and instruments provides a strategic entry point for donors and government partners to: generate, measure and analyse equity and rights indicators; integrate equity and rights into the policy process; and provide the evidence necessary for mutual accountability in development effectiveness.

There is evidence in the country case studies that the Paris Declaration commitment to managing for results has impacted on M&E systems and that these have created space for measurement of social goals to ensure ownership and accountability and improve policy design and delivery:

- The Nepal Education For All (EFA) SWAp, for example, has emphasised results-based monitoring in order to make progress against clearly articulated social goals, but also highlights the significance of the

institutional and policy context, as well as the resource and capacity constraints at play, in which such systems are developed (see Box 2.3).

- There has also been definite progress also in Kenya in developing results-based management frameworks, in the Economic Recovery Strategy (ERS) and in the Kenya Joint Assistance Strategy (KJAS). Under the Paris Declaration donors are committed to working with government to develop appropriate systems. The Government of Kenya is also developing an annual government strategy review mechanism. In the absence of such systems, certain key areas suffer from less priority and the risk is that results-based management will focus on what can be measured at the expense of what should be measured. This can have a particular impact on cross-cutting social issues, mainly measured in qualitative ways or dependent on disaggregated data.

The challenge in Kenya is therefore twofold: to develop effective reporting mechanisms which lead to performance improvement and to address areas where the current statistical base is inadequate. This particularly affects cross-cutting issues, including gender and environment. In both these areas the statistical data are currently insufficient to set appropriate targets for monitoring. For example there have been problems identifying appropriate indicators with baselines to include in the KJAS results framework.

Box 2.3 Social disaggregation of results-based monitoring: The Nepal Education for All SWAp

The guiding principles and main activities of the Nepal Education For All (EFA) SWAp. Significant monitoring, evaluation and research activity has taken place towards these social goals as part of this SWAp. Considerable improvements have been achieved in data collection and there have been marked improvements in the social disaggregation of data, particularly by gender, ethnicity, caste and disability. Reports are now more likely to be used and fed into policy rather than simply read and then shelved. Significant progress in monitoring equity trends has allowed better understanding of a wide range of equity and inclusion challenges and improved generation and use of quality information to inform policy making.

The main messages from the Nepal EFA are that:

- Collection of disaggregated data on equity and rights is critical for managing for results and ensuring the achievement of the MDGs
- Central level capacity to use these data needs to be built, while district and school level monitoring may lack adequate financial and technical backup for this task.
- Disaggregated data collection requires an agreed set of social categories that it is feasible to monitor.
- Monitoring systems need to be formally linked to policy and budget processes in order to strengthen impact on government action and development outcomes.
- Donor-initiated monitoring systems may provide a useful short-term means of producing disaggregated data but a unified government-led monitoring system is more likely to feed into policy processes.

Source: 'The Nepal Education for All SWAp' Case Study

Despite these signs of good practice, there is a tendency for donors to interpret managing for results in terms of operational, rather than development, results:

- The Bangladesh country case study is instructive here, showing that development partners are working jointly with new aid instruments but have focused their attention on the monitoring of performance of operational procedures. Relatively little attention has been given to tracking development results compared to operational performance. Nor has there been any attention to accountability for results.

There is evidence of a link between a lack of social analysis and poor social policy performance/outcomes. When focussing on what data to collect for monitoring progress against social goals, the evidence suggests that generating socially disaggregated data is necessary but not sufficient for integrating equity and rights into a results-based framework. Ensuring that results data are disaggregated by sex and other socially inherited or socially constructed variables is an

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important first step. There is an opportunity for donors to strengthen social analytical frameworks and to be more creative in the types of quantitative and qualitative data generation that would integrate equity and rights more effectively into a results-based policy process.

Dynamic poverty analysis frameworks, including rights analysis and gender analysis tools, have been developed for understanding outcomes and impacts in terms of distribution of entitlements, assets and opportunities (see Box 2.4). There is an opportunity to use these frameworks and instruments that both disaggregate and diagnose patterns and trends of social outcomes:

- The mainstreaming social exclusion action in the 2003 PRSP in Nepal, including the Nepal Education For All SWAp, provides a specific example of how important this type of social analysis can be.

Box 2.4 Social analytical frameworks for policy analysis

Social analytical frameworks are now widely used for understanding and explaining poverty outcomes and impacts. The frameworks share a conceptualization of poverty as multidimensional and complex, and introduce a more dynamic and entitlements-focused analytical approach to poverty assessment that goes beyond money-metric notions. They look at the dynamic nature of poverty, explaining why people move in and out of poverty and distinguishing impacts among different social groups. Characterised by varying levels of power, choice, influence, and entitlement.

Source: Holland J, 2007. Tools for Institutional, Political and Social Analysis of Policy Reform: A Sourcebook for Development Practitioners, Washington DC, The World Bank

Critically, generating evidence on policy results provides the justification for long-term support to capacity building for improved policy implementation, rather than simply providing a stick to beat under-resourced and demotivated bureaucrats.

The M&E process can itself provide a social accountability channel for lobbying (and working with) bureaucrats:

- This has happened in Kenya where the Ministry of Gender and CSOs supporting gender equality have each year at the stage of consultation with the Ministry of Planning and the M&E process - the NIMES programme - pressed for specific gender indicators of the performance of the ERS.

Results-based management links to the earlier identified need for capacity building in policy implementation. In this way, when sector ministries implementing policy are monitored on their performance, the response is not simply to 'name and shame' (another possible by product of a results-based culture) but to identify the capacity gaps and needs for sustained institutional support:

- This is well illustrated by the case study of the Joint External Evaluation of the Health Sector (JEEHS) in Tanzania. The evaluation linked a lack of gender equality analysis in strategies, policies and plans to high maternal mortality rates and has paved the way for long-term capacity building support (see Box 2.5).

Box 2.5 Joint external evaluation of the health sector in Tanzania

Tanzania has a well established harmonisation process. There have also been efforts towards improving aid effectiveness in the health sector through a SWAp and basket funds. Six donors together with the Government of Tanzania agreed to fund the Joint External Evaluation of the Health Sector (JEEHS), to look at sector progress between 1999 and 2006, with a focus on gender equality and maternal mortality. The evaluation was positive on sector performance but found that there was no gender equality analysis in documents or discussion forums, while at the same time maternal mortality rates were found to be alarmingly high, with no measurable progress in terms of reduction.

The key messages emerging from the case study are:

- Mainstreaming equity and rights into country-led plans requires donors to play a long-term, influencing role and to support capacity building in government and civil society. Sectoral partnerships can achieve success in ownership, harmonisation and alignment without integrating equity and rights, however partnerships which fail to address social goals are unlikely to achieve the MDGs
- Establishing a steering group to oversee management of an evaluation, which is chaired by and includes government officials, can increase country ownership and strengthen the impact of the evaluation on country strategies and policies
- Where a country is performing badly on an equity or rights goal, including these issues in the terms of reference for a joint evaluation can lead to new momentum and strategies for action.

Source: 'Tanzania: Joint External Evaluation of the Health Sector' Case Study

Finally, the evidence suggests that **supranational institutions—including regional and UN bodies—can provide effective independent oversight by monitoring and benchmarking country progress towards social goals**. These types of oversight mechanisms have also been shown to validate civil society participation in this process, with implications for *who* should be collecting and analysing the data.

A number of interesting examples of regional forums addressing equity and rights were identified in this study, situated within civil society and representing clear social constituencies. These regional forums have each experienced challenges in seeking donor support in practice, as instruments and institutional channels tend to function nationally rather than regionally. The body of experience on action guided by Paris Declaration principles does not yet include effective tools and instruments for responding to regional entities:

- The development of the Southern African Development Community (SADC) Protocol on Gender and Development is a unique example of a regional initiative where CSOs are playing a leading role in strengthening regional commitments on gender equality and women's rights. Through flexible funding mechanisms donors have provided opportunities for CSOs to define their own strategies for attaining gender equality, based on their understanding of what needs to be done in individual countries and the region. By not intervening proactively—except through the provision of funding—donors have strengthened country ownership by linking civil society with government. The draft Protocol produced in 2007 by the Task Force, with input from the Alliance, is one of the most specific and time bound pieces of legislation in the world for achieving gender equality. Political wrangling has held up approval of the protocol, however, and Alliance members have realised that there is still a significant amount of lobbying to do and that getting the Protocol approved is more politically complicated than they initially thought.

UN agencies, funds and programmes, because of their specific ongoing mandates related to rights and their political neutrality, have a particularly important potential role to play in helping to co-ordinate bilateral and multilateral support to social issues in some circumstances. This is particularly the case in countries in or emerging from conflict, where the UN agencies are not seen

as partisan. The national and international publicity generated through the reporting of international UN monitoring missions links a results-based framework to mutual accountability:

- In Uganda and Peru, for example, country visits undertaken by the UN Special Rapporteur on the Right to Health have investigated implementation of the right to health at the national level. In Uganda, international UN oversight has additionally facilitated and legitimised civil society engagement with the Ministry of Health.⁴

2.3 Harmonisation and alignment

5) Donors have not been consistent or effective on mainstreaming social issues into policy commitments.

