

OECD OBSERVATORY

OF

CIVIC SPACE





INTRODUCTION

Good governance and people-centred policies that deliver inclusive growth and sustainable development can only be achieved when civil society actors are free to organize and express their priorities and concerns. The civic space in which these activities take place is acknowledged by the OECD as a precondition for good governance and open government.

WHAT IS CIVIC SPACE?

Civic space is the set of legal, policy, institutional, and practical conditions necessary for non-governmental actors to access information, speak, associate, organise and participate in public life.

Civic space, and the active civil society that it nurtures, empowers citizens, creates more responsive and accountable governments, and helps to create checks on abuses of power. Civic space enables citizens to organize collectively, to speak out to influence decisions that affect their lives and to hold governments and the private sector to account. When civic space is protected, citizens and civil society organisations (CSOs) are also able to participate throughout the governance and public management cycle - from setting policy priorities, to planning, tracking budgets and expenditures, contributing to service delivery, monitoring and evaluating results and providing general oversight.

Effective public participation in governance broadens citizens' influence on decisions, builds civic capacity, improves the evidence-base for policy making, reduces costs, and taps wider networks for innovation in policymaking and service delivery. It also allows governments to respond more effectively to citizens' demands by aligning policies and services to their needs. This, in turn, leads to the long-term outcomes of improved government effectiveness, enhanced trust between citizens and the state, and greater citizen well-being.

At the same time, a worrisome trend of shrinking civic space, declines in basic freedoms, and enhanced restrictions for CSO has emerged around the world in recent years, including in "emerging" and "established" democracies. Emergency measures introduced to contain extraordinary situations such as the Covid-19 pandemic, environmental disasters or terrorism threats, present a further threat. The detrimental impacts of shrinking civic space affect all spheres of society.

When civic space is closed, human and civil rights are denied, non-governmental actors' voices are silenced, civic energy is sapped, government responsiveness and accountability are jeopardised, trust in state authorities is eroded and opportunities for dialogue and development are lost.

Restricted civic space hinders the activity of CSOs as service providers, public educators and social advocates. It impedes the essential role of CSOs, journalists, activists, trade unionists and other non-governmental actors as watchdogs of the state. Shrinking civic space therefore means that protection against potential abuses of power, corruption, and violations of rights are also diminished. Furthermore, restrictions of civic space are associated with increased marginalization, which can foment social unrest and political instability jeopardizing the security and well-being of society as a whole.

At this critical time, therefore, efforts to monitor and assess civic space in OECD countries - both to protect fundamental freedoms and to promote good practices - are more important than ever. The interlinked and global nature of these challenges calls for a wide range of actors, ranging from ordinary citizens to expert activists in CSOs, to representatives of governments and international organisations, to collaborate in designing and elaborating comprehensive policy and regulatory responses.





The OECD has considerable experience in helping governments to protect and enhance civic space, via its work on Open Government, including the **OECD Recommendation on Open Government** ("OG Recommendation"). It has assisted a number of countries in this endeavour, such as Colombia, Lithuania and Tunisia. The Public Governance Committee, through its recently created Working Party on Open Government (WPOG), recognised the importance of promoting and protecting civic space as a priority in 2019-20.

The OECD's emphasis on the importance of working with civil society has grown in recent years, just as the size, scope and capacity of civil society groups has evolved. The Office of the Secretary-General is leading an Organisation-wide effort to develop strategic partnerships with foundations and has recently established a Centre on Philanthropy.

Various OECD policy committees have also established mechanisms for engagement and public consultation with civil society, particularly in relation to OECD standards, and the Organisation has developed guidelines to frame these discussions. Greater access to civil society stakeholders and a deepened, more systematised engagement with them allows the OECD to improve its impact on society by developing policy instruments and advice that better reflect citizens' views.

This approach recognises that governments and policy makers are accountable to a broad range of stakeholders, including from civil society, who in turn bring subject-matter expertise and knowledge to policy discussions.



