



Part of the act4europe campaign initiated by the Civil Society Contact Group

27 October 2006

Mr Manservisi,  
 Director General  
 Directorate General for Development  
 European Commission  
 170 rue de la Loi  
 B-1049 Brussels

Dear Mr Manservisi,

### Civil society involvement in the programming process

I am writing to express concern about a seeming failure in the current process for the programming of EC aid to adequately involve civil society and other non-state actors – which, if left without remedy, will result in a serious lack of ownership over the CSPs in partner countries.

We have been consulting our colleagues in different countries, in the ACP regions, Asia and Latin America, to get an understanding of the level of involvement of civil society in the programming process. The results of our consultations indicate that there has been little real engagement of civil society actors in the process, and that CSO participation in the programming process has deteriorated from 2002. In 2002 this was already considered one of the weakest aspects of the programming process.

The lack of a serious and systematic consultation process is of great concern to us. We would like to point to the legal requirements existing for this in the Cotonou Agreement, as well as in the DCI & ENPI once they have been adopted. All CSPs are necessarily negotiated under these legal bases.

The Cotonou Agreement includes the following provision:

*“ARTICLE 2 (Fundamental Principles)  
 ACP-EC cooperation, underpinned by a legally binding system and the existence of joint institutions, shall be exercised on the basis of the following fundamental principles:*

- (...)
- *participation: apart from central government as the main partner, the partnership shall be open to different kinds of other actors in order to encourage the integration of all sections of society, including the private sector and **civil society organisations**, into the mainstream of political, economic and social life;”*

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Moreover the DCI includes clear paragraphs on the same. The version on which agreement has now been reached specifies:

*TITLE III (PROGRAMMING AND ALLOCATION OF FUNDS)*

*Article 19 (Geographic strategy papers and multiannual indicative programmes)*

*(3) Strategy papers shall, in principle, be based on a dialogue with the partner country or region which involves **civil society** and regional and local authorities, so as to ensure that the country or region concerned takes sufficient ownership of the process and to encourage support for national development strategies, particularly those for reducing poverty.*

*(8) The Commission and the Member States shall consult each other, as well as other donors and development actors including representatives of **civil society** and regional and local authorities, at an early stage of the programming process in order to promote complementarity among their cooperation activities.*

*Article 20 (Strategy papers for thematic programmes)*

*(2) The Commission and the Member States shall consult each other, as well as other donors and development actors including representatives of **civil society** and local authorities, at an early stage of the programming process in order to promote complementarity among their cooperation activities.*

There is also an undertaking within the ENPI to involve civil society.

We would have expected some improvement in the involvement of civil society during the current exercise, drawing on the experiences of 2001/2. We are particularly concerned about the systematic lack of attention given to the participation of civil society in the programming and the seeming lack of any policy to implement the above legal requirements with a view to allowing meaningful participation of CSOs in the programming process.

Indeed, at that time of the last programming exercise, we assessed the level of involvement of non state actors in the programming of EDF 9 and sent our conclusions and recommendations to the Commission. We also presented these to the 27<sup>th</sup> meeting of the ACP-EU Joint Council in June 2002. Our conclusions in 2002 were that where non state actors had been involved:

- The period for involvement had been too short
- The preparatory process was inadequate
- There was only a limited set of actors involved
- There was a lack of institutional mechanisms to facilitate the process
- There was a lack of information on the results of the consultations

We made five recommendations in 2002 for strengthening the process for the future:

- The schedule of the review process for the programming of aid should clearly provide for adequate time engaging civil society, and this should be sustained throughout the whole process
- Documentation necessary for discussion should be provided in a timely way so that civil society actors can properly prepare themselves

- Concerted efforts should be made to involve a wide range of civil society actors, including from outside the capital
- ACP and EU governmental actors should establish mechanisms that allow for a stable and predictable schedule of consultations with civil society over a period of time
- The system of consultations with civil society should allow for reporting back to civil society on the results of consultations and the provision of all relevant draft documents that have been prepared as a result of the consultations

We concluded that the extent to which these recommendations were followed in the future would be a measure on which to judge the implementation of the provisions on civil society participation in the Cotonou Agreement. We clarified in our letter of May 2002 our expectations of a much improved process to ensure the implementation of the legal requirements set out in the Cotonou Agreement.