Donors have not been consistent or effective in mainstreaming social issues

- **Donor approaches to harmonisation have emphasised operational efficiency goals and have not been sufficiently motivated by equity and rights issues.**
- **This partly reflects the relative lack of influence that equity and rights-promoting donors have in a donor community where those donors with the most influence do not appear to be giving weight to these issues.**

Donor approaches to harmonisation have emphasised operational efficiency goals and have not been sufficiently motivated by equity and rights issues. The Paris Declaration principle of harmonisation can result in a 'lowest common denominator' approach, with little attention to equity and rights. Donors have based harmonisation and alignment efforts around the PRS and national policy frameworks. Harmonisation efforts have generally not focused explicitly on issues of equity or rights, with donor (and donor/government) gender theme groups, for example, being relatively weak and ineffective. The extent of effective harmonisation and alignment appears to depend very much on the extent to which the national government has assumed leadership of the aid effectiveness process and articulated a clear aid policy framework (as in Uganda and Vietnam). Efforts to use Joint Assistance Strategy processes to try and increase the focus on equity and rights appear not to have been very effective (for instance in Bangladesh).

Hence at the 'upstream' level of Joint Assistance Strategies donors have struggled to address social goals through support to cross-sectoral 'pillars', macro level budget allocations and institutional reform. Instead, successful areas of donor harmonisation and alignment tend to centre on aid effectiveness in terms of efficiency gains rather than impact. This lack of consistent donor commitment to the mainstreaming of social goals is one factor behind the limited implementation of stated commitments to equity and rights in national policy processes. The case study evidence supports this finding, presenting a very patchy record of harmonisation around social issues:

- In **Kenya** some progress has been made in achieving harmonisation and alignment through the formation and expansion of the Harmonisation, Alignment and Co-ordination (HAC) Group and through the development of the Kenya Joint Assistance Strategy (KJAS). KJAS has provided a framework of donor commitments with a set of partnership principles and aid effectiveness targets. However while KJAS addresses equity and rights it has no specific rights indicators and its gender focus has been seen as very limited by the recent DAC/OECD Gendernet evaluation. In the KJAS there are gender indicators in the Results Framework. But gender sensitive indicators throughout the other goals and targets (apart from access to maternal health services and reducing gender gap in net enrolment and completion rate

⁴ Ferguson, op cit.

in primary education) are missing. There are no gender-sensitive or sex disaggregated indicators in Pillars 1 on Economic Growth or Pillar 3 on Governance and Institutions. Nor is there a target or indicator anywhere to say that the ERS-acknowledged lack of data on gender equality would be addressed.

- In **Vietnam**, the gender Theme Group has not been successful in taking forward a common donor view on how to support government commitments on gender equality. In the case of P135 (a local infrastructure programme), donors did not provide as clear messages on the need for an improved approach to gender issues as they did in relation to decentralisation. Approaches to human rights dialogue have also varied significantly between donors, in part reflecting the interests of domestic constituencies, and there has been no overall donor strategy for building the role and capacity of CSOs. Recent initiatives around the One UN process do appear however to reflect a higher priority being accorded to gender and more effective harmonisation provided that the UN system is able to fulfil its role in this area.
- In **Uganda**, the lack of a harmonised approach to funding has led to missed opportunities for advancing gender and equity budgeting. The challenge of ensuring that donor staff focused on economic areas also engage with questions of gender equality and social inclusion was referred to in interviews, with an example given of reluctance amongst economists to engage with the government's experience in gender and equity budgeting. Gender and equity budgeting initiatives have also missed opportunities to integrate with the wider reforms in public financial management.
- In **Bangladesh**, processes of donor harmonisation have paid limited attention to social issues. The Local Consultative Group on Women's Advancement and Gender Equality has attempted to map donor activities which have a gender component but this proved not to be an effective approach. There was more success in supporting work on the gender dimensions of the PRSP. The Joint Assistance Strategy initiative was intended by DFID to try to orient other major donors towards a stronger social focus but this has had limited success.
- In **Tanzania**, there have been donor efforts towards improving aid effectiveness in the health sector through a SWAp and basket funds. However, while donors had worked on gender issues in Tanzania, there has been a lack of coordinated, high-level donor commitment to addressing gender inequalities.
- In **Nepal**, there is currently very little discussion in donor working groups around addressing issues of exclusion (with the exception of gender inclusion) in the education sector. Some donors think that the SWAp as an aid instrument is not designed well enough to specifically look at ways of targeting the most excluded groups and that it is not responsive enough to deal with equity issues. A recent UNICEF review recommends a more robust and comprehensive strategic framework for the whole sub-sector, with clear government leadership and a higher level of donor 'buy in' and coordination.

This means that harmonisation and alignment have not been sufficiently motivated by social goals of equity and rights. One significant factor explaining this lack of social goals motivation is **the relative lack of influence that equity and rights-promoting donors have in a donor community where those donors with the most influence do not appear to be giving weight to these issues.**

3 Recommendations

The overall finding from this study is that the Paris Declaration Principles and the associated instruments and processes provide a potentially powerful set of tools for expediting progress towards the MDGs. However, to date this potential has not been realised, with major challenges facing the implementation and monitoring of the policy commitments that many governments and development partners have made.

1. The principle of country ownership should translate into a participatory dialogue on aid and development effectiveness that recognises the legitimacy of civil society engagement in the democratic ownership of the policy process.

The role of civil society and of other branches of government beyond the executive has received relatively little attention as part of the aid effectiveness agenda. This agenda has tended to focus on interaction between the central policy implementation apparatus of the executive (for instance finance ministries) and donors. Donors have focused on building capacity in procurement and financial management in pursuit of the objective of alignment through the use of government systems. Now there needs to be a greater focus on building capacity in the analysis and use of evidence to strengthen results and measure impact and hold government and donors to account for improvement in poor people's lives.

While donors have made some progress in developing more strategic or programmatic approaches to civil society participation for democratic ownership, in none of the case study countries is there a harmonised and coherent approach from major donors towards enhancing the overall role and capacity of civil society effectively to engage in the policy process. In most of the countries reviewed, concerns were noted from civil society organisations about how changes to funding mechanisms and levels would impact on their ability to perform their role. In some of the countries, the legal status of NGOs is unsatisfactory or under threat.

2. Civil society organisations that advocate on behalf of poor and excluded groups need to build their capacity to engage effectively in policy dialogue, implementation and monitoring, understand the changing aid and policy making environment, seek opportunities for collaboration regionally and internationally, and find ways to fund their activities that ensure they remain responsive and accountable to the constituencies they seek to represent.

Civil society organisations in the case study countries have in some cases played an effective and important advocacy and oversight role and have achieved some influence over policy making, for instance through the PRS process. However, carrying this influence through into policy implementation and monitoring has been more difficult. Changes in the aid relationship and the policy making process (reflecting the implementation of the Paris Declaration) have posed significant challenges for civil society organisations, in relation to skill requirements to engage effectively and secure access to resources. Civil society organisations need to find ways to work collaboratively (nationally, regionally and internationally) to share and build experience. Donor approaches may need changing in order to provide funding that is both open and transparent and provides for sustainability. However, the effectiveness and credibility of civil society voices will be enhanced to the extent that these organisations are clearly answerable to their constituencies and their overall goals, and hence are able to attain some independence from donor or government funding sources.

3. Those donors and international agencies with capacity to promote and build capacity for mainstreaming equity and rights goals need to harmonise effectively to maximise their

influence both within the donor community and in national policy dialogues. Other major donors (including the multilateral development banks) need to review their policies and processes to ensure that sufficient priority is given to building the capacity required to achieve equity and rights mainstreaming.

Donors and international agencies (including UN agencies) that have a special focus on equity and human rights may not be particularly influential in key decision-making forums often in part reflecting their relatively limited share in the provision of aid. Key forums include the donor-government groups that agree triggers for the release of budget support within the results frameworks for the overall national development programme and poverty reduction strategy. Other major donors may have only a limited engagement with the common processes the Paris Declaration envisages. The case studies reveal the general weakness and relative marginalisation of ministries and government bodies with special responsibilities for mainstreaming gender equality. This reflects the dominance of sector 'silo' approaches within the policy process and the low priority that has in practice been given to equity and human rights. It appears that SWAs and programmatic approaches provide a more manageable context than national frameworks for donors and government partners to address the gap between policy and practice, particularly if developed within a results-based approach. A more formalised role for international human rights standards in framing partnership approaches can encourage the kind of cross-sector thinking and action that is required. These issues need to receive more prominence in key harmonisation processes and instruments such as Joint Assistance Strategies and Performance Assessment Frameworks for general budget support.

4. Governments need to have effective instruments and processes, with accompanying capacity building, to implement policy commitments on equity and rights.