1 OECD OBSERVATORY OF CIVIC SPACE

In support of the OG Recommendation, the OECD launched an Observatory of Civic Space in 2019 with the following aims:

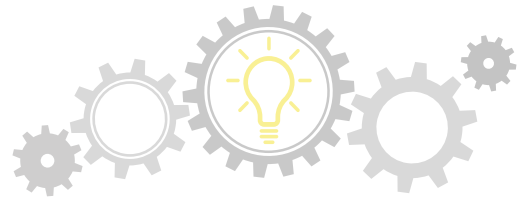


The Observatory of Civic Space receives strategic guidance from an Advisory Group composed of representatives of the OECD, its funders and strategic partners. It meets annually and interacts regularly with the OECD Secretariat. The Observatory is integrated into the monitoring mechanism of the OG Recommendation and is discussed regularly by the WPOG.

The activities outlined below are being implemented sequentially to build upon the findings, outputs, and results of each part of the process.

GLOBAL SURVEY OF CIVIC SPACE

The OECD survey monitoring governments' compliance with the OG Recommendation will take stock of their role in protecting and promoting civic space and in creating an enabling environment for civil society to play an active role in policymaking and service delivery. The survey, to be undertaken every three years from 2020, will quantitatively assess the legal, policy, and institutional frameworks that govern civic space in OECD member countries, including how these frameworks are implemented in practice. It will also gauge the extent to which non-governmental actors are able to participate in public policymaking and service provision in practice. Furthermore, the survey will enable the collection of innovative practices in civic engagement to source ideas and co-create solutions to societal challenges.

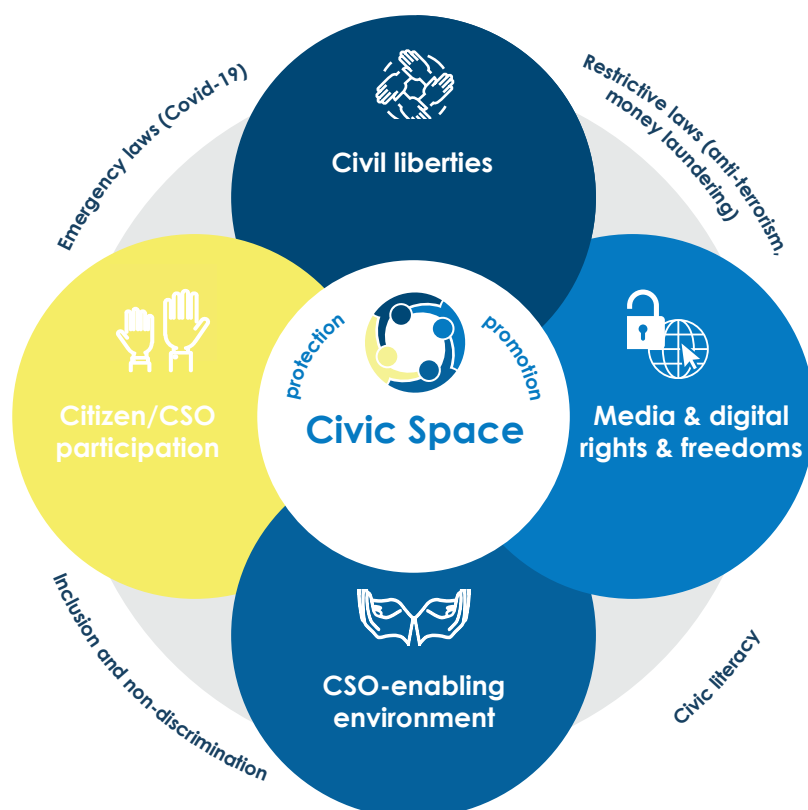


CIVIC SPACE SCANS

Following the well-established OECD Open Government Review methodology, each country participating in the Global Survey, will also undergo a Civic Space Scan to deepen the assessment of their compliance with the OG Recommendation.

