

## **Comments on the Third Draft Outcome Document for the Fourth High Level Forum from the Task Team on CSO Development Effectiveness and Enabling Environment (October 24<sup>th</sup> 2011)**

The Task Team welcomes the third draft Outcome Document which reflects an increasingly inclusive approach. We appreciate that this draft addresses some of our comments on the second draft Document. In particular, recognition of CSOs' initiative to address CSO development effectiveness through the Istanbul Principles as well as references to citizens rather than simply to "developing countries" is appreciated.

We suggest more could be done however to render the document more fully inclusive and consistent in the treatment of the ownership concept and proposed practice. We would also like to see greater clarity on the concept of the enabling environment for civil society. Addressing both of these issues in ways that are consistent with the Task Team's Key Messages and Review of Evidence submitted to the WP-EFF would help development stakeholders to implement commitments already made in the Accra Agenda for Action while strengthening the forward Global Partnership agenda.

### **1) Greater coverage and clarity on the enabling environment**

Evidence submitted by the Task Team and others points to a deterioration in the enabling environment for civil society. This suggests that what constitutes an "enabling environment" needs greater clarity, rather than being left open to interpretation. We suggest the following addition to Paragraph 19a) (*recommendation italicized*):

Paragraph 19a) – "Implement fully our respective commitments to enabling civil society organisations to exercise their roles as independent development actors, with a particular focus on an enabling environment that maximises the contributions of CSOs to development. *We will provide an enabling environment for civil society, both in law and practice, at minimum in keeping with existing commitments in international and regional instruments that guarantee fundamental rights. These include: freedom of association, freedom of expression, the right to operate free from unwarranted state interference, the right to communicate and cooperate, the right to seek and secure funding, and the state's duty to protect.*"

Paragraph 28 a) could also make reference to the enabling environment as follows: "Implement fully our commitments to eradicate corruption, enforcing a culture of zero tolerance for all corrupt practices. This includes efforts to improve fiscal transparency, strengthen independent enforcement mechanisms, and extend protection for whistleblowers. *It includes overall promotion of an enabling environment for CSOs and other actors monitoring the use of public finances.*"

### **2) Greater clarity and consistency with regard to "ownership"**

We offer a number of suggestions to elaborate the concept of ownership in ways that can help ensure a common understanding of what constitutes ownership, as well as consistency with AAA commitments on ownership (paragraphs 13 and 20), and consistency within the Busan Outcome Document. Central to our suggestions is the understanding that, in keeping with the AAA recognition of CSOs' right to initiative as independent development actors, ownership can involve leadership by CSOs or other development actors e.g. private sector, local government, communities, with varied priorities. Also central to our suggestions is the understanding that inclusive ownership of government plans must be grounded in multi-stakeholder dialogue.

a) Affirming this understanding and the Outcome Document’s recognition of differentiated approaches across country contexts and between “the different types of public and private stakeholders involved” (Paragraph 7) we suggest the following addition:

Paragraph 10a) – Adding something along the lines of “While governments have a clear mandate to set an overarching policy framework for development, individuals also organize themselves to take responsibility for their own livelihoods, either independently or through CSOs. Thus, aid can support development programs initiated by various development actors if they are demand-driven and owned by local stakeholders. CSOs and other development actors are encouraged to seek complementarity and synergies with developing country governments. However, full alignment of all development actors with national development plans is not required.”

Alternatively, Paragraph 10a) could be edited as follows: “*Ownership of development priorities by developing countries and their citizens.* Partnerships for development can only succeed if they are led by developing countries and/or their citizens, encouraging approaches that are tailored to country *and stakeholder*-specific situations and needs.”

b) As raised in our feedback on the second draft Outcome Document, we are concerned with what seems to be a trend toward the development of single results frameworks for developing countries against which the performance of “all partners” would be assessed and drawn from “the development priorities and goals articulated by developing countries” (Paragraph 15b).

