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Roadmaps for EU engagement with Civil Society

Taking stock of the RM process in countries in situations of fragility

Lessons learnt and good practices



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1. Introduction

For this report, fragility is defined as low capacity and poor state performance with respect to security and development. A state is fragile when it is unable to provide basic human security and/or it is unable to create the public goods and conditions needed for a minimum of human development. The causes of fragility may be indirect. There may also be pushback as different factors interact, and debates on the causal relationships between the root causes and drivers of fragility are contentious. All in all, the drivers of fragility can be grouped into four broad dimensions, namely: (i) poor or weak governance; (ii) high levels of conflict and violence; (iii) high levels of inequality and economic exclusion; and (iv) prevailing poverty¹.

According to the New Deal for Engagement in Fragile States², 1.5 billion people live in conflict-affected and fragile states. About 70% of fragile states have seen conflict since 1989. Even though 30% of the Official Development Assistance (ODA) is spent in these countries, armed conflict and insecurity limit movement and therefore the access to aid. These are countries with high illiteracy rates, low life expectancy, endemic poverty and lack of access to basic services, and which face monumental development challenges. Tribalism and fractious politics are also a major point of concern.

Based on the assessments of the 2015 State Fragility index³ and the New Deal for Engagement in Fragile States, 17 of the countries where a roadmap (RM) process has taken place, is underway, or is planned in the future fall into this category⁴. Information is only available, however, in 10 countries, as the challenging conditions have delayed several of the RM processes. The analysis that follows is based on the review of the processes and documents in these 10 countries⁵.

2. The context vis-à-vis the 3 ambitions of the 2012 Communication

2.1. The environment in which CSOs operate

It is difficult to provide an overall assessment of the enabling environment (EE) in the contexts assessed as the records are mixed. In some countries, such as Nigeria, Iraq, Afghanistan and Haiti, despite the insecurity and/or prevalence of armed conflict, the environment is generally viewed as supportive to civil society organisations (CSOs). Basic freedoms are for the most part respected. CSOs, particularly those providing services to the people, are tolerated and even respected. Positive trends are also apparent in other contexts, despite the huge challenges ahead. This is the case in Somalia, Cote d'Ivoire and Zimbabwe, as is testified to by the

¹ Jakkie Cilliers and Timothy D Sisk (2013): Prospects for Africa's 26 fragile countries. African futures paper. Knowledge empowers Africa! Le savoir émancipe l'Afrique. Number 8. October 2013.

² At the Fourth High-level Forum on Aid Effectiveness in Busan, South Korea in 2011, the g7+, a group of the world's most fragile and conflict-affected states, proposed a major change in the way the international donor community engaged with them. The new framework, known as the New Deal, challenges traditional donor-led development concepts, and has since been endorsed by more than 40 countries and international organisations, including the EU. <http://www.newdeal4peace.org/>

³ <http://reliefweb.int/sites/reliefweb.int/files/resources/fragilestatesindex-2015.pdf>

⁴ These "high alert" and "alert" countries according to the 2015 Fragility Index + Libya. In Africa: South Sudan, Somalia, Central African Republic, Democratic Republic of Congo, Sudan, South Sudan, Chad, Cote d'Ivoire, Guinea Conakry, Zimbabwe and Nigeria. In Asia & Pacific: Pakistan and Afghanistan. In the Neighbourhood region and the Middle East: Libya, Syria, Iraq and Yemen. In Latin America and the Caribbean: Haiti

Burundi has not been included in this category, as at the time when the roadmap was drafted the country was not yet considered to be in a situation of fragility.

⁵ These are: Somalia, Democratic Republic of the Congo, Chad, Sudan, Zimbabwe, Nigeria, Cote d'Ivoire (draft as the document hasn't yet been approved), Afghanistan (draft), Iraq, and Haiti. In terms of support, the Roadmap Facility (RMF) has provided support to Somalia, Zimbabwe, Cote d'Ivoire and Haiti (with field missions and remote assistance). Remote assistance has also been provided to Afghanistan by reading and commenting on the draft RM document. Chad and Afghanistan also benefitted from TA locally recruited by the EUD.

progress made in the establishment of new constitutions, the efforts to deepen federalization, the renewed juridical frameworks and/or election prospects.