Civic Space Scans will complement the quantitative survey data by providing in-depth qualitative assessments of the conditions underpinning civic space in each OECD and partner country. Based on this analytical framework, the scans will assess how the government is protecting and promoting civic space in each national context and generate actionable recommendations on how to further protect and promote it, in turn enabling countries to achieve key intermediate and long-term outcomes.

The thematic focus of the scans will be based on a broad understanding of civic space as a key enabler for good governance and open government practices. Dimensions to be assessed will include **civic freedoms** (e.g. freedoms of assembly, association and expression, access to information, as well as the duty to protect journalists, whistle-blowers and activists); **media and digital rights and freedoms**; an **enabling environment for Civil Society Organisations**; and **citizen participation in public decision-making**.



The scans will make a distinctive contribution including by linking civic space to coherent policy-making, good governance and Open Government practices and principles; assessing the outcomes and impacts of civic space initiatives; highlighting examples of innovation and good practice; and paying explicit attention to contemporary and cross-cutting issues such as inclusion, non-discrimination, civic literacy and the impacts of emergency laws.

Based on this analytical framework, the scans will assess the vitality of civic space in each national context and generate actionable recommendations on how to protect and promote it, in turn enabling countries to achieve key intermediate and long-term outcomes. The scans will be conducted every three years and will include peer reviewers, as an integral part of the global survey process.

In addition, the OECD will support countries wishing to establish country-owned representative deliberative processes, in line with OECD's *Good Practice Principles for Deliberative Processes for Public Decision Making* (forthcoming, June 2020). Public authorities from all levels of government are increasingly turning to citizens' assemblies, juries, panels and other deliberative processes to tackle and find solutions to complex policy problems. They convene groups of people representing a wide cross-section of society for at least one full day – and often much longer – to learn, deliberate, and develop collective recommendations that consider the complexities and compromises required for solving multifaceted public issues.

The OECD is leading work in this area in collaboration with leading practitioners from



as part of which close to 300 deliberative practices have been collected and analysed to explore trends, identify different models, and analyse the trade-offs among different design choices as well as the benefits and limits of public deliberation.

As an optional part of the Scans, the OECD is proposing to support governments to establish a deliberative process. Support would include capacity-building for government officials and partners on the methodology and oversight during the process. Where possible, the final recommendations from the deliberation, which would take place in a local language, will be included in the Civic Space Scan reports.

GLOBAL REPORT ON CIVIC SPACE

Building upon the results of the surveys, the Civic Space Scans and the innovative practices collected, the Global Reports will identify the main national and international trends in relation to civic space and make recommendations on how to effectively promote and protect it around the world.



In subsequent stages, based on several iterations of the survey, scans and reports, international indicators will be developed to monitor countries' progress in this area as part of an Openness Index. A set of guiding principles on how governments around the world can best protect and promote civic space will also be developed.

The first of these global reports will be published in 2021.

An example of a similar approach is found in the OECD's *Open Government: the Global Context and the Way Forward* report from 2016.



SCAN TO READ
THE REPORT



2 PROMOTING CIVIC SPACE

The findings of the Global Reports on Civic Space and the Civic Space Scans will be disseminated as part of a series of outreach activities, to include international conferences, thematic roundtable discussions and events, and a civic space portal and public consultation platform.

