

**CONCORD Cotonou Working Group Briefing paper**

**New perspectives on Civil Society participation in ACP-EU cooperation**

At the October 2012 [Policy Forum on Development](#), Commissioner Piebalgs said : *As our new policy on civil society says, given the right conditions, you (CSOs) can fully play your role as actors in governance and development in helping support transparency and good governance advocacy, contributing to policy-making and to human development and inclusive growth. We are committed to helping create those conditions.*

Different recent processes and policy documents<sup>1</sup> reflect the EU's new approach to CSOs and seem to **converge in favour of a greater role for civil society especially as a key element of democratic governance and accountability.**

These papers were adopted partly as an outcome of the [structured dialogue](#) for an efficient partnership in development and the preparation of the Busan High Level Forum on Aid Effectiveness and partly as a follow-up and response to the so called 'Arab spring' and the role played by Civil Society. They also come at a time when the EU was finalising its new 7 year multi-annual financial framework (2014 – 2020) that involves a review of its cooperation and external actions policies and instruments.

All these statements are very encouraging with regard to the role that the EU institutions want to play in supporting the action and the policy space for civil society as a supporting actor in low and middle income countries (LMICs). At the same time, **there is clear evidence of an alarming increase in the number of governments in LMICs employing restrictive actions and policies**, including through the adoption of new laws, to curtail the activities of CSOs and restrict their political space. Some governments in LMICs countries perceive civil society as a group of organisations set up to block and compete with governmental initiatives. It is important to raise the awareness of these governments on the key role that civil society can play as strong allies in developing relevant policies, taking forward political agendas and ensuring the greatest impact for the population.

**In such a context, the key issue will be to translate the new EU approach into practice.** It is not enough for the EU to support financially the activities of civil society and to put in place consultation mechanisms on its policies and programmes. If the objective is to promote a real democratic and societal change, **strong political and diplomatic action is also necessary as well as a review of certain EU policies** having an impact on the rights and livelihoods of poor populations in developing countries.

**EU's growing engagement towards Civil Society**

In 2012, the EC published its Communication on Civil Society "[The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations](#)", followed by [Council Conclusions and an European Parliament resolution](#), which recognise the central role of civil society in democratic governance and in building just, equitable and inclusive societies. This has marked a turning point in the EU's approaches towards civil society or towards governance and development which was, so far, not very prominent.<sup>2</sup>

This renewed commitment has been translated in March 2014 into guidelines to EU delegations<sup>3</sup> for the elaboration of roadmaps for engaging with civil society. The purpose of the roadmaps is to develop a **common strategic framework** for the structured engagement of EU Delegations and Member States with civil society at country level, with a view to improving the **impact, predictability and visibility** of EU actions. In its guidelines, the EU strongly stressed that a wide range of actors, including civil society, must be consulted for the drafting of the first generation of the roadmaps (2014-2017). Roadmaps are also intended to improve the **consistency** of EU cooperation vis-à-vis civil society, across sectors and instruments, and to progressively promote better **coordination** within EU Delegations, Member States and other relevant actors. The EU therefore acknowledges the key role that local civil society can play in shaping a more ambitious partnership with the EU delegations.

**Implementation of the EC Communication remains a challenge**

**The Cotonou Agreement strongly recognizes civil society as a key actor** within the EU and ACP cooperation, embracing multiple roles in development and democratic governance. Under the 9<sup>th</sup> and 10<sup>th</sup> European Development Fund (EDF), there have been many examples of civil society support programmes as well as specific programmes targeting civil society in the broader governance sector on which lessons can be drawn.

The renewed EU approach, although highly welcomed by civil society organisations, still has to be proven in its effectiveness. A first opportunity is through **the programming of the future EU cooperation instruments, 11<sup>th</sup> European Development Fund (EDF)<sup>4</sup> included**, led by EU delegations at country level. In the guidelines to delegations on the programming process it was foreseen that civil society (and other non-state actors) would be consulted on the future national indicative programmes (NIPs)

<sup>1</sup> [EC communication on CSOs](#) "The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations", September 2012, [Council conclusions and EP resolution](#)

[EC Communication on EU support to sustainable change in transition societies](#)

<sup>2</sup> This new approach is also fully integrated in the EU Strategic Framework and Action Plan on Human Rights and Democracy adopted by the 27 Member States in June 2012.