Yet impediments and challenges are still numerous and composite. Often, CSOs are confronted with incomplete legal frameworks (i.e. too old and/or not acknowledging the different types of CSOs, particularly networks) or the absence of enactment mechanisms, as well as complex and cumbersome registration procedures. Arbitrary state decisions are also common practice (in contexts like Sudan and Zimbabwe) coupled with strict state scrutiny and control over CS operations.

International funding is not restricted in most of the contexts assessed. Yet CSOs are for the most part confronted with disabling fiscal systems and a lack of tax incentives supporting their fundraising efforts.

When it comes to “political” action by CSOs, this is not tolerated in most of the countries assessed (i.e. it is seen as an interference with state affairs) or even expressly forbidden. Media is often under government control, and in some contexts (such as Sudan) activists are forced to take extreme risks as they attempt to exercise basic rights and freedoms.

2.2. CS involvement in public policies

In most of the countries assessed, CSOs are acknowledged as development actors in their own right. Reportedly they have been widely consulted in the definition of national compacts and development/transition assistance frameworks (e.g. the Compact in Somalia; the different conferences organised around the support to the transition in Afghanistan, etc.). CSOs, particularly NGOs, are also well known to the public, namely with regards to their bridging the service-provision role between the state and the people. Therefore, in most of the contexts assessed, CSOs are not “new kids on the block”.

However, CSOs’ actual involvement in the elaboration, implementation and/or monitoring of public policies (to further elaborate on the aforementioned development frameworks), both at local and national level, remains, for the most part, limited. CSOs interviewed in the course of the RM elaboration processes report how consultation is often selective, symbolic and even tokenistic, particularly in more sensitive areas (e.g. governance-related, mining and natural resources-related, etc.).

Governmental NGOs (the so-called GONGOs) have also grown in some contexts (such as Sudan), further contributing to the fragmentation of CS. On another note, information is often absent, while the historical background of mistrust and lack of cooperation still plays a part. Even at the local level, where one would expect to find bigger windows of opportunity for CS engagement, opportunities are often hampered by tribalism and partisan politics.

Some positive developments are to be noted, however. In Nigeria, for instance, areas of public policy impact include constitutional reform, health (especially HIV/AIDS), women's equality, child law, human trafficking, national budgeting processes, and electoral reform.

In Somalia, among several other examples, CSOs have been actively engaged in the local observations of the elections and in policy discussion on the state budget. They also took part in discussions about the NGO Act through the “NGO Consultative Committee” set up by the Somaliland Ministry of Planning.

CSOs in the Democratic Republic of the Congo (DRC) are also involved in the 15 thematic groups set up to discuss sectoral policies. However, lack of knowledge on social contract principles is prevalent on the sides of both the government and CS. Additionally, only a handful of CSOs have sufficient research-based advocacy, accountability and engagement skills. These obstacles are also manifest in Chad.

2.3. CS capacity

In several of the contexts assessed, the EU has a proven track record in supporting the capacity development of CSOs. Particularly but not limited to ACP contexts (such as DRC, Somalia or Zimbabwe), CSO capacity has developed through a number of capacity development initiatives (with INGOs playing a paramount role) particularly focusing on the technical and managerial capacities of CSOs, and to a lesser extent on networking and coalition building and CS internal governance systems.

In most of the contexts assessed a cleavage appears to exist between a handful of large urban based NGOs, well experienced in project implementation and service delivery and well known to the donors, on the one hand, and the rest of organisations on the other, particularly community-based organisations and proximity and self-help groups.

CSOs and think tanks specialised in policy analysis, research-based advocacy, dialogue and institution building (the so-called infrastructure CSOs) are less developed but growing in several contexts.

Women groups (and their umbrella bodies) are also quickly developing and becoming more articulate and present in the public sphere, in most of the contexts analysed.

3. The RM process

In spite of the volatile and fragile conditions, almost 60% of the countries considered have finalised their RM for the period 2014-2017 and are now in the process of implementing them. In other countries, such as South Sudan, Pakistan and Yemen, the process is underway and a document is expected to be ready in the coming months.