The adoption of the DCI, which will form the legal basis for the adoption of CSPs to most parts of the world, only exacerbates the need for a proper and systematic process of involving CSOs in the programming exercise, both in partner countries and in Europe.

We have carried out a systematic range of enquiries with our CSO partners from different regions. We conclude that while some form of consultative process is claimed to have happened in many countries, we only know of one (1) country (Benin) where this could be considered to be an exercise that sought to be comprehensive and inclusive. This would seem to be the result of involving a respected CSO network in the planning and implementation of the process. Even then, many CSOs felt that they were unable to engage effectively, due to resource constraints, timing and what was perceived as a lack of sufficient preparatory information.

In other countries where some form of consultation process has been organised there has been a lack of transparency in the selection of participants, inadequate or no provision of documents or other preparatory information, and little to no feedback on the results. This lack of transparency is even more marked in countries in South Asia where there consultations appear to be informal and largely exclude national organisations from the processes. This is compounded by a lack of any information being made available in local languages. This lack of transparency is also starkly evident in countries from Eastern Europe and Central Asia where our local CSOs have been unable to get any information at all about consultations that are said to have taken place.

In Latin America some systematic consultation did take place, and this has been welcomed by CSO's. However, this was two years ago and to our knowledge there have been no reports of these meetings, and no follow up of the processes. This seriously diminishes the value of this slightly better process.

We have documented the consultation process and systematically analysed the e-mails and correspondence received in this respect of partner CSOs in developing countries. These are a wide range of organisations focussed on poverty eradication and gender equality.

In addition there is a serious lack of transparency of the programming process. While it has been promised close to a year ago that programming guidelines would be put

on the web, these are still not available. No reports of regional consultations have been put on the web. No draft CSPs have been distributed. A consultation process which lacks the basic information on which consultations should take place, is obviously not credible.

In the annex to this letter we include a list of countries as a sample of the experiences of local CSOs that has been given to us by our partners and contacts. We believe that it provides a sufficiently broad range to demonstrate a general pattern. The overall conclusions that we would draw are clear. While the EU repeatedly claims that its co-operation is based on the principles of partnership and ownership the effective exclusion of reputed CSOs from the processes in most countries undermine the credibility of these commitments.

Benin may be a specific example where a well organised CSO sector provides opportunities for effective engagement, showing that this is well possible and contributes to national ownership over the programme. There are equally well organised CSO platforms in many other countries too. Without their involvement, not just in one off consultations but also though an ongoing basis, it will be impossible to take the principle of "ownership" seriously.

We continue to maintain that the recommendations we made in 2002 are a valid measure of an effective process and we look forward to their implementation, even at this late stage in the programming processes being pursued under EDF 10 for ACP countries, and for the 2007-13 period for other countries.

We request the following measures are taken to start a credible participation of CSOs in the programming process:

- The release of documents that specify the guidelines for the process;
- The release of documents that record all consultations held, regionally and national, outlining the participants and the conclusions of the meetings;
- The release documents of progress on the programming, especially the draft CSPs, so that meaningful input can be given.

We would also insist that the programming can not be concluded unless a demonstrable effort has been made to ensure a meaningful participation of CSOs.

Without any consultation process with CSOs, it will be difficult to maintain that there is ownership of the EC programmes in its partner countries, and this will seriously undermine the credibility of the EC aid programme.

We would be very happy to discuss this matter further with you. As you may be aware, we are organising a seminar on 8 November in Brussels, involving some of our CSO partners, at which we will be focusing on the EU's programming process.

Yours sincerely,

Simon Stocker  
Director

cc.

Mr Koos Richelle, Director General of EuropeAid Co-operation office  
Mr Eneko Landaburu, European Commission, Director General for External Relations  
Ms Luisa Morgantini, MEP, Chairwoman Committee for Development  
Mr Max Van den Berg, MEP, vice-chairman committee for Development  
Ms Danutė Budreikaitė, MEP, Vice-chairwoman Committee for Development  
Mr Michael Gahler, MEP, vice-chair committee for Development  
Ms Glennys Kinnock, MEP, chairwoman of the delegation to the ACP-EU Joint Parliamentary Assembly  
Mr René Radembino-Coniquet, co-president of the ACP-EU Joint Parliamentary Assembly  
Ms Riitta Oksanen, Finnish Permanent Representation, Counsellor for development policy and development cooperation  
Mr Christoph Rauh, Germany Permanent Representation, Counsellor for development policy