We recognize the value of common results frameworks to track and aggregate the results of development investments. The inclusion of CSOs’ development initiatives can be particularly effective when CSOs are operating in service delivery roles that fill gaps for populations under-served by governments. However, there is a risk that a “one results framework” approach could stifle CSOs’ ability to operate as independent development actors filling varied roles including the promotion of accountability, democratic governance and human rights, or innovation and bottom-up efforts to catalyze sustainable change. Even if results frameworks are developed at country-level in an inclusive manner, they could not be expected to anticipate all of the development aims and results achieved by different actors. Government plans in most countries are not intended to cover the activities of the private sector or of civil society organizations. As such, language is needed to ensure that country results frameworks are not utilized to prescribe results targets for different development actors, for example:

Paragraph 15b) – “Transparent, country-led results frameworks and platforms will be adopted as common tools to assess performance by all partners *working in relevant sectors and who subscribe to the frameworks*, based on a manageable number of outcome indicators drawn from the development priorities and goals articulated by developing countries *and their citizens.*”

Paragraph 30b) – “Assess progress in implementing partnership commitments...responding to the country’s context and country *and stakeholder*-specific needs.”

c) The current text of Paragraph 21 is also of concern due to the risk that centralized government coordination and control of the activities of all development actors is necessary to reduce fragmentation. We suggest the following edits:

Paragraph 21 – “...Providers of development cooperation have a responsibility to *manage* fragmentation and curb proliferation, while developing countries *and their citizens* should lead consultation and co-ordination efforts to agree on effective actions at the country level.”

Paragraph 21a) – “We will *manage* fragmentation, which involves making greater use of *coordination arrangements at country-level*, as well as programme-based approaches, joint strategies and programming and various forms of delegated co-operation.”

Paragraph 21b) – ...”We will make effective use of existing funding channels...and will agree on a set of guidelines to *manage* proliferation of global funds, programmes, partnerships and multilateral initiatives...”.

d) Reference to multi-stakeholder policy dialogue as an ingredient to build inclusive and democratic ownership would also be beneficial to the Outcome Document, in particular as follows:

Paragraph 11a) – “Deepen, extend and operationalize efforts to ensure the inclusive ownership of development policies and processes *through multi-stakeholder dialogue at local, national and international levels.*”

### **3) Greater reference to “citizens” or the “partners” versus simply to “developing countries”**

The use of the language “developing countries and their citizens” beginning in Paragraph 10 is welcome. It would also be important to have this kind of language consistently used in other paragraphs, such as referenced above regarding Paragraph 15b). Alternatively there remain, as raised in our feedback on the second draft Outcome Document, instances where “developing country partners” or “developing country institutions” would help make the document more inclusive, or where “country-level” is more appropriate than the use of “national”, as it leaves room for the involvement of various development actors at different levels. For example:

Paragraph 10b – “Focus on results. Our investment and efforts must have a lasting impact on eradicating poverty and inequality, and on developing *country partners’* capacities, consistent with the priorities and policies set out by developing *country partners* themselves.”

Paragraph 22a) – “Develop joint plans at the country level *involving state and non-state actors*, based on common assessments of fragility, and defining common priorities...”

Paragraph 22c) – “Develop and use tools to assess the specific risks associated with co-operation in fragile situations, conducting joint risk assessments, and using *country-level* systems to the maximum extent possible.”

Paragraph 23a) – “Developing countries *and their citizens* will lead in integrating resilience to shocks and measures for disaster management within their own policies and strategies.”

Paragraph 23b) – “Responding to the needs articulated by developing countries *and their citizens*, we will work together to invest in shock resistant infrastructure...”

Paragraph 25 – “The inputs to sustainable development extend well beyond financial co-operation to the knowledge and development experience of all actors and countries. South-South and triangular co-operation in particular have the potential to transform *developing country institutions’* policies and approaches to *development* by bringing effective, locally-owned solutions that are appropriate to country contexts.”

Paragraph 26c) – “ Encouraging the development of networks for knowledge exchange, peer learning and co-ordination among South-South co-operation actors as a means of facilitating access to important knowledge pools by *developing country actors.*”

Paragraph 30d) – “Support initiatives led by *developing country actors* that strengthen their capacities to monitor progress and evaluate the impact of efforts to improve development effectiveness.”