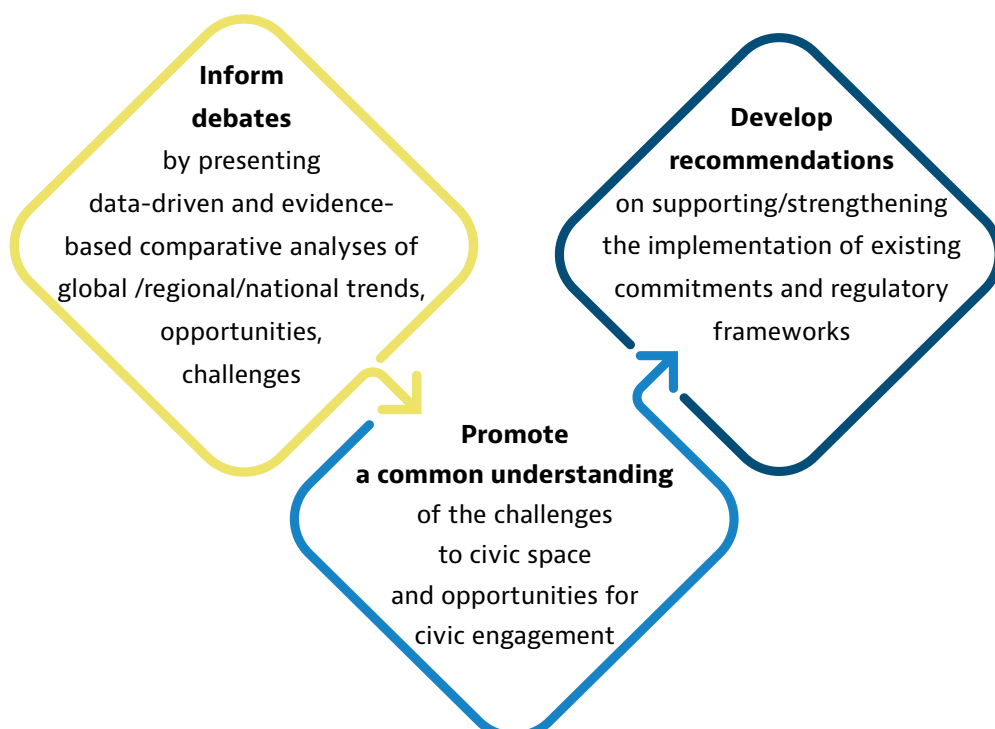
INTERNATIONAL CONFERENCE ON CIVIC SPACE AT THE OECD HEADQUARTERS

In collaboration with the WPOG, the OECD Secretariat will take part in an annual OECD conference to take stock of international trends in civic space. The event will serve as an early warning mechanism as it will provide national and international CSOs the opportunity to meet with government representatives to highlight and discuss their concerns.

NATIONAL & REGIONAL THEMATIC ROUNDTABLES

A series of national and regional roundtable discussions will be organized in partner countries around the world with key actors from civil society, governments, the private sector, and academia to validate and discuss the findings of the surveys and scans, as well as to identify and address emerging areas of concern.

These roundtables will achieve the following objectives:



Examples of the thematic focus of these events

What impact has Covid-19 had on civic space in your country and what are the implications?

While the introduction of emergency laws has been necessary to counter Covid-19, the same laws may also be used to curb civic activity globally and nationally and are of great concern to non-governmental actors

What are the impacts of citizen participation in decision-making and service design?

Open government reforms are multiplying the opportunities for citizens to engage with policy makers in order to influence the design and implementation of public policies and services. What are the perceived benefits and outcomes of these partnerships?

What are the future trends on civic space and citizen engagement?

By exploring possible scenarios and analysing data changes over time, the roundtables will aim to identify trends and anticipate future developments with regard to civic space.

CIVIC SPACE PORTAL

The Observatory's Civic Space Portal will support the creation of a global community of practitioners working to protect and promote civic space. The portal will include the Observatory's data and reports, blog posts, case studies, newsletter and other communication tools. In addition, stakeholders will be invited to provide collaborative feedback and engage in dialogue on specific outputs (i.e. global reports or national scans) via a digital public consultation and engagement platform, to be developed in partnership with the OECD Observatory of Public Sector Innovation (OPSI). These online activities will permit a wider group of practitioners and citizens to engage on civic space. The platform will facilitate interactive, transparent, and targeted discussion about relevant content on civic space - and a host of other OECD-relevant policy issues - among government actors, stakeholders, the Observatory and the members of the WPOG. Unlike existing commonly used tools (e.g., survey software or e-mail), the platform will permit users to see and build upon each other's comments and will allow the OECD members and Secretariat to publicly respond to and build dialogue around policy issues in an engaging and accessible way. OECD member governments will also be able to use the platform to host their own public consultations on policies, laws, regulations, or other initiatives. The aim is for the Observatory to become a global reference on civic space and civic engagement in addition to a forum for dialogue between governments, the private sector, and civil society actors committed to advancing democracy, open government, and inclusive growth.