Despite policy level commitments to human rights and equity expressed in statements of national development priorities (and important recent progress at the policy level, for instance on gender legislation), effective implementation of key elements such as gender equality mainstreaming has been variable and limited. Governments lack effective instruments and processes to realise these commitments, with ministries and other agencies responsible for monitoring and implementing these commitments being relatively weak. The essential capacity (both in terms of skill and management structures and practices) to carry out effective gender and social analysis, to use and interpret this information, and to foster participatory and responsive forms of service delivery and policy implementation is lacking in the case study countries. This issue has in general yet to receive sustained attention from donors.

5. Donors should contribute to strengthening democratic governance through building the capacity and enhancing the accountability of the judicial and legislative branches of the State.

Although there is evidence that donors are focusing on institutional reform within legislative and judicial branches of the state, there is insufficient attention to ensuring that these become effective instruments for accountability. The legislative branch should be taking the lead in setting policy objectives through a process that ensures the effective representation and expression of interests in as inclusive a way as possible, as well as acting as a check on the executive. The judicial system has a special role to play in the protection and furthering of rights and the effectiveness of the legal instruments in which rights are enshrined. The case studies contain some successful or promising initiatives in these areas (such as support to the *Defensor del Pueblo* in Bolivia, support to the Social Affairs Committee of the National Assembly in Vietnam, and to Justice Sector programmes in Kenya, Uganda and Sierra Leone). However, these activities still appear to be relatively marginal in relation to aid effectiveness processes. While there is some use of harmonised mechanisms (such as basket funding), there is a strong case for a more systematic

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approach to building ownership and accountability, and for this to be seen as a central part of the Paris Declaration Principle of Mutual Accountability.

In relation to support to civil society, in none of the country case studies was there evidence of an overall strategic approach from the donor community that was effectively backed by coordinated action. Donors have to some extent been moving away from project-based support to a small number of favoured NGOs towards more programmatic approaches. The level of harmonisation around this dimension of civil society support, appears quite limited. The desire to streamline administrative costs has been an important factor in driving these changes. In the case of Kenya, some donors are either uncomfortable about the limited civil society focus or beginning to see how NGOs are affected in different ways, some adversely and are now looking at how within a harmonised process and basket funding frameworks they might support NGOs.

These approaches have the potential to widen access to support and to provide more transparent decisions on funding. However, in most of the case study countries many civil society organisations felt threatened by these changes and were uncertain about how it would affect their roles and the stability of future funding, particularly to the extent that changes in funding modalities were seen as increasing the role of national governments. In some countries too, the legal position of civil society either remains unsatisfactory or is under threat and the principle of civil society engagement in the policy process remains contested. Reliance by civil society organisations on external funding sources (rather than through funding arrangements that strengthen direct accountability to their constituencies) may militate against acceptance by government of their role and legitimacy.

6. The international human rights framework provides a set of standards for mutual accountability and for building partnerships based on the Paris Declaration, with its focus on the institutions and processes necessary for supporting democratic ownership and mutual accountability.

There is a strong case for formalising the role of international human rights standards in framing the process of partnership within the context of the Paris Declaration.⁵ While there are international processes of monitoring and reporting on human rights commitments, these are neither well-integrated with overall development strategy, nor with consideration of the role of international assistance. Donor support to the promotion of human rights fulfilment has remained largely project-based and -- outside the development of sector-wide approaches for the justice and social sectors in some countries -- has not been based on programmatic approaches in the spirit of the Paris Declaration. The Paris Declaration and the process of dialogue around national development strategies and the achievement of the MDGs provides a shared framework in which the promotion and protection of specific human rights, and a more thorough-going rights-based approach to development, may be taken forward.

Human rights standards can guide national country ownership efforts through their integration in constitutions, legislation and policies, and charters. Mutual accountability between donors, governments and civil society can be strengthened through international, regional, national and sub-national monitoring of progress against human rights commitments. A guiding rights framework would strengthen commitments to civil society participation in monitoring and evaluation and to capacity building to enable citizens more effectively to participate in the policy process and to empower citizens to claim their rights. Human Rights frameworks provide a common platform on which processes of harmonisation and alignment can be built, including the identification of

⁵ This case is well made by Ferguson (op cit) and supported by the case study evidence. We summarise her recommendations here.

individual donor comparative advantage. A results-based management approach can generate indicators that track progress towards the realisation of human rights.

7. Effective implementation of national human rights commitments requires the building of specific forms of capacity within a wide range of government systems at central and local levels. This in turn requires strong government leadership and coordinated and long-term support from development partners, including the systematic use of programmatic approaches to address cross-cutting social issues.

Fundamental changes to the way in which government operates may be required. These pose significant challenges to management and capacity. Action is required both at the centre of government and at the levels of government responsible for service delivery and day to day interaction with the public. For example, effective mainstreaming of commitments to gender equality requires both skills in gender analysis (including gender budgeting analysis) and the ability to apply the results of this analysis to bring about change within government systems. Addressing social exclusion is likely to require significant changes in behaviour and attitude among government officials and in management systems. The effective protection and promotion of human rights will depend on the capacity and resources of the judicial system. Even where progress has been made in, for instance, strengthening the legal framework for gender equality (as recently in Sierra Leone and Vietnam) the implementation challenges are immense. These are amplified by the generic weaknesses of many government systems in terms of staff resources, incentives and management systems. Outside some sector programmes addressing the Justice system and support to decentralisation processes, there appears so far to have been very limited donor attention to the building and support of the forms of capacity that will be required to bring about these changes. This capacity issue appears now to be the critical challenge to implementing policy commitments on social goals, and its significance needs to be recognised in wider processes of reform. So far this has not formed an important part of the aid effectiveness agenda and should now be a donor priority.

8. Shared results-based frameworks can be a powerful tool for agreeing priorities and providing a basis for alignment to pursue social goals. They need to be supported by strengthening the social component of monitoring and evaluation systems and disaggregated (qualitative and quantitative) data collection.

The case studies show clearly that the development of widely shared results frameworks for aid and development effectiveness and for social objectives, and the strengthening of monitoring and evaluation systems around these frameworks -- including broader civil society participation in the oversight of policy outcomes and impacts -- can provide an entry point for data collection and analysis.

Donors and partner governments should promote frameworks and mixes of methods and data for results-based approaches that will allow measurement and analysis of the extent to which rights are respected, including where failure to respect rights leads to gender inequality and social exclusion. Improved attention to results should go beyond the mechanics of inputs, outputs and operational results and place greater emphasis on increasing the impact of aid on poverty reduction and the MDGs, which will require greater focus on human rights, social exclusion and gender equality. A more vigorous focus on accounting for development results should draw attention back to the MDG for poverty reduction, and the contribution that would be made through greater emphasis on gender equality, human rights and social exclusion.

9. Mainstreaming social screening procedures, through national systems of social impact assessment, may be a powerful instrument for increasing attention to rights and equity issues.

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Development partners increasingly rely on upstream forms of social impact assessment, such as poverty and social impact analysis (PSIA), to consider the distributional impacts of policy reform. The World Bank, for example, expects programme documents for development policy operations to specify which policies supported by the operation might have significant poverty and social consequences, to summarize the main impacts and the borrower's system to deal with those impacts, and to describe how analytical gaps or borrower shortcomings would be addressed before or during implementation. Such approaches may provide an additional process and instrument for effective mainstreaming of agreed social objectives whose potential has not been fully exploited. PSIA-type studies can also be effectively integrated with a process of policy debate, characterised by a concern with equity and including people that previously would have been excluded from such debates. In Vietnam, this requirement has been built into the Hanoi Core Statement (and hence has been incorporated into the aid effectiveness agenda), although government capacity as yet to apply social impact assessment effectively is limited. Greater attention to a broadened concept of social screening procedures could be taken forward through the Paris Declaration principles.

Annexes

Annex A Terms of reference

**Strengthening the poverty impact of the Paris Declaration:
Aid effectiveness evidence gathering project on gender equality, human rights and social exclusion:**

Terms of Reference for Phase Two, July 2007

Background and rationale

1. In March 2005 over one hundred official agency donors and developing countries established global commitments to support more effective aid in the context of significant scaling up of aid. The result, the *Paris Declaration on Aid Effectiveness*, marks an unprecedented level of consensus and resolve to reform aid. These reforms are intended *'to increase the impact of aid...in reducing poverty and inequality, increasing growth, building capacity and accelerating the achievement of the MDGs'* (Paris Declaration para 2).

2. The Paris Declaration framework agreed five overarching principles or partnership commitments – ownership, alignment, harmonization, managing for development results and mutual accountability. It goes beyond previous agreements and lays down a practical, action-oriented roadmap to improve the quality of aid and its impact on development. Donor and partner countries agreed a set of indicators, targets, timetables and processes to monitor the implementation of the Paris Declaration up to 2010. This includes the **Third High Level Forum to take place in Ghana in September 2008**.

3. To date attention by donors and partner governments has primarily focused on aid and agency effectiveness, in particular improvements in aid delivery to increase the efficiency of financial and administrative arrangements; harmonisation of donor procedures and activities, and strengthening partner government leadership and ownership with alignment behind national development plans. The Paris Declaration itself and the indicators for monitoring focus on mechanisms and processes, and do not monitor substantive issues such as the development of content and outcomes. The focus on aid delivery mechanisms is much needed. However, on their own, they will not lead to the envisaged development effectiveness or sustainable benefits for poor women and men unless issues of substance such as gender equality, rights and inclusion are addressed in parallel.