3.1. About consultation with CSOs

One of the first outstanding features of the roadmap process in the reviewed countries under fragility is **the intensity and inclusiveness of the consultation processes organised with CSOs around the roadmap**. Out of the 10 processes reviewed, eight benefitted from either intensive or very intensive consultation processes, with several workshops organised, often in combination with a written survey reaching out to a wide spectrum of CSOs.

In Somalia, for instance, several consultation sessions were organised in Puntland and Somaliland⁶, with the support of Interpeace and Saferworld, two INGOs active in the field. All in all, a wide array of CS actors was consulted, ranging from formally established NGOs to women and youth groups, human rights defenders, the media, traditional and religious leaders and elders.

The Roadmap in Zimbabwe is based on data collection and an intense consultation process involving over 200 CS stakeholders. The process, conducted between March and June 2014, encompassed several workshops as well as a written questionnaire disseminated throughout the country, to which 85 local CSOs and 7 INGOs working in Zimbabwe responded. In total 17 consultative meetings were held in five different cities, focusing on regional and thematic specificities. In total, the impressive number of 200 CSOs participated in this exercise.

In Afghanistan, the Roadmap is also based on several consultations with CSOs, combining the use of a questionnaire with meetings. About 127 CSOs representing over 14,000 staff members, including 3,000 women, participated in the online consultation (73 replied in English, 52 in Dari and two in Pashto). The second phase of the consultation consisted of the organisation of a two-day workshop in February 2015. More than 100 CSO representatives, including 20 from province, attended the workshop contributing to the Roadmap.

⁶ In view of the security situation, Mogadishu could not be visited, but representatives from this region attended the workshop in Puntland.

This “highly participatory approach,” involving a wide spectrum of CS stakeholders beyond traditional NGOs (e.g. traditional and religious leaders or informal groups) is fully in line with the recommendations around inclusiveness put forward by the New Deal⁷.

3.2. About dialogue with Member States (MS)

Strong coordination between development partners is another important stipulation for development assistance in contexts of fragility. All of the roadmaps analysed mirror this requirement and depict a strong involvement of MS as well as of other relevant partners, including UN agencies, USAID, etc. Specific mechanisms are, however, not specified in most of the roadmaps analysed, and one could conclude that available coordination mechanisms – such as existing governance and CS coordination groups – have been used to discuss the roadmaps and agree on the priorities. It is also worth mentioning that compacts often exist in fragile contexts (e.g. Somalia), conceived of as strategic frameworks for coordinating political, security and development efforts.

The case of Afghanistan is also worth mentioning in light of the depth of the consultation process engaged with MS. Indeed, a questionnaire of 20 questions was sent to MS to gather information on their support to CSOs in terms of aid, coordination, mandate and sectors. The survey also included questions to indicate recommendations to enhance support to CSOs. Eight MS (Denmark, Finland, France, Germany, Italy, the Netherlands, Sweden and the UK) and two international partners (Norway and Switzerland) answered the questionnaire. In February 2015, the Delegation also organised a session with the development partners to discuss and agree upon the priorities for the RM.