3 DEEPENING OECD ENGAGEMENT WITH STAKEHOLDERS THROUGH THE OBSERVATORY

Several OECD directorates hold regular but ad-hoc consultations with civil society and other relevant stakeholders through online instruments or during meetings and events (e.g. the OECD Integrity week or the OECD Forum).

The OECD has two special consultative bodies representing business and labour associations (the Business and Industry Advisory Committee and the Trade Union Advisory Committee, respectively); the Committee on the Digital Economic Policy has established a Civil Society Information Society Advisory Council; and the Development Assistance Committee (DAC) has established a DAC CSO Reference Group. Following recently issued guidelines, the Secretary-General is expecting other Committees to follow suit and develop strategies for engagement with civil society.

The OG Recommendation recognises that stakeholder participation:

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increases government accountability, broadens citizens' empowerment and influence on decisions, builds civic capacity, improves the evidence base for policy-making, reduces implementation costs, and taps wider networks for innovation in policy-making and service delivery [...]

The Observatory of Civic Space will accordingly seek structured and systematic engagement with civil society actors as part of its activities.

FACILITATING STAKEHOLDER PARTICIPATION

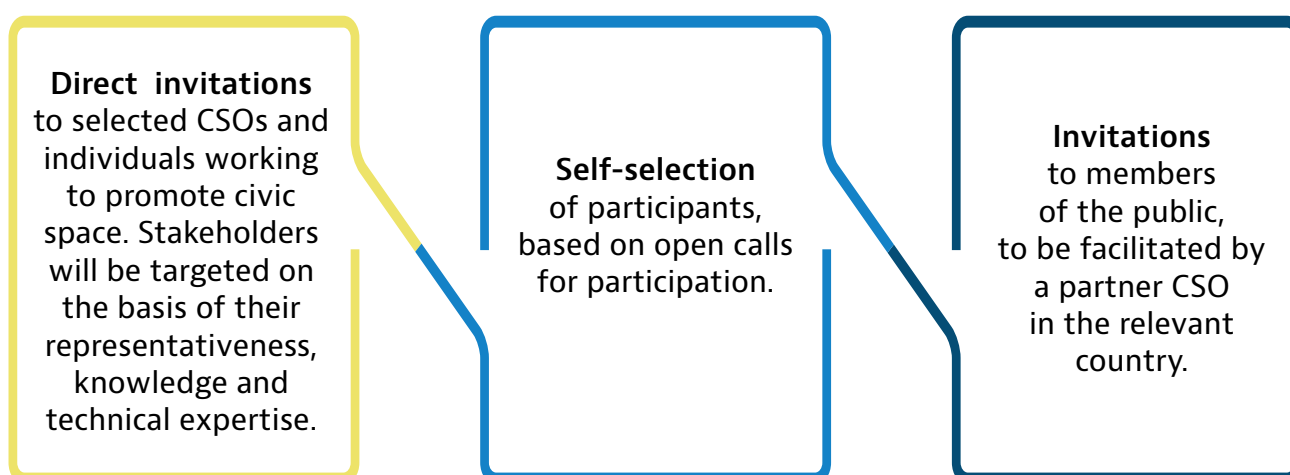
The OECD Secretariat will hold regular meetings with civil society actors to promote and protect civic space at global, country, and regional levels, with a continuous commitment to learning and improvement.

Participants will be invited to discuss the data gathered by the Observatory as part of the surveys and scans, to exchange on global and regional trends in relation to civic space, to provide technical advice, and most crucially, to co-develop policy recommendations for governments based on the data gathered.