4. However, a more complete reading of the Paris Declaration locates the commitments more clearly within the ultimate goal of reducing poverty and inequality and requires an assessment of wider outcomes and impacts on poor and excluded women and men. The partnership commitments are major reference points for strengthening broad based ownership, guiding policy dialogue, shaping the contents of development co-operation programmes and bringing about institutional and budgetary changes required to improve poverty outcomes and empower poor and excluded groups. More attention needs to be paid to ends as well as means of channelling aid, and to processes necessary for poverty reduction, particularly those concerned with human rights, social exclusion and gender if the aims of the Paris Declaration and the MDGs are to be realised. These reforms provide an opportunity to improve current practice of donor agencies, recipient governments and civil society in pursuit of gender, rights and inclusion to the betterment of women, men, girls and boys (Gaynor 2007).

5. In September 2008 the **Third High Level Forum on Aid Effectiveness**, in Accra Ghana, will review progress in implementing the Paris Declaration and set a pathway to 2010 and beyond. This is likely to be a high profile event, attracting far greater scrutiny from the media, civil society

and partner governments than in Paris 2005. It is an opportunity to reaffirm, accelerate and deepen the Paris Agenda and to mark its transformation into a country-led framework for aid relationships and aid effectiveness. It also is an opportunity to strengthen the focus on poverty outcomes in the implementation of the Paris Declaration, including through greater integration of cross cutting issues.

6. To ensure the HLF recognises the relevance of cross cutting issues in operationalising the Aid Effectiveness agenda, more systematic evidence is required on how, and to what extent, cross-cutting issues of gender equality, human rights and social exclusion are analysed, captured and monitored in the evolving new approaches to aid delivery and partnerships. In discussion with the Gendernet, Govnet, the Working Party on Aid Effectiveness (WP-EFF) and Nordic + colleagues, DFID proposed an evidence gathering exercise on aid effectiveness and gender, rights and exclusion to fill this identified gap.

7. In the spirit of the Paris principles, this work is jointly funded by a number of Nordic + partners including the Irish, DFID and the possibly the Dutch. It builds on the momentum created by the Dublin Workshop in April 2007 which brought together the WP-EFF, Gendernet, Govnet and Environet.⁶ It seeks to complement ongoing cross-cutting work to strengthen the evidence base such as the Unifem project on Building Capacity and Improving Accountability for Gender Equality in Development, Peace and Security, and also Irish Aid's desk study on Gender and Joint Assistance Strategies. It should also complement other efforts in monitoring progress such as the Baseline Survey and the DAC joint evaluation on Aid Effectiveness. Overall this work should contribute to the development of shared messages and agreed outcomes for the HLF3 for a strengthened focus on social outcomes especially gender outcomes beyond Ghana.

8. A scoping study (phase 1) funded by DFID was undertaken as a first step towards developing this evidence base. This produced a synthesis of relevant literature on aid effectiveness and cross cutting approaches; a synthesis of civil society perspectives; an initial analytical framework and approach for evidence gathering; and a partnership and influencing strategy which maps key opportunities, partners and processes leading up to Ghana 2008. Building partnerships and influencing is an important component of the work.

9. The initial **analytical framework** is described in the main body of the Phase 1 report⁷. It builds on the synergies between the cross-cutting issues of gender equality, human rights and social exclusion, and that of the Paris Declaration. It maps change processes in both onto key areas of the policy cycle and enables a matching of opportunities and risks as well as good practice in both the aid effectiveness and cross-cutting agendas.

10. The **partnership and influencing strategy** is set out in the main body of the Phase 1 report⁸. It is integral to the selection and implementation of the case studies and the dissemination of findings. The aim is for the project to be carried out in such a way as to maximise opportunities for joint work among a range of partners, and to influence key stakeholders in the lead-up to the Ghana HLF and beyond.

⁶ The Dublin workshop looked at environmental issues. We recognise that HIV/Aids is seen as a cross cutting issue. This work will however, focus on gender, rights and exclusion only.

⁷ Aid effectiveness and cross cutting issues – gender equality, human rights and social exclusion: Strengthening the poverty impact of the Paris Declaration. By S. Fleming, M. Cox, Kasturi Sen, Katie Wright-Revollo. 31 March 2007.

⁸ Ibid

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Goal

11. Cross-cutting issues of gender equality, rights and exclusion firmly on the Ghana HLF agenda and analysed and captured in the implementation and review of the Paris Declaration on Aid Effectiveness, in order to strengthen the focus and impact on poor women and men.

Purpose

12. To generate an evidence base, build support among Paris Declaration stakeholders and provide practical recommendations for strengthening the focus on the cross-cutting issues of human rights, social exclusion and gender equality, and poverty outcomes, for the Third High Level Forum in Ghana (2008) and beyond.

13. Specifically the research should be able to answer how effectively the policy areas of gender, rights and social exclusion are addressed in:-

- Budget support processes, structures and mechanisms; Sector Wide Approaches
- New aid effectiveness mechanisms for operationalising the Paris Declaration at country level e.g. Performance Assessment frameworks, Joint Assistance Strategies, Aid Policy frameworks; national planning processes and plans, PRS monitoring frameworks
- The country level dialogue, relationships and decision making related to the new aid environment. Including the relationships and dialogue between donors, partner governments and civil society, and the spaces and processes for dialogue and decision making e.g. harmonisation groups, results and resources groups/ consultative groups, mutual accountability mechanisms.

Outputs and timing

14. The outputs for the project will include:

i) An inception report detailing methodology, locations and partners, with rationale; a work plan with timetable; and a partnership and influencing plan: by end of month 1, to be discussed and agreed and updated as required

ii) A series of approximately 6 in-depth case studies of 10-15 pages each: finalised by December 2007

iii) A document summarising the other, approximately, 18 relevant examples and experience from the literature and other on-going research (36-50 pages): finalised by December 2007

iv) A synthesis report (maximum 50 pages including annexes) which presents the main lessons from the case studies, rapid assessments, and additional contemporary research and literature: finalised by January 2008. The synthesis report will include:

- (a) Evidence on how cross-cutting social issues have been integrated into and benefit current approaches to aid effectiveness; as well as where they have been omitted
- (b) How the Paris Declaration applies to donor and partner country efforts to promote cross-cutting social issues;
- (c) Recommendations for integrating cross cutting issues into Paris Declaration implementation, monitoring and evaluation.

(d) Recommendation for 2 – 3 high level strategic key messages and concrete outcomes for the HLF

v) An influencing strategy with identification of alliances and influencing opportunities supported by a short presentation paper (4-6 pages) to present the results of the study and its principal recommendations to senior policy makers and other stakeholders at the Accra HLF: finalised by March 2008

vi) A series of briefs and/or presentations on emerging findings. These outputs should be tailored to specific events and audiences outlined in the partnership and influencing strategy: on-going and responsive

vii) Series of workshops and presentation materials for final events in the in-depth case study countries and for the project as a whole: on-going and responsive

viii) Quarterly progress reports

Tasks

15. The tasks are outlined below:

i) Finalise a work plan and a partnership and influencing plan, detailing roles of collaborating donors and country government, civil society and research partners. Outline types and timetable of products for DAC, donor, country government and civil society audiences, including proposals for feedback at country level, and final presentation and discussion. Some flexibility will be needed to respond to changing priorities and opportunities for building partnerships and exercising influence as they arise. Guidance for the plan is in the method section of these TORs.

ii) Develop a methodology to assess how gender, rights and exclusion in relation to the Paris Declaration are addressed in budget support processes, structures and mechanisms; new aid effectiveness mechanisms for operationalising the Paris Declaration and country level dialogue, relationships and decision making in the new aid environment. A suggested list of study questions and an overall conceptual framework for these studies are included in the phase 1 scoping report⁹ as a guide

iii) Carry out approximately 6 in-depth country case studies and 18 rapid assessments. Criteria for choice of case studies are in the method section of these TORs.

iii) Monitor and brief joint donor steering group on key processes, events and developments in preparation for Accra, amongst the DAC WP-EFF, the donor community and key civil society actors.

iv) Organise feed back of results in the case study countries, and a series of workshops to present the findings and recommendations to a diverse group of key stakeholders e.g. donors, civil society, WP-EFF, North and South.