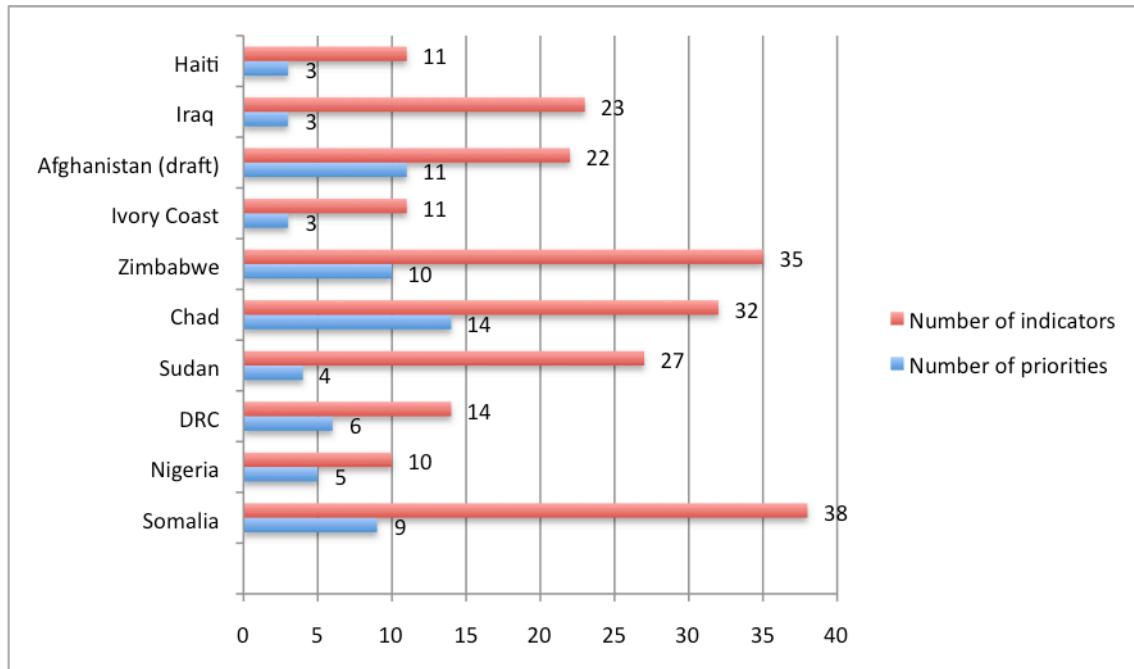
4. The contents of EU engagement

Despite the volatility that characterises contexts in fragility, most of the roadmaps assessed portray **specific priorities and actions**, duly tailored to the context.

Roadmaps for countries in fragile contexts have an average of seven priorities. Some countries, such as Haiti, Cote d'Ivoire or Iraq, have identified only three priorities, while others, including Afghanistan or Chad, go as far as 11 or 14 (the latter within a framework of three general priorities). More detail is provided in the figure below, which also depicts the number of indicators per roadmap assessed.

Figure 1: Priorities and indicators in the RM assessed

⁷Indeed as the New Deal underlines, despite the significant investment and the commitments made by donors over the past decades, results have been mixed in most fragile contexts. Transitioning out of fragility is long, political work that requires country leadership and ownership. Processes of political dialogue often fail because they lack trust, inclusiveness, and leadership. The New Deal prompts donors to better align and harmonise with national interests and actors, avoid an overly technocratic approach to development assistance, and support medium to long-term results brought about by building capacity and systems.



Priorities linked to the enabling environment are present in all of the roadmaps assessed. In this regard, most of the roadmaps in contexts of fragility focus on space for CSOs to operate. Three areas appear to be of particular relevance: (i) the support to develop (and enact) civil society legislation, especially in countries where the legal framework is obsolete or non-existent; (ii) an enhanced recognition of CSOs as legitimate development actors in their own right, free from unwarranted state interference, entitled to receive foreign funding and allowed in public policy processes; and (iii) enhanced monitoring efforts of the context evolution. A few of the roadmaps (this is the case of Iraq, for instance) put the emphasis on the preservation of basic freedoms and liberties including the protection of human rights defenders, peace building, conflict prevention and the promotion of the Rule of Law. Freedom of speech and information and media preservation are also key areas in a number of roadmaps assessed (e.g. Zimbabwe).

Examples of innovative practices to promote the EE	
▪ Research into traditional reconciliation processes, how they have evolved over time and how they can be leveraged (Somalia)	
▪ Research into land rights and conflict with particular emphasis on returning internally displaced persons (IDPs), refugees and diaspora (Somalia)	
▪ Research study exploring alternative and sustainable funding mechanisms for local CSOs (Chad)	
▪ Study on the harmonisation of existing laws (e.g. PVO Act, POSA, AIPPA, etc.) with the newly adopted constitution (Zimbabwe)	
▪ Sponsor an information portal with links to a variety of research that has been done about the context (Zimbabwe)	
▪ Funding of public awareness raising initiatives around the shortcomings of the current legal and institutional framework (draft, Cote d'Ivoire).	