The meetings will bring together independent non-governmental actors (e.g. from CSOs, academia, the private sector, associations, media organisations) who identify with its goals and who are working on the protection of civic space. As civic space affects the public at large, ordinary citizens – meant in the sense of ‘an inhabitant of a particular place’ and not as a legal designation – will also be invited to share their views at dedicated sessions.

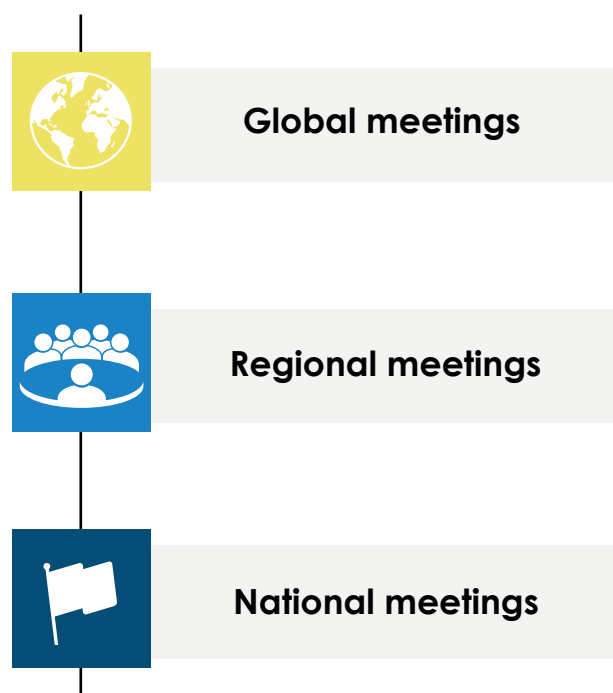
This approach is underpinned by the conviction that civic space should be open and democratic, a space where people can voice their concerns, collaborate, learn, and co-create together.

Participants will attend Observatory meetings based on the following:



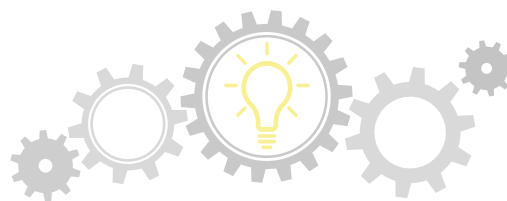
FACILITATING STAKEHOLDER PARTICIPATION

A number of participation mechanisms will be made available to civil society, with knowledge accumulated at national and regional levels informing global level discussions and vice-versa.



Global meetings on Civic Space will be held in the OECD Headquarters in Paris or will take place back-to-back with global Open Government Partnership (OGP) Summits every two years, taking advantage of the presence of many key stakeholders working on protecting and promoting civic space globally and building on the ongoing collaboration between the OECD and the OGP.

Regional meetings will be held between the OGP global meetings, either annually or every two years, in the Middle East and North Africa, Latin America and the Caribbean, and South-East Asia regions. These meetings will facilitate regional networking and will favour policy discussions tailored to specific regional trends. If possible, they will also be organised back to back with the OGP regional events. National meetings will be held during the Civic Space Scans.