Method and principles

16. Study principles and design:

⁹ Ibid

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- The Paris Declaration principles and commitments and their relationship with the cross-cutting issues of gender, human rights and social exclusion, are the central focus of the study;
 - Aid instruments (e.g. Poverty Reduction Budget Support, Sector Wide Approaches), modalities (e.g. gender and participatory budget / monitoring and evaluation initiatives, PRS processes) and management frameworks (e.g. Joint Assistance Strategies, Performance Assessment Frameworks, harmonisation groups, national planning cycles) and systems for dialogue and decision making (donor working groups etc.) should provide concrete examples of the Paris Declaration commitments and issues;
 - The case studies will focus on practical lessons and experience, particularly of emerging good practice, that could act as a guide for policy makers and practitioners (both aid effectiveness generalists as well as cross cutting specialists);
 - The study design and implementation should adhere as far as possible to the spirit of the Paris Declaration principles of i) broad-based country ownership (the issue could be of importance to either sector ministries, regional and local government, parliaments and assemblies, or civil society organisations), ii) alignment with research strategies of in-country actors (through consultation and possible direct participation with southern researchers), iii) harmonisation with other donor efforts on cross-cutting issues, iv) consultation with both government and civil society in country-specific design, open and transparent with study results, ensuring accessibility, enabling feedback to the range of in-country partners;
 - The two levels of research are a) in-depth studies, using secondary data, individual and focus group interviews with stakeholders and where appropriate use of the relevant research in the area and b) rapid assessments using secondary data, telephone interviews as needed, as well as findings from other research and studies;
 - Involve government and civil society in the preparation of individual case studies, work with southern researchers and/or research institutions, and in-country partners, as far as possible.
17. Suggested criteria for selection of case study countries and rapid assessment examples. These are to be chosen to provide a range of different country contexts :
- regional spread across e.g. Asia, Africa, Middle East and South America
 - country capacity/ context (good performer, fragile and non-fragile, post conflict)
 - degree of dependency (HIPC/MICS/LICS)
 - Mixture of budget support and non-budget support countries
 - presence of best practice examples and/or risks and opportunities (across the principles)
 - where implementation of the Paris principles is making a clear difference (for the better or otherwise)
 - relevant issue, owned by partner country governments (central and local) and/or civil society
 - preferably non duplication with Unifem country case studies¹⁰ but possible complementarity with some country case studies from the Aid Effectiveness evaluation

¹⁰ Unifem country case studies include Ghana, Ethiopia, Honduras, Cameroon, Ukraine, Kyrgyzstan, Papua New Guinea – possibly Nepal and DRC; Aid Effectiveness evaluation include Bangladesh, Bolivia, Mali, Philippines, Senegal, South Africa, Sri Lanka, Uganda, Vietnam, and Zambia.

- Countries where DFID offices are keen to engage and can provide a strong country case study e.g. Cambodia
18. Partnership and influencing strategy
- The project will be carried out in such a way so as to maximise opportunities for joint work among a range of partners, and to influence key stakeholders in the lead-up to the Accra HLF.
 - Briefing and dissemination may need to tailor different messages to different audiences, described in the partnership and influencing strategy.
 - Briefing and dissemination of evidence will be carried out throughout the life of the project, in order to build awareness of and receptivity to project evidence and recommendations.
 - The project will use a range of events and processes as opportunities for disseminating its findings, including international fora and Northern and Southern civil society networks, in the lead up to Ghana.

Reporting

19. The project will be led by the CLEAR and Equity and Rights teams in DFID with reporting to Katja Jobes (CLEAR team) and Clare Castillejo (Equity and Rights Team), who will chair a joint donor management group with Irish aid. The exact composition and roles will be determined at the time of awarding contracts. The consultants will submit quarterly progress reports.

Competencies

20. The team will have skills and experience in the following areas:
- Multidisciplinary team covering the technical areas of mainstreaming cross cutting approaches – gender, human rights, social exclusion *and* aid effectiveness; current knowledge and experience of both areas
 - Policy aptitude and experience in multi-donor fora, and with policy engagement on cross cutting issues and aid effectiveness
 - Understanding and experience of the Paris Agenda, the process and the OECD/DAC machinery for effective influencing
 - Research/communication skills and experience, experience of managing different research sites, working in partnership with a range of government, civil society and southern research partners
 - Qualitative and participatory research skills
 - Wide geographic experience, with country coverage in the team across Asia, Africa, Middle East and Latin America

Department for International Development

Annex B Background and Frameworks for the Study

Section B.1 provides an overview of the existing literature and the main hypotheses on the linkages between the aid effectiveness agenda and equity and rights that have emerged. Section B.2 highlights some conceptual issues for the study. Section B.3 sets out the framework used for selecting and analysing case study examples. Sections B.4 and B.5 outline the approach used in the country case studies for analysing the role of actors and institutions and the policy process.

B.1 Summary of existing literature: hypotheses and issues

The existing literature exploring the inter-linkages between the aid effectiveness agenda and equity and rights is relatively limited, although the body of work is expanding quickly, in large part as preparation of evidence and argument to influence the agenda of the Third High Level Forum (HLF3) in Accra in September 2008. The main theoretical work that informed the concepts and design of the study were three outputs from a preparatory phase contracted by DFID¹¹ and material prepared for a workshop on development effectiveness in practice, held in Dublin in April 2007.¹² Some key observations and hypotheses from these sources are summarised below.

Aid effectiveness and human rights: Donors can contribute to enhancing national commitments to international human rights standards expressed in conventions and charters. Donors have used aid conditionality to achieve movement in these national commitments. Fundamentally, the aid relationship is assumed to be based on a bedrock of shared commitments, including to human rights, which act as preconditions upon which alignment is built. The issue of conditionality is contentious. However the European Union places human rights commitments as generic conditions when providing development assistance, consistently and clearly applying these conditions to all partner countries, and ensuring that the donor's position is widely known.

A human rights approach also requires that consultation processes between institutions of the state (not only of the executive) and citizens achieve informed consensus and active participation, in order to realise citizens' rights to take part in the conduct of public affairs. Capacity development is recognised to be an integral part of strengthening states' abilities to respond to changes in the development framework. Under the Paris Declaration, capacity development for state actors is largely identified as capacity for technocratic procedures. Instead, a human rights approach places value on social consensus building.

The Paris Declaration focuses on accountability between donor and partner country governments and makes little mention of domestic accountability between partner governments and their citizenry. In aid relationships, the chain of accountability between donor agencies and the citizenry of partner countries is notably weak, this despite the fact that the ultimate goal of effective aid is the well being of these citizens. However, donor agencies have begun to adopt rights based approaches to development, including applying a human rights lens to chains of accountability between the state and its citizenry.

¹¹ Strengthening the Poverty Impact of the Paris Declaration: Aid Effectiveness evidence gathering project on gender equality, human rights and social exclusion Conceptual Framework & Partnership Strategy (S Fleming, M Cox, K Sen, K Wright-Revollo, June 2007) and associated literature reviews (a) Aid effectiveness and cross cutting issues – gender equality, human rights and social exclusion: Strengthening the poverty impact of the Paris declaration (S Fleming, M Cox, K Sen, K Wright-Revollo, March 2007) and (b) Civil Society Perspectives Strengthening the Poverty Impact of the Paris Declaration: through Gender Equality, Human Rights and Social Exclusion (INTRAC Oxford UK March 2007)

¹² Workshop on Development Effectiveness in practice: applying the Paris Declaration to advancing gender equality, environmental sustainability and human rights 26/27 April 2007

Aid effectiveness and gender: The harmonisation efforts that are resulting from the Paris agenda were, in a number of countries, preceded by effective gender coordination groups. However, it has been a challenge to retain the clarity of gender focus as harmonisation more generally has become a focus of aid effectiveness. Harmonisation amongst groups of donors for sector specific initiatives that include substantial gender dimensions may not be recognised at more general levels of government. Managing for results presents both opportunities and challenges for advancing gender equality. Capacity development has been identified as key in promoting and implementing systems for gender disaggregated data as well as enabling effective use of the information generated. Donor requirements for quick results may make planners averse to including gender equality objectives, as these types of results are often longer term, as well as potentially difficult to capture. Qualitative as well as quantitative measures of change are likely to be needed. However, expertise does exist to capture gendered dimensions of change through tools such as Poverty Expenditure Reviews.

Civil society positioning around gender and Paris Declaration varies. Key gender alliances (e.g. Gender and Development Network GADN) have focused on dialogue with governments and with donors. Keynote events convening CSOs have concluded that civil society representatives must engage with the Paris agenda as equal partners. However, other civil society groupings have favoured a position of little or no engagement, on the grounds that CSOs have been excluded from shaping the aid effectiveness debate.

Aid effectiveness and social exclusion: The availability and clarity of information about different socially excluded groups is an obvious marker of the extent to which exclusion has been addressed in aid effectiveness debates and documentation. General experience, illustrated in PRSPs, is that a generic set of “vulnerable” groups are listed. These groups commonly include older people, young people, children living in certain circumstances e.g. as orphans, affected by HIV/AIDS, in single adult headed households, women in some circumstances e.g. widowhood, refugees, people in highly isolated areas, or with particular styles of livelihood e.g. pastoralists and so on. Data on specific groups within the umbrella category of ‘vulnerability’ is often imprecise and analysis of the causes of vulnerability generally lacking. In PRSPs, there are, however, some striking individual country examples of innovation e.g. a social exclusion index or commentary on ethnic and caste-based disparities. As yet, there are few examples of clear links between evidence and subsequent argument in favour of particular courses of action and policy choices.