<sup>3</sup> <http://capacity4dev.ec.europa.eu/public-governance-civilsociety/minisite/eu-country-roadmaps-engagement-civil-society>

<sup>4</sup> The EDF is the main funding instrument for EU aid for development cooperation in ACP Group countries

and the priority sectors as well as the indicative planning for each of the sectors. The global results of the CONCORD review and assessment of the consultation processes in 58 countries showed that although civil society organisations were consulted in many countries, the consultations did not comply with qualitative or quantitative criterion. Many local partners reported that these consultations were information sessions on EU's decisions for development and did not involve a real dialogue with civil society. The outcome of the 11<sup>th</sup> EDF programming process is now reflected in three sectors identified as priorities to be funded by the EU for the next 7 years. In June 2014, out of 16 co-signed NIPs<sup>5</sup>, support to civil society has been identified as a priority sector only in Botswana. However, in several ACP countries, a separate envelop will be allocated to civil society which is a welcomed initiative.

The programming of two **thematic programmes of the Development Cooperation Instrument (DCI) and the Pan-African Programme, of the Intra ACP funds under the EDF and of the European Instrument for Democracy and Human Rights (EIDHR)** are now at a final stage. **These programmes will complement the NIPs** and promote synergies by targeting civil society actors directly (CSO and Local Authorities/LA DCI Thematic Programme, EIDHR) or by focusing on certain thematic issues of importance at global level (Global Public Goods and Challenges DCI Thematic Programme or intra-ACP funds). The CSO and LA programme in particular is an essential tool for building the capacities of civil society to play the roles foreseen in the communication and it is of utmost importance that CSOs are also consulted on the implementation of these programmes and instruments.

For the EC Communication and the Cotonou Agreement objectives to become reality, **the participation of civil society in the implementation of the NIPs** in ACP countries should be ensured. In particular, the multi-actor approach in the delivery of public services underlined in the Communication is a very promising model that will not materialise without a strong push and commitment from both the EU and the ministries concerned in ACP countries. In the same way, improvements in the area of inclusive growth, social protection or in combating inequalities and discrimination highly depend on the involvement of civil society, given its key contribution to universality, equity, inclusiveness and sustainability. Although support to civil society can be granted through different instruments, **it is also essential to mainstream the meaningful and structured participation of CSOs in the implementation of all priority sectors of the NIPs, including budget support**, now under the form of Good Governance and Development Contracts (GGDC)<sup>6</sup>. The adequate mix between the different CSO support modalities and programmes will depend on the situation of each country which pleads in favour of a tailor-made approach.

Future opportunities lie in the **country roadmaps for engagement with CSOs** aiming at improving the impact, predictability and visibility of EU actions and ensure consistency and synergy. Indeed, if developed taking into account the views of local civil society and existing coordination structures, and if properly put in practice, these future roadmaps might represent a real improvement compared to the present uncoordinated and unpredictable system. They will enable to identify long-term objectives of EU cooperation with CSOs from partner countries and encompass evidence-based dialogue as well as operational support, identifying appropriate working and funding modalities.

Beyond consultation and financial support for civil society, much more could be done by the EU to promote the role and the political space of civil society in development through **diplomacy, policy dialogue platforms and support to political reforms** (including through development-oriented and rights based trade agreements).

The EU is clearly committed to utilise the political dialogue with partner countries to promote the respect of human rights and freedoms and an enabling environment for civil society. However, **it will be a challenge to make sure that a coherent approach is put in place in every country** as political dialogue also interferes with EU and its Member States' own political and economic interests and defending civil society space may in certain cases be judged too sensitive.

### **We call members of the ACP-EU Joint Parliamentary Assembly (JPA) to take a strong commitment in favour of**

- Promoting a Human Rights based approach to development and an enabling environment for citizens to engage in policy making;
- Promoting a constructive dialogue that demystifies partner countries' perception of CSOs as competing actors, instead of transformative agents for universality, equity, inclusiveness and sustainability;
- Establishing multiple forms and mechanisms of dialogue between parliaments and CSOs and promoting space for civil society contribution in policy making processes at all levels including the local, national, regional and the global level;
- Supporting the multiple roles of civil society actors in full respect of their diversity and right of initiative and being open to supporting innovative ways of action and dialogue including through multi-actor approaches;
- Putting pressure on the EU and individual EU and ACP governments to increase the transparency of their national budget processes and monitoring of their cooperation with CSOs, including in case of joint programming, pooling of funding and budget support;
- Being ready to bring to the light the concerns and complains of civil society actors and to defend fundamental freedoms of association and expression and the rights of all citizens to establish 'associations' in view of defending their rights and interests and undertaking joint initiatives.

*For further information, please visit <http://www.concordeurope.org/> - Tel +32 2 743 87 65*

<sup>5</sup> See: [http://europa.eu/rapid/press-release\\_MEMO-14-433\\_en.htm](http://europa.eu/rapid/press-release_MEMO-14-433_en.htm). Countries considered to be fragile can identify a fourth sector

<sup>6</sup> See paper: <http://capacity4dev.ec.europa.eu/article/engaging-non-states-actors-new-aid-modalities>