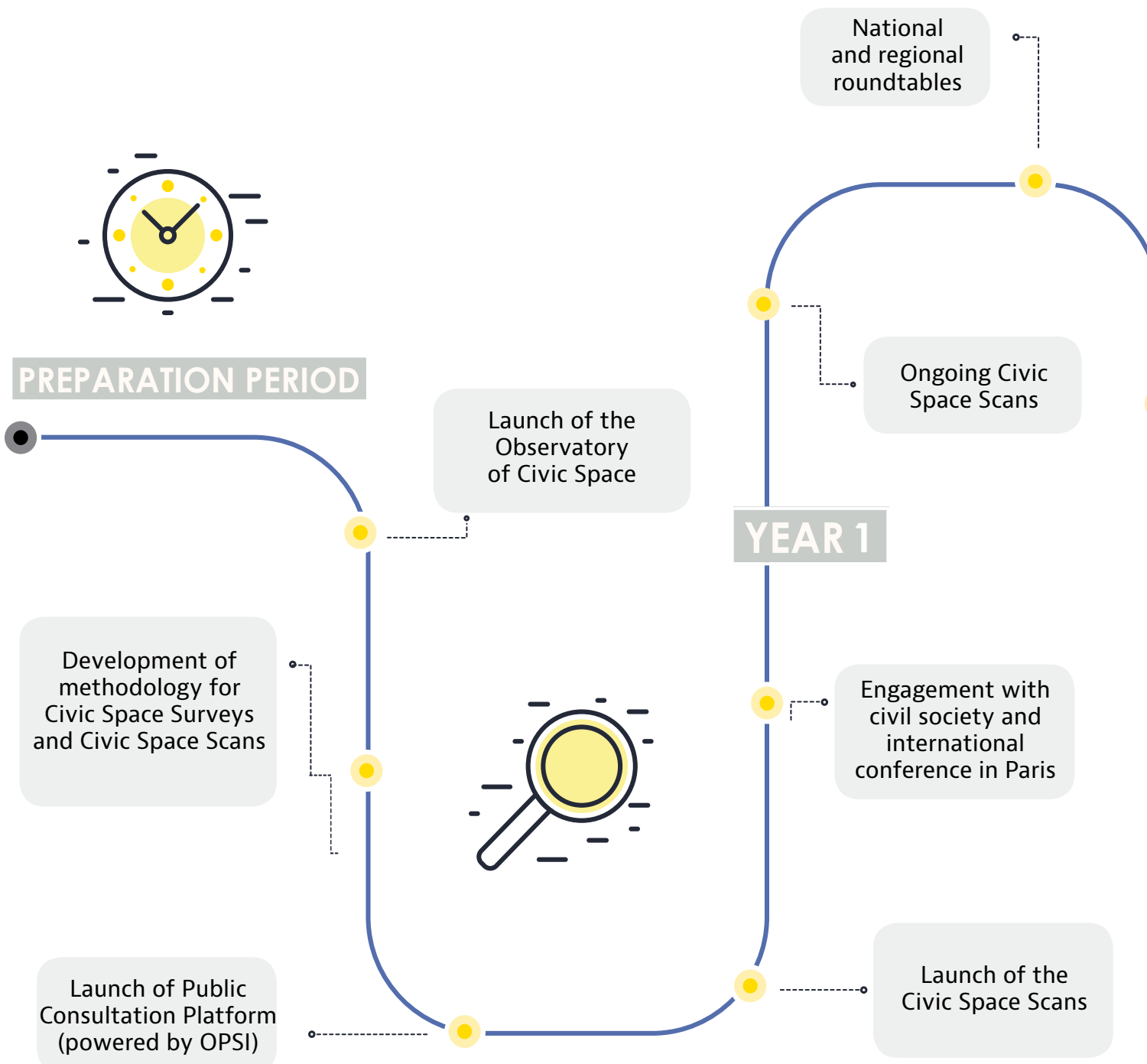
Participation in these thematic meetings will be governed by mutually agreed and clearly defined rules of procedure and external disclosure (e.g. open events, Chatham House rules or off the record).