Lack of mainstreaming of social exclusion in policy instruments leads to social exclusion concerns being addressed patchily across key policy documents. For example, in PRSPs, some “pillars” such as economic growth, are less likely to refer to issues of exclusion than are other pillars, e.g. human development. There are rare examples of pillars which specifically articulate social exclusion priorities. There are also weaknesses in articulating action plans for addressing issues of social exclusion identified in context analysis. Some commentators are concerned that emphasis in the Paris agenda on country ownership may have reduced the profile of issues of exclusion, as well as allowing donors to step back from these challenging and sensitive areas, using the ownership argument. The aid instruments brought to the fore in the new aid architecture – poverty reduction direct budget support (either general or sector) and the requirements of the Paris agenda have led to a focus on institutions and processes that need to be adapted and strengthened to operate new aid modalities. Commentators argue that the focus has become centralised on the national level, reducing the attention given to “grass roots” constituencies. This arguably reduces the focus on issues of social exclusion in the development debate, compared with periods when different aid instruments, such as local projects, were in vogue. However, some specific tools, such as PSIAs, articulate issues of exclusion clearly.

Engagement of civil society organisations: CSOs have consistently criticised the lack of engagement of civil society representatives in Paris Declaration processes. However, the picture is nuanced. NGOs, especially INGOs, have developed the resources and skills to engage with the national and international policy agenda. They participate in relevant forums, produce commentary and host parallel events. They advocate for greater representation, within the channels available. Other civil society groups argue that the aid effectiveness process has been so ineffective in securing genuine engagement with civil society that it is appropriate for CSOs to develop a parallel civil society role and to position CSOs in a watchdog role, monitoring government and donor achievements in relation to commitments.

Furthermore, relationships between CSOs and their governments range across a wide spectrum. Some CSOs have exceptionally close ties with government, for example having government staff on their boards. Others represent specific interest groups that may occupy a less favoured position in terms of access to power and resources. Simply being a CSO does not automatically confer legitimacy.

Whilst the primary relationships between CSOs and donors is a financial one (i.e. CSOs receive funding), there is increasing diversity in the types of interaction between CSOs and other development actors. This is especially the case in coalitions seeking to influence the policy agenda, where CSOs may rely on donors for access and high level influence, with donors gaining insights from grass roots level through their interaction with CSOs.

B.2 Conceptual issues for the study

The framework within which the country and additional case studies for this assignment were carried out was developed taking into account a number of key points, which are discussed below.

Poverty reduction and human rights goals: Human rights goals are generally seen as those expressed in the nine international human rights declarations, covenants and conventions.¹³ They are inextricably related to the goal of poverty reduction but are not identical to that goal. The goal of poverty reduction has been widely accepted as core to the development agenda. However, understanding of poverty reduction varies depending on whether a definition is applied of income poverty (proportion of the population living below the poverty line), or the perspective enshrined by the Millennium Development Goals (MDGs) that lead to goals that encompass a wider view of human development (income, well-being, education and so on) or a human rights perspective. Social development actors are guided by human rights goals that are validated in terms that have nothing directly to do with poverty reduction. The framework presented for this study attempts to capture both the inter-relatedness and autonomy of the goals of poverty reduction and of human rights. It makes the assumption that equity and rights actors will be guided by a rights based approach as the route to achieving the goal of poverty reduction.

Aid effectiveness and development effectiveness objectives: The terms “aid effectiveness” and “development effectiveness” are frequently applied imprecisely and in some cases interchangeably. Positioning varies. Some commentators express reservations that the focus on Aid Effectiveness has to some extent distracted attention from other areas of the development

¹³ Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention on the Rights of the Child (CRC), Convention on the Prevention and Punishment of the Crime of Genocide, Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Slavery Convention and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Practices similar to Slavery

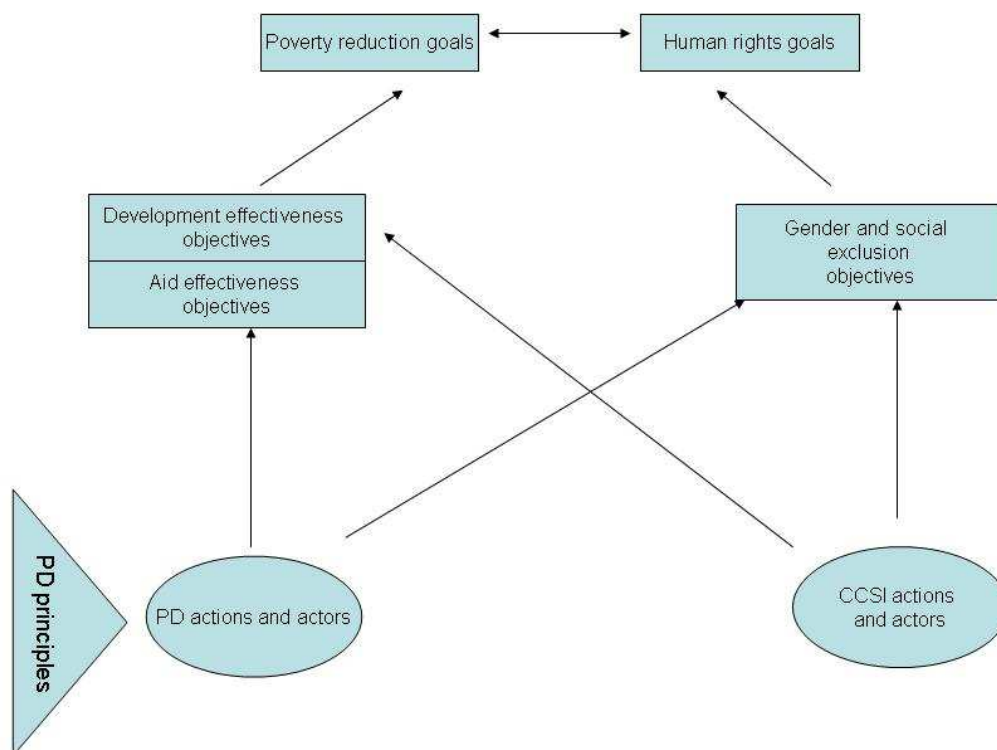
agenda. Some representatives of OECD and multilateral agencies (World Bank, UNDP) express reservations about interpreting Aid Effectiveness as Development Effectiveness, arguing that there is risk of “mission creep” and overloading of the Paris Declaration agenda. Some regional forums are concerned with Development Effectiveness issues that include aid, trade and debt. NEPAD states that good governance is essential for development. The framework for this study recognises that aid effectiveness and development effectiveness objectives are closely related and adopts the position that to make sense of aid effectiveness efforts, some sense of development effectiveness must be included i.e. whilst Aid Effectiveness and Development Effectiveness are not identical, they are inextricably related.

Cross sectional and longitudinal analysis: the aim of this assignment is to examine evidence of interactions between the Aid Effectiveness/Development Effectiveness agenda and the cross-cutting social issues of human, rights, gender and social exclusion. This was carried out through analysis at a particular phase in the evolution of these interactions. Self evidently, conclusions about the status of these interactions are drawn from the standpoint of this moment. Work linking these two agendas is at an early stage. It is reasonable to suppose that, were further experience to be gained of interlinking the two agendas, some actions that are now found rarely might become the norm, more tools, techniques and expertise would be available for advancing the Aid Effectiveness/Development Effectiveness agenda and equity and rights together and an analysis carried out in future would identify a rather different situation. In other words, findings and conclusions need to be read in the form of “as yet”, or “at this time” statements.

Causality, attribution and synchronicity: The Paris Declaration, signed in March 2005, represents a particular landmark in the evolution of the Aid Effectiveness/Development Effectiveness agenda. It clearly arose from a body of opinion, experience and expertise that had evolved over many years. Prior to 2005, a whole range of Paris Declaration type aid instruments, forums and agreements had been put into place (e.g. PRSPs, SWAps, basket funds). It is unrealistic to attempt an analysis that includes only forums and actions put into place post-signature of the Paris Declaration itself and more helpful to adopt a standpoint about what is considered “Paris Declaration sympathetic” or “Paris Declaration type” actions and events. Similarly, whilst some commonly observed interventions, such as public sector financial reform or decentralisation, have taken place widely in a timescale that parallels the development of the Paris Declaration agenda, it is not clear to what extent these events bear a causal relationship to that agenda or are synchronous with it. This study identifies below a range of Paris Declaration actions and actors, but acknowledges that the precise nature of the causality, degree of attribution of cause or synchronicity may be seen differently by different commentators.

B.3 Framework for selecting and analysing case study examples

The following diagram represents schematically the framework used for selecting and analysing the case study examples (those selected for more detailed analysis within each country case study, and the additional desk-based case studies).



As illustrated, varied actions are carried out by different actors in order to contribute to Aid Effectiveness/Development Effectiveness objectives. These are referred to as Paris Declaration actions and actors. Similarly, actions are carried out by different actors specifically to achieve objectives and goals related to human rights, gender and social exclusion. These are identified as cross-cutting social issues (CCSI) actions and actors.

The purpose of the assignment was to examine evidence of interactions between the Aid Effectiveness and CCSI “lenses”.