## Annex I

### ACP countries

Country	Involvement of CSOs
Benin	Consultations were organised by GRAPAD, as part of the national CSO platform. Methodology included different forms of media and inclusion of stakeholders outside capital. However several CSOs felt that the process was not inclusive enough organised too late to influence the outcome. Furthermore questions have been expressed about the adequacy of the documentation as well as the feedback which was seen as limited.
Côte d'Ivoire	Our partners report that there was an information seminar that took place too late to influence the process. It could not be considered to be consultative.
Niger	Some regional ad-hoc consultations were held in some parts of the country where participation was selective and excluded many interested CSOs. No opportunity to prepare in advance as documents were only made available at the meeting.
Burundi	Repeated requests made by a number of the government for a consultation on the EU programming process none was organised to their knowledge
Mali	In Mali an inter-ministerial committee working on the programming and CSP includes the participation of two CSOs. The selection of CSO participation is unclear and there is no process for involving a broader CSO constituency. The preparatory documents are available one day before the meeting takes place, thus not allowing any prior preparation. No feed back on outcomes to the broader CSO community.
Nigeria	Local consultations have taken place, according to the EC delegation, but no report of these consultations or on outcomes has been provided despite repeated requests.

### Asian countries

Country	Involvement of CSOs
Afghanistan	According to our information a CSP draft was presented to certain, selected CSOs (mainly implementing partners for the EC's Afghanistan programme). The draft was distributed one week before the meeting and was not translated into any local language. The result was that there was very limited engagement.
Bangladesh	According to the EC desk officer, local consultation was held with 40 members of local CSOs. However our local partners reported that they were not invited to this meeting. The meeting is understood to have mainly consisted of Bangladesh government, EC delegation staff and other donors.
Maldives	The EC delegation claims that there is "a lack of any form of organized civil society". For this reason they only consulted with political parties, international NGOs and CSOs working from Sri Lanka. Since these consultations had to take the "politically sensitive situation" into account they needed to be held informally. Therefore the EC delegation is refusing to provide a list of participants.
Nepal	In Nepal consultation were done on an informal basis, whereby the EC delegation was unable to give an exact time. The relevant documents were not translated into Nepali. However, the EC delegation claims that CSOs concerns were "largely taken into account".
Pakistan	Although the EC desk officer claims that local consultation took place he could not specify where, when and who was involved it this. Our local partners had no knowledge of this meeting.
Sri Lanka	Consultation in Sri Lanka were held on an "informal basis", with broad participation from NGOs, CAP and government. However, a list of participants was not available and due to a lack of resources documents could not be translated into local languages. Our local partners were unaware of any of these processes.

### CEE/CIS countries

Country	Involvement of CSOs
Armenia	According to our partners consultations did not take place and access to documents has refused. They are told that CSOs have nothing to do with the process for drafting the CSP.
Moldova	Our partners report that although local consultations supposedly did take place they have no knowledge about it. Furthermore access to the relevant documents has been denied so far.

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Uzbekistan	Our partners report that although local consultations supposedly did take place they have no knowledge about it. Furthermore access to the relevant documents has been denied so far.
Ukraine	Our partners report that although local consultations supposedly did take place they have no knowledge about it. Furthermore access to the relevant documents has been denied so far.
Georgia	Our partners report that although local consultations supposedly did take place they have no knowledge about it. Furthermore access to the relevant documents has been denied so far.
Tajikistan	Our partners report that although local consultations supposedly did take place they have no knowledge about it. Furthermore access to the relevant documents has been denied so far.

**Latin American countries**

<b>Country</b>	<b>Involvement of CSOs</b>
<b>Southern Conce, Central America</b>	A systematic consultation process in most countries took place, however, this was two years ago. Many CSOs were difficult to motivate to participate as there experience is that the consultation processes "do not have any impact on the Commission's priorities". To our knowledge there are no reports available of the consultations. Moreover it is unclear what has happened to the outcome of the consultations in the past two years. Partners have received a draft CSP available at the time (two years ago) but not any update since, even though they have been informed that the documents have been updated.