Priorities linked to the involvement of CSOs in public policies (the second overall ambition of the 2012 Communication) are also widely represented in all the roadmaps assessed. In some countries, such as Somalia, Chad and Zimbabwe, they are particularly prominent. This focus on State - CS interactions mirrors the important role that the EU grants to CSOs in its peace building, security support, and good governance efforts in contexts of fragility. The case of Zimbabwe is illustrative. As the EUD acknowledges, the RM process could not have come at a more appropriate time for both the EU and civil society in Zimbabwe, considering the quickly evolving context of EU-Zimbabwe relations from a time of restricted cooperation towards a

progressive normalisation of relations with the government. All in all, a strong facilitation role is envisaged for the EU in an effort to bring CSOs closer to the respective national/regional/federal authorities and progressively strengthen CS involvement in key political processes as well as in the development, oversight and monitoring of national policy priorities. In the case of Haiti, for instance, an incremental and sequential approach is proposed in an effort to build trust between the State and CSOs.

Deepening and even structuring EU-CS dialogue is also a key area of interest. Even in the contexts where no formal mechanism for dialogue exists, the EU maintains regular contact with several CSOs, especially with networks and key advocacy actors (also individuals), particularly those actively working on the preservation of basic freedoms and rights and on sectors such as education and health, representing a valuable option for conflict prevention and institution building.

Examples of innovative practices to promote CS participation in public policies & dialogue

- Update the 2009 mapping study with a view to: (i) better define the notion of CS in Haiti, and (ii) identify the potential drivers for change in the focal sector of EU cooperation with whom to deepen dialogue (Haiti)
- Map out existing mechanisms for participatory policymaking/budgeting and citizen engagement and conduct a mapping/CS assessment with a political economy angle to identify drivers for change, and include them in the focal sectors of cooperation (Nigeria)
- Elaboration of guidelines addressed towards CSOs on social accountability (i.e. “how to hold governments acceptable”) (DRC)
- Adopt a “do no harm” approach given the sensitivities exacerbated by the crisis. All avenues shall remain open, establishing dialogue with both state and non-state actors. There are clear geographical differences, but one area shall not be prioritised at the expense of the other. This will require both a political and balancing act, as reconciliation initiatives are likely to top the agenda. A bottom-up/grassroots approach - even localised – might be desirable, with less risk of it being spun on political grounds (Iraq).

Capacity is another dimension that is also well represented in the roadmaps assessed, particularly in African countries like Chad and Zimbabwe, which include support to CS in the National Indicative Programme in line with the Cotonou Provisions. The RM for Afghanistan also places a strong emphasis on the capacity development of CSOs. Overall, capacity development needs are particularly manifest regarding research-based advocacy, policy dialogue, networking and fundraising. Another important area for improvement is the development of internal governance and mutual accountability systems, and of codes of conduct.

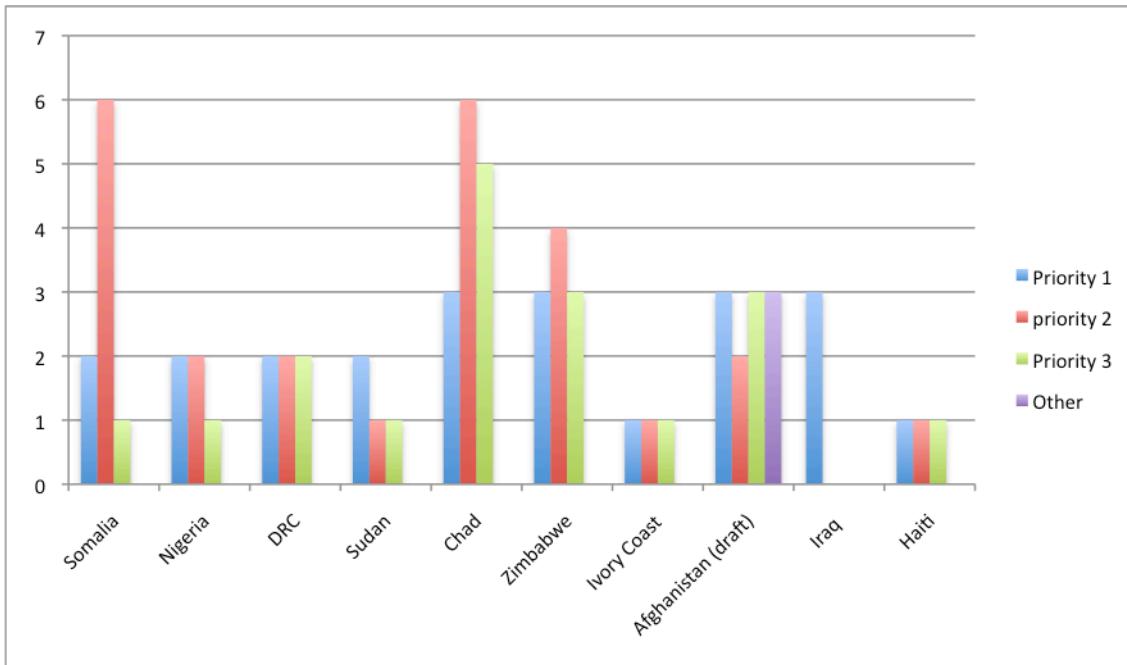
Examples of innovative practices on capacity development