B.4 Actors and institutions in the policy process

The extent to which national development strategies, and the government programmes that take them forward, prioritise action on CCSIs is determined by the relative *interests*, *capacity* and *influence* of key actors in the process of policy development and implementation. Some stakeholders may have a strong commitment to and interest in social goals, but may lack either the capacity to engage effectively with policy making, or the influence within the political process to ensure that policy making and implementation reflects their interests. Poor and socially excluded people themselves (almost by definition) are likely to lack effective voice and influence in the policy process. Engagement with, and influence over, the policy process is guided further by the *institutional framework* in terms of the formal or informal rules – including legislation, regulations, organisational procedures and socio-cultural norms -- that structure interaction between policy actors.

Aid donors are one group of stakeholders with the potential to influence national policy processes in aid-receiving countries. This influence may in principle be achieved by the provision of resources in support of national programmes, by building capacities to implement programmes more effectively, or by exerting direct or indirect influence over policy and resource allocation decisions.

The relevance of the Paris Declaration, and of the associated reforms and initiatives to improve the effectiveness of international aid, is that it implies changes in the way in which aid donors interact with each other, and with national stakeholders. This changed interaction includes the use of new aid instruments and approaches and of new forms of mutual accountability. These changes can affect the balance of interests, capacities, and influence, in part through changing the institutional framework.

The particular focus of this study is to investigate the evidence on how these changes in the aid relationship have impacted on the priorities given to CCSIs in national policy processes and on the effective implementation of policies to further social goals. There are distinct channels through which this impact may occur:

- First, even if there is no direct influence on the policy making process or on national priorities, the more effective delivery of aid in support of national programmes should lead to progress against social goals, provided these are to some degree reflected in national priorities.
- Second, the Aid Effectiveness agenda may lead to changes in the national policy process (for instance encouraging a more participatory approach to policy making and priority setting) that may change the priorities that emerge from the process. The focus of this study is on how these instruments and processes impact on the way in which CCSIs are articulated and addressed within the overall national policy process.

In relation to aid donors, important questions will therefore address: the extent to which donors share commitment to social goals in a context where the specific priorities and degree of influence of donors may differ significantly; the capacity of donor organisations to promote social objectives effectively (including for instance their ability to carry out and communicate high quality gender analysis); and their potential influence. The influence of donors may be related to the relative significance of aid flows in the national budget.

In relation to **government**, it is important to distinguish between the executive, legislative and judicial branches in terms of their roles in the policy process. The judicial system should play a key role in the promotion and protection of rights, most notably the protection of rights of the people against arbitrary or unfair action by agents of the executive. The legislative branch of government should set policy priorities that reflect the interests of the population and also hold the executive to account for its implementation of those policies. It is also important to distinguish interests, capacity and influence between different levels of government (national and local, policy makers and those responsible for implementation). Within the executive there is a further important distinction between those ministries or other government agencies responsible for sectoral policies, for overall national policies and resource allocation, and for cross-cutting social goals such as gender mainstreaming. The relative influence and capacity of each type of ministry may also shape policy and implementation outcomes.

The third category of actors and institutions in the national policy process is **civil society**, understood as the association of and expression of interests through collective action outside the framework of the state. Civil society organisations can have a critical role as advocates of social goals and as representatives of the interests of those whose rights are threatened or who suffer exclusion. This can be expressed through political action (for instance by political parties as part of civil society within a pluralistic system seeking to obtain elected power and influence), or through other forms of advocacy or direct service provision. The extent to which civil society organisations

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are regarded as legitimate, and have a clearly defined legal status and an ability to raise resources in a way that ensures they are responsive to the interests of those they seek to represent, will be important factors in determining their role in the policy process.

It is important also to note the potential **supranational** influence on national policy processes related to social goals, specifically through the international human rights conventions to which national governments have subscribed and the accountability processes associated with them. The Paris Declaration also sets up an international framework of mutual accountability in relation to aid management. However, in each case the influence of supranational commitments is mediated through the action of stakeholders and the function of institutions in the national policy process. An example is how civil society organisations may seek to monitor the country's performance against international human rights commitments and use this as a basis for advocacy.

This study therefore involves as a first step, for each case study country, seeking to understand the interests, capacity and influence of each group of actors in relation to social goals and how these are taken forward within a particular institutional framework. The second step is to understand what the aid effectiveness agenda has meant in practice in each country, including the use of specific aid instruments and the establishment and development of processes and forums of policy discussion. The third step is to identify the results, opportunities and challenges that have emerged from each national experience and then to combine the lessons from these experiences to identify more general conclusions and proposals for action.

B.5 Aid effectiveness and the policy process

The aid effectiveness process as it has developed in the case study countries has at its centre an agreed statement of national development policies and priorities. In all of the countries, this has involved the production of a Poverty Reduction Strategy Paper (PRSP). A key test of country ownership is the extent to which the PRSP is integrated (rather than existing in parallel) with the national development plan (NDP) or the equivalent statement of national priorities. A first test of government commitment to social goals is the extent to which these are explicitly reflected in the PRS and NDP, including the extent to which the process by which the PRS/NDP was developed was participatory and reflected a wide range of national interests. A second test of commitment is the extent to which the PRS/NDP has been developed within a results framework, the prominence given to specific targets and indicators that relate to social goals, and the extent to which monitoring and evaluation of the PRS/NDP focuses on social indicators. The importance of the results framework can be enhanced to the extent that it serves as a basis for the provision of direct budget support. A third test is the extent to which resource allocation systems match the provision of resources to the statement of agreed priorities. A fourth and most fundamental test is how effectively programmes promoting these priorities are managed and implemented and the results that they achieve.

In terms of ownership, it is important to make the following distinctions in relation to the focus of this study:

- It is useful to assess country ownership in relation to each of the following: the national policy framework, the aid effectiveness process and agenda, and to commitments to social goals. It is also important to note that the formulation and categorisation of 'cross-cutting social issues', as well as priorities in relation to them, may differ markedly across and within societies;
- Ownership by the executive branch of central government, with which aid donors typically have the most interaction and which in practice provides the focal point for aid management, needs to be distinguished from government ownership. The latter would encompass both commitment by the legislative branch of government—for instance the

National Assembly—and by lower levels of government (provincial, district) that may have key responsibilities for policy implementation as well as varying levels of discretion over policy priorities;

- It should not be assumed that a wide national consensus can necessarily be reached beyond government through civil society ‘ownership’. Social goals, and the specific policies to reach them may be highly contested, including within civil society.

Three levels of policies below the overall national development policy can also be identified. First there are sectoral policies, which may form the basis for sector-wide approaches. Second, there are cross-cutting (in some contexts termed ‘pillar’) policies that may articulate commitments to CCSIs such as gender mainstreaming. Third, there are policies decided at local level within decentralised political systems. At each level, it is possible to examine the CCSI content of policies, the process by which these policies were developed, the agreed framework of results, the monitoring and evaluation process and, most fundamentally, what has been achieved in terms of implementation of policy commitments and the impact that this has had. At each level, it is also possible to examine the particular aid instruments used, specifically the extent to which the aid effectiveness agenda is being implemented.

The specific examples within each country case study examine a range of policies and initiatives at each of these levels and specifically the way in which particular instruments, processes and initiatives that have been used to take forward the aid effectiveness agenda have impacted on social goals.

Annex C Overview of the Country Case Study Contexts

Bangladesh provides an example of a country where there have been significant attempts led by donors over a number of years to take forward the Aid Effectiveness agenda, particularly through sector programmes in health and education. Bangladesh also has an exceptionally active and capable civil society sector which has played a major role in both advocacy and service provision – including substituting for the weaknesses of government service provision. Moves towards sector-wide approaches and dialogue and processes of harmonisation and the development of a poverty reduction strategy have encouraged a relatively inclusive policy dialogue and policy commitments that do address CCSIs, particularly in relation to gender equality and some aspects of social exclusion. Government ownership of these policies and processes has, however, proved to be weak. The record of intense and sometimes violent political competition has militated against effective policy implementation, while the current caretaker government faces particular challenges in formulating and carrying through a programme that enjoys legitimacy and wide support. The result has been a poor record of implementation of policies that on paper are well-focused on social concerns. The fundamental problems in service delivery (lack of effective accountability to users, overcentralisation and corruption) have not been addressed. At the same time, the development of sector-wide approaches has encouraged a reorientation of donor support away from NGO service delivery towards the use of government systems. This has led both to problems of disbursement, as capacity improvements in public service provision have been slow to be realised, and to reduced funding for NGOs.

The examples selected for more detailed investigation in Bangladesh included:

- The two major sector-wide approaches: the country's health SWAp, the ***Health Nutrition and Population Sector Programme (HNPS)*** and the SWAp for primary education, the second ***Primary Education Development Programme (PEDP II)***. The case study found that the SWAp processes in both sectors have made the policy-making process more inclusive and more focused on social issues, but that this has not led to improvements in implementation, or to a greater focus on social issues in implementation.
- Donor support using pooled funding arrangements to ***Samata***, an NGO promoting rights to land access. This example is one of successful engagement but where there remains uncertainty about the sustainability of funding.