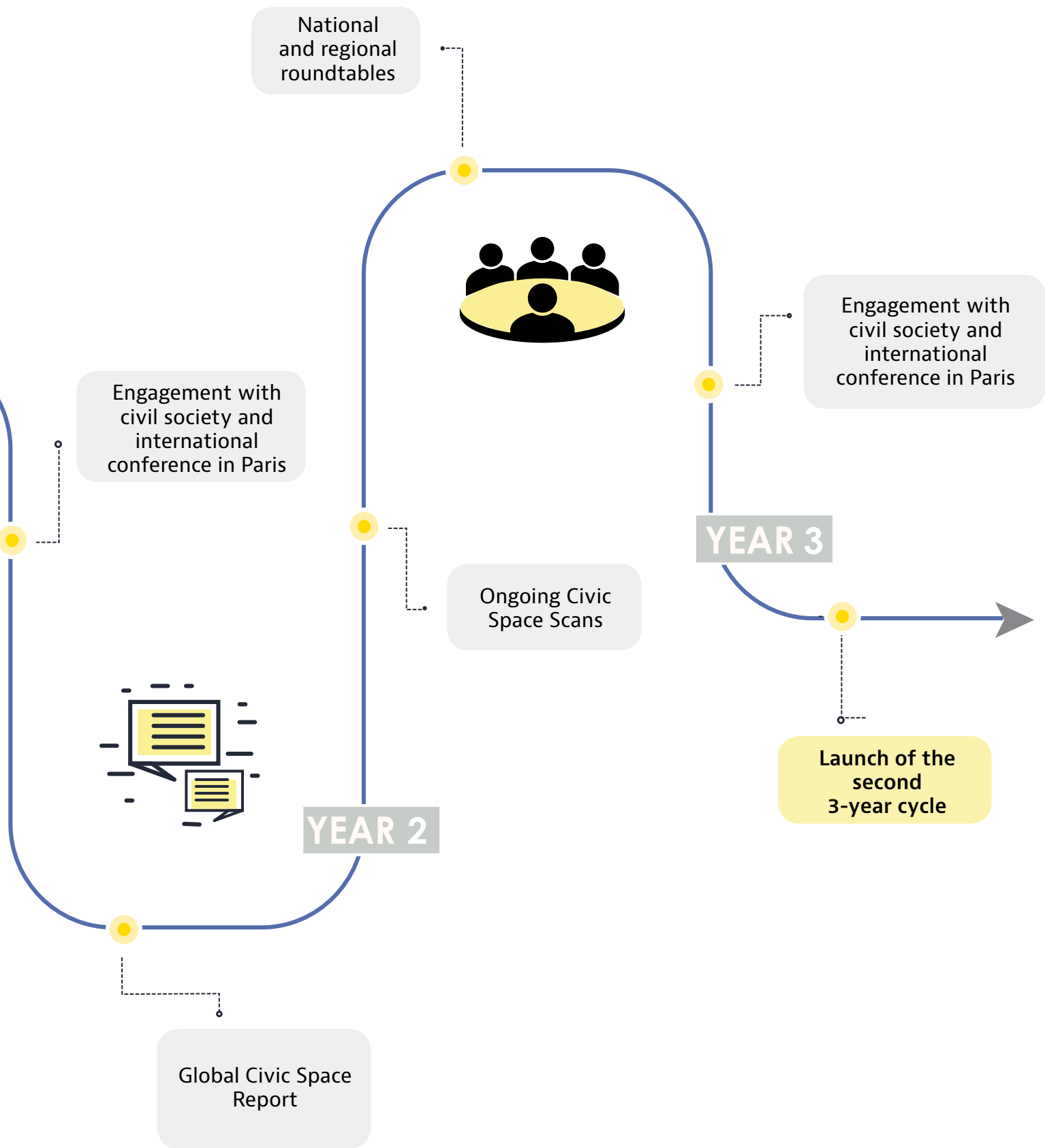
Summary documents will be published on all meetings to keep stakeholders informed and ensure transparency. To facilitate continuous engagement, the OECD Secretariat commits to publishing timely information (e.g. on the venue, invitees, date, purpose of meetings, topics to be covered, rules of procedure, areas where inputs are required, and alternative methods of sending inputs) four weeks ahead of meetings. When possible, funding will be provided to selected civil society actors to facilitate attendance of meetings (flights, accommodation), as necessary.



TIMELINE

The project will follow a 3-year cycle which includes the following milestones:





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