- Development of a publicly accessible platform (modelled on the example of Cash Atlas) with information on all projects implemented by CSOs, including monitoring and evaluation reports and information from remote monitoring (Afghanistan).
- Capitalisation study about the public-private-partnerships (PPP) developed to provide services across the country (DRC).
- Set up of a CS working group to explore the possibility for more coordinated, flexible, demand and results-driven capacity development, ensuring appropriate reach and geographic coverage (Nigeria).
- Comparative study assessing the different capacity development initiatives and

schemes (Chad).

- Support of capacity development initiatives for policy dialogue, particularly targeting CSOs, networks, and platforms active at local and national level (Zimbabwe).
- Embedding “internal governance & accountability” incentives into the projects to be funded under Call for Proposals mechanisms (Haiti).
- Integration of a transversal internal governance/transparency component in all the projects to be funded under the Call for Proposals (CfP) launched by the EU (draft, Cote d’Ivoire).
- Targeted capacity development support reaching out to key CSOs acting as drivers for change in the focal sectors of EU cooperation (draft, Cote d’Ivoire).

Figure 2: Break down of priorities in the RMs assessed



Mainstreaming is not a priority in most of the RMs assessed considering the context of fragility, with some exceptions, such as Chad, where efforts are being made to deepen the involvement of CSOs in justice, peace-building and budget support. Haiti also foresees deepening mainstreaming in the 11th EDF, even though concrete modalities are yet to be defined. It is important to underline that the roadmap has served as a first step to raise the interest of the EU focal sectors of cooperation into civil society.

Besides, as mentioned before, CS is often very present in the public life of the contexts assessed, particularly in the provision of basic services. The different dialogue mechanisms and frameworks set up to coordinate assistance also bring on board CSOs. In Iraq, for instance, the EUD is supporting the establishment of public authorities - CS dialogue mechanism, an action that could become an important entry point to effective CS mainstreaming if EU support is resumed in a sustainable and predictable way in the near future.

Finally, with regards to **the involvement of MS in the implementation of the RM**, only the documents for Haiti and Ivory Coast refer to the available MS programmes and tools. MS appear also to be actively involved in the implementation of the RM in Somalia.

5. SWOT analysis

Strengths and Opportunities	Challenges
▪ Alignment of the RM process with other relevant country processes (e.g. Somalia national compact).	▪ It is difficult to establish a medium term engagement framework considering the volatility of the context.
▪ Depth and scope of the consultations with CSOs. CSOs are well known development partners.	▪ High insecurity may compromise outreach to CSOs.
▪ High degree of cooperation with MS and other donors. Coordination mechanisms exist and can be used and further strengthened.	▪ In some contexts human rights activists and “politically active” CSOs are under strict scrutiny or even pursued.
▪ The RM offers an opportunity to deepen engagement with local CSOs and offers a “somewhat stable” framework for engagement.	▪ CSOs are mostly acknowledged for their service delivery role (bridging the gap between the state and the people) and to a lesser extent for their governance-related roles.
▪ State and institution-building processes can offer a unique opportunity to embed constructive/innovative State-CS engagement practices.	▪ Societal fragmentation/tribalism and partisan politics hamper CS engagement.