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1. Introduction

INTRAC recently conducted a joint study with the British Overseas NGOs for Development (BOND), which acts as the UK Platform for NGOs in their relationship with the European Union (EU). The study assessed the implementation of EU policy concerning the involvement of civil society in discussions about general development policy as well as EU development assistance programmes.

As one of the world's leading development donors¹, the European Commission (EC) has a key role to play in facilitating civil society's participation in development co-operation. It is now regarded as good practice amongst most multi-lateral, and many bi-lateral, donors to involve civil society in discussions about development policy, both to inform policy-makers about local conditions of poverty and to enable citizens to hold governments to account. The EC and its partners in the Africa, Caribbean and Pacific (ACP) block have declared their commitment to increasing the participation of civil society in Article 4 of the EU-ACP Cotonou Agreement², and the indications are that this will also become a requirement in the European Community's development assistance programmes in other regions.

The study examined the experiences of drawing up the current EC Country Strategies in four countries: Bolivia, India, Kenya and Senegal.³ Two of these countries, Kenya and Senegal, are in the ACP block, where there is now the requirement that civil society should be involved in dialogue about EC development policy. The other two countries, both from the Asia and Latin America (ALA) block, were included in order to determine any differences in approach. The four country studies were supplemented by desk research and interviews in Brussels with EC officials and members of NGO consortia.

2. The European Commission's 'Architecture' for Development Assistance

Despite the 1997 reform of EC development assistance programmes, there is a continuing anomaly in Brussels which has a bearing on the ability of the EC to deliver a consistent approach in different parts of the world. As a result of the evolution of the EC relationships with different blocks of countries, there continue to be two Directorates in Brussels which deal with development assistance programmes: DG DEV (Directorate General: Development) has responsibility for the ACP block. It also, being the development directorate, has responsibility for development policy for all EC development assistance programmes. However, a separate Directorate, DG Relex (Directorate General: External Relations) has responsibility for the other blocks of countries. Staff

¹ The EU Member States, as a region, provide more than half of global development assistance amounting to over E28.7 billion in 2002; of this, E6.5 billion was managed by the European Commission as EU development assistance.

² The EC regulates its relationships with recipients of development assistance programmes through procedures and agreements which have evolved over the years, and which apply to specific groupings of countries. There are currently 14 groupings of countries that the EC uses: specific countries may fall within more than one grouping or block. Different strategies, such as reciprocal trade agreements, the provision of financial assistance and so forth, have been pursued in different regions. The EC relations with members of the Africa, Caribbean and Pacific region are currently governed by the Cotonou Agreement, which was signed in June 2000 and finally came into effect in March 2004. For more information on the Cotonou Agreement see www.europa.eu.int/comm/development/cotonou

³ These four countries were all part of the first batch of 22 countries where the in-country EC Delegation has been accorded more decision-making power as part of the process of deconcentration.

within DG DEV, who develop the new policy guidelines, find it difficult to get these accepted in DG Relex.

DG DEV have developed various guidelines on how to involve civil society and other 'non-state actors' (NSAs) in discussions about EC Country Strategies. Broadly speaking, these guidelines suggest that there are four stages to EC programming where NSAs need to be involved: consultation about the Country Strategy Papers (CSPs); consultation in the subsequent development of the next stages, including sector strategies; involvement in the implementation of programmes and projects; participation in the monitoring and evaluation of programmes. Initially, these guidelines only applied to the ACP block, but in November 2002 a new directive was issued on the involvement of NSAs in EC development assistance and this is applicable to all blocks of countries. However, there is some confusion about whether this requirement is (as yet) legally binding, as it is in Cotonou. In addition, although ACP countries do have a legal requirement to invite the participation of NSAs in development programming, the overall impression gained from reading the various documents is that the EC is confused about the meaning of NSAs and civil society participation. This may arise from the different interpretations amongst the authors of these documents, or from the need to produce statements that satisfy a range of different agendas in Brussels. However, it became apparent in the country studies and from interviews with officials in Brussels that many officials assume that the term applies mainly to providing funding for NGO and other CSO projects.

3. The Country Studies

It is clear from the country studies that there has been a greater effort to consult civil society in the ACP countries than in the ALA countries. However, the experiences of the two study countries in the ACP block are very different. Whilst certain contextual differences would be expected, the studies highlighted critical differences in understanding about, and commitment to, the nature and purposes of ensuring civil society participation within different parts of the EC in Brussels and in the Delegations.

In Kenya, the CSP process began in early 2002 and the final CSP was approved in mid 2003. There was very little participation by NSAs in the planning phase. The fact that this process took place under the Moi Government is probably significant, since relations between the government and civil society were strained.⁴ It also seems apparent that the Delegation in Nairobi was not fully aware of their new responsibilities under Cotonou. The first meeting with NSAs was organised by the EC Delegation in October 2002 after the CSP had been drawn up, and 23 members of NSAs as well as local authorities were invited. It is not clear how these representatives were identified. The stated objective of the meeting was to 'share updated information with NSAs in Kenya about the Cotonou Agreement and the draft Kenya Country Strategy and to exchange views on the role of NSAs in Kenya and in EC Development Co-operation in particular.'⁵ The meeting lasted only one morning. It is clear from the minutes of the meeting that the Delegation was of the view that the main role for NSAs was in the implementation of the country strategy⁶.

Civil society organisations in Kenya had themselves taken the initiative to organise in response to Cotonou. In February 2001, the Forest Action Network, under the aegis of the ACP-EU Joint Parliamentary Assembly, organised a regional meeting to raise awareness about Cotonou. Following on from this, a meeting for Kenyan NSAs was organised in November 2001; the Head of Delegation and Kenyan Government representatives were invited. The meeting established a

⁴ Nevertheless, by contrast a fairly comprehensive PRSP process had been conducted under the same administration.