The **Bolivian** government under Evo Morales, elected at the end of 2005, has set out a development strategy (the PND) that rejects the previous PRSP and focuses on addressing social exclusion and the collective rights of peasant farmers and indigenous peoples. Commitment to social goals is therefore absolutely central to the government's programme and this commitment reflects the views of substantial elements of civil society. These elements of civil society have also been strongly critical of the effects of foreign interference and in particular of the role of international financial institutions and bilateral donors in promoting neo-liberal reforms under structural adjustment. The aid effectiveness agenda is viewed with suspicion as potentially a new form of conditionality. The Bolivian government wants donors to align around the PND but has preferred bilateral to multilateral processes of dialogue and it has sought to reduce dependence on aid especially from traditional donors. At the same time, the government's programme and underlying philosophy is strongly contested by other elements of Bolivian civil society and by the opposition which controls many local governments. The government's human rights record has also been criticised. Political unrest and uncertainty have militated against effective implementation of the PND.

The examples selected for more detailed investigation in Bolivia were:

- **Support to the office of the Defensor del Pueblo.**¹⁴ This example was selected because of the key role of the office in the protection of human rights, and the successful use of basket funding arrangements by donors providing support.
- **Support to gender equality in the Education Sector.** There has been a promising initiative to establish a sector-wide approach supported by basket funding arrangements for the education sector. Although there have been significant achievements in improving gender equality in education, the sustainability of reform initiatives have been undermined by a perception that the reform strategy did not address the social inclusion concerns of the current government.
- **Extending rights of access to Basic Sanitation.** In the PND the Bolivian government has set out a strong commitment to improving access to water and sanitation services, as part of its programme to address ethnic and regional inequalities in access. However, initiatives to move towards a sector-wide approach in support of this objective have been hampered by institutional weaknesses and lack of donor confidence in the policy approaches proposed.

Kenya¹⁵ had, during the period of the Moi regime, increasingly difficult relations with the donor community particularly as a result of concerns about corruption. Aid had, partly as a result, been of relatively limited macroeconomic significance. Over the period since the election of President Kibaki in 2002, relations with donors have improved. Kenya therefore provides an example of a country where the response to the Paris Declaration principles has begun but only relatively recently. There have been positive initial moves towards harmonisation and alignment by donors. There is strong Kenyan ownership of the Economic Recovery Strategy (ERS) which has provided a basis for alignment. However, the general picture from the Kenyan case study examples is one in which there has been progress at the level of policy and strategy formulation (affecting both the Aid Effectiveness agenda and policies on CCSIs) but where progress in substantive implementation of policy commitments (including gender equality mainstreaming) has been limited. Civil society has only partially been able to take advantage of the greater openness of the policy process after the 2002 elections.

The examples selected for more detailed investigation in Kenya were:

- The **Gender and Governance** response by the Canadian International Development Agency (CIDA) and the Kenyan government. This shows how the focus on a cross-cutting issue may be lost in sector wide support and how one donor is harmonising with an initial group of supportive donors to address this.
- Donors' support to the government in the development of a **National Social Protection Programme**. This illustrates that issues of *practical* harmonisation and alignment have to be faced even when donors and government are committed to joint action.
- **NGOs experiences of harmonisation** illustrating how NGOs, particularly those supporting human rights, can be affected differently by stronger government – donor alignment, resulting in both positive and negative outcomes.

Social issues are recognised as particularly important in **Sierra Leone** in the aftermath of the conflict. Youth employment, the effectiveness of the justice system, and the rights of citizens, in particular women and children who were among those who suffered most from the violence, are of crucial significance for peace building. There have been several initiatives to take forward the aid

¹⁴ The Defender of the People, usually translated as the Ombudsman.

¹⁵ The country visit for Kenya took place immediately before the recent disputed election and subsequent violence and political crisis.

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effectiveness agenda (including the provision of budget support by major donors), though severe weaknesses in government capacity following many years of conflict pose major challenges for effective ownership and for alignment with government systems, and government appears to have lacked capacity and confidence to take a lead role. Harmonised approaches have been used in support of initiatives that are of significance for addressing CCSIs, notably support to Election processes and a justice sector development programme. Sierra Leone has an active civil society that has played an important role in focusing attention on social issues and in the implementation of some successful initiatives, but its capacity for sustained and effective engagement in policy processes is limited.

The examples selected for more detailed investigation in Sierra Leone were:

- **Donor support for 2007 elections.** This example shows the value of basket funding arrangements in assisting the holding of peaceful elections, a process of particular significance for conflict resolution and social inclusion. The example also suggests that the impact of donor support could have been enhanced by using the basket funding arrangement for civil society organisations.
- **Decentralisation.** Support to decentralisation provides an important potential means for deepening accountability as well as improving service delivery. The process illustrates the difficulties involved in capacity development and the role and potential of local CSOs.
- **Justice sector development programme.** This is the first attempt to develop a sector programme in Sierra Leone, within a sector of central importance for human rights.

Uganda is a significant aid recipient and many of the characteristics of government/development partner and government/citizen engagements have been in line with 'good practice' as described in the principles of the Paris Declaration. The role of civil society organisations in advocacy has, however, been seen as coming under threat. The Ugandan government has exercised strong leadership over the aid and national policy processes. The key national policy document is the Poverty Eradication Action Plan (PEAP). Key aid instruments are the Uganda Joint Assistance Strategy (UJAS) and draft Division of Labour (DoL) exercise. Uganda has a strong set of policies in place on gender equality, including a 2007 revision of the National Gender Policy, and the case study examples showed some significant examples of progress in implementing effective gender equality mainstreaming. Uganda is a signatory to the majority of the main international human rights declarations, but has a poor track record on reporting. A feature that emerges particularly strongly from the Ugandan examples has been the influence of a small group of committed and capable individuals over the shaping of (in particular) gender outcomes in a series of important national processes over many years. These individuals were well placed within different government institutions, within Development Partner offices and in CSOs.

The examples selected for more detailed investigation in Uganda were:

- **The justice, law and order sector (JLOS).** This example was selected as an illustration in the policy arena of a sector where many actions have been guided by Paris Declaration principles and in some cases predate the Declaration itself. One specific example, of bilateral donor funding to the police in northern Uganda, is presented as an initiative that particularly demonstrates a combination of action guided by the Paris Declaration principles of alignment and harmonisation and the CCSI of social exclusion.
- **Gender and equity budgeting.** The example of gender and equity budgeting was selected as a longstanding initiative in the financial arena that illustrates the changing roles of a number of actors as they interpret the Paris Declaration principle of mutual accountability in working towards achieving gender equality and social inclusion objectives. Gender and equity budgeting also contributes to national progress towards alignment and managing for results.

- **Mainstreaming gender in the PMA, PEAP and UJAS-DoL.** The example of mainstreaming gender in the Plan for the Modernisation of Agriculture, PEAP, UJAS and DoL was selected as it provides an insight into the challenges of ensuring that experience gained at sector level is successfully transferred through high level national strategy documents to donor instruments. It illustrates the Paris Declaration principles of managing for results, alignment and harmonisation and the CCSI of gender equality.
- **The national assessment of local government.** The example of the national assessment of local government (which predates the Paris Declaration) describes a practical mechanism that includes assessment of and reward for gender mainstreaming. It is presented as an illustration of action guided by the Paris Declaration principles of managing for results and country ownership and the CCSI of gender equality.

Vietnam provides an example of a country whose government has provided leadership in taking forward the Aid Effectiveness agenda, and has also articulated commitment to many social goals. This has however taken place in a context where civil society is weak and the channels for legitimate participation in policy making are narrow and controlled. There has been progress with the use of results frameworks and increasing attention to providing the underlying data required for these frameworks. This has meant that there is a clear framework of policies that can form the basis for alignment for donors. However, mutual accountability beyond the donor-executive relationship is limited. Donors have a mixed record on harmonisation, with particular weaknesses in social areas, and in alignment around government systems.

The examples selected for more detailed investigation in Vietnam were:

- **Alternative approaches to engagement by donors on human rights.** This example was chosen because in Vietnam the tensions between government and the donor community on some aspects of the human rights agenda pose particular challenges for ownership and mutual accountability, and the example illustrates some alternative strategies for dealing with such tensions.
- **The development of national monitoring and evaluation systems.** This example shows how the Vietnamese government has been able to build around a common commitment to improving Managing for Results within the accountability framework provided by the Hanoi Core Statement, and the way in which this has provided opportunities for strengthening and systematising the attention paid to social issues.
- **Socio-economic development in ethnic minority and mountainous areas.** This programme (known as P135) seeks to address the social and economic exclusion of ethnic minority populations through infrastructure and related investments. It is the main initiative to address the principal form of social exclusion identified by the Vietnamese government. Donor engagement in Phase 2 of the programme has increased compared to the first phase, and there have been important attempts to improve the effectiveness of attention to gender and participation within the context of a partnership approach focused on harmonisation, alignment, and managing for results.
- **Partnership experience in the rural sector,** focusing on **forestry** and **rural water supply.** This example reviews progress and obstacles to progress in addressing social issues in a sector with long-running experience of partnerships and moves towards sector wide approaches.