⁵ Minutes of the meeting, cited in the Kenya Country Study.

⁶ The ECDPM study on NSAs in Kenya, which was discussed at the meeting, had placed particular emphasis on the benefits of including grass-roots NSAs in policy dialogue early on in the process of strategy formulation, since it is these organisations which often have the greatest knowledge about real levels of poverty and exclusion. Whilst this study had only been completed one month before the October meeting, it is not clear that the rationale for inclusion of NSAs in 'upstream' policy dialogue had been understood by the Delegation.

Task Force whose objectives were to 'look for funding as well as explore the modalities for establishing a national platform in Kenya to deal with Cotonou matters.'⁷ However, it seems that this group did not continue; the Kenyan country study concluded that interest had collapsed once it became apparent that the scheme would not concentrate on fund-raising.

Following on from the CSP meeting organised by the EC Delegation in October 2002, there was an increase in activity by civil society groups, with a series of workshops being held throughout 2003. These meetings were organised to disseminate information about Cotonou, focusing attention on how CSOs could be involved and on the need to establish a platform organisation to represent CSOs. A platform was finally set up in July 2003. This platform is currently engaging with the Delegation about involvement of NSAs in the implementation of the country strategy.

In Senegal, the process of consultation began in February 2001 and took over two years to complete⁸. The EC Delegation worked with the Government to develop a mechanism for involving NSAs in both the planning and identification phases of the CSP. Five 'young experts' were recruited by the EC Delegation to organise and co-ordinate the consultation process. Following the initial introductory workshop, a Central Group was set up to organise the consultation process for the planning phase of the process. After the first meeting of this group, its membership was broadened to include representatives from NSAs: six from well known Dakar based NGOs and other representatives from other sectors. The Central Group identified five areas around which Technical Working Groups (TWG) were organised.⁹ Each TWG was to have representatives from the three sectors: the Delegation, the Government and NSAs. These groups met over a period of three months and then reported back to the Central Group at the end of 2001. One of the 'young experts' was responsible for each working group. The next six months saw the refining of the analysis, with a feedback workshop for NSAs in February 2002.

Next, in May 2002 seven Working Groups were set up to identify areas of work within defined areas.¹⁰ These groups met four or five times, concluding with a three-day workshop for each of the groups, where a strategy for the particular area was developed with the assistance of a facilitator.

The Central Group co-ordinated the process. The young experts were responsible for selecting and inviting the NSAs to their respective groups. Whilst there were criteria for the selection¹¹, in practice they tended to be the larger, more prominent, Dakar based organisations. Initially the Delegation had conducted information campaigns on the content of Cotonou and two of the larger NGOs involved organised two seminars on the Cotonou process for CSOs. However, these initiatives were not followed up, and there were no moves to create any platform organisation or other co-ordination body that could support and provide cohesion for civil society involvement in the process. All meetings throughout the process were held in the Delegation offices in Dakar, with the exception of the final three-day workshops.

Thus, even in the case of Senegal where the consultation process was relatively comprehensive and well structured, the actual experience seems to have been rather ad hoc. Many participants felt they did not understand the objectives of the exercise and felt ill-prepared, with a resulting lack of follow up and high drop-out rates. In addition, many of the CSOs and NGOs themselves seem not to have taken their responsibilities very seriously: there was a lack of reporting back to their members and constituencies.

As expected, the drawing up of country strategies in the two countries of the ALA region, Bolivia and India did not involve participatory processes with NSAs. In both cases, the country strategies

⁷ Kenya Country Study.

⁸ It is interesting to note that the start of this process coincided with the PRSP consultation process taking place.

⁹ These were: trade/transport; macro/budget support; social sectors; good governance; NSAs.

¹⁰ These were: Good governance; Transportation; Hygiene; Budgetary support; Trade; Culture: NSAs.

¹¹ These were: the need to ensure representation from different groups of NSAs; the need to include marginalised groups (interpreted as especially women and the disabled); the representation of different levels; the accessibility of the organisation (telephone/internet); the importance of the organisation in its field.

were drawn up largely by the Delegation with officials in Brussels. However, the attitude of the Delegation in each of these countries was very different. In Bolivia, there is considerable experience of involving civil society groups in policy discussions¹² and the EC Delegation has experience of involving groups of beneficiaries in some of its programme work. The Delegation was therefore very open to discussing how civil society groups could be involved in future policy-making discussions. In India, the Delegation was not interested in discussing the involvement of civil society groups in policy discussions, stating that any research in this area was premature.

4. Conclusion

The study concluded that within the EC, there are useful policy guidelines being developed in DG DEV, but there is lack of knowledge and understanding about these at Delegation level. Whilst the processes of incorporating the participation of civil society groups in policy dialogue are relatively new, if the EC is serious about the need to prioritise both poverty and civil society dialogue as part of its development assistance, it needs to ensure that all officials in Brussels and within the Delegations are trained and aware of these policies. Civil society groups themselves also need to take the opportunities provided by such processes seriously. It may be that there should be different types of processes developed for engaging with smaller civil society groups at local level who have in-depth knowledge about local conditions of poverty. Processes for inviting participation from such groups could be organised by national governments, with donor support if appropriate. The civil society groups with greater experience of advocacy work are already capable of organising themselves, usually at national level. However, these groups need to be aware that their legitimacy and right to speak for society will be questioned, and they have duties around accountability to their constituents.

**To obtain a full copy of the report please contact Janice Giffen at INTRAC
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¹² These vary from very comprehensive processes organised through the various levels of local government, where detailed local issues and needs are discussed and 'passed up' to the next level of decision-making, to more general consultation processes at central level, where representatives of different civil society groups are invited to represent their specific interests.