

ASIA-PACIFIC CONSULTATION ON BUILDING REGIONAL EVIDENCE FOR THE FIRST HIGH LEVEL MEETING OF THE GLOBAL PARTNERSHIP FOR EFFECTIVE DEVELOPMENT COOPERATION

SESSION 1: PROGRESS SINCE BUSAN AND INCLUSIVE DEVELOPMENT

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CSO Asks on the Road to Busan

The Busan 4th High Level Forum on Aid Effectiveness was a turning point for civil society when more than 300 CSO representatives were present and called upon all development actors to achieve a bold outcome by:

- fully evaluating and deepening the Paris and Accra commitments;
- strengthening development effectiveness through practices based on human rights standards;
- supporting CSOs as independent development actors in their own right, and committing to an enabling environment for their work in all countries; and
- promoting equitable and just development cooperation architecture.

These were the *CSO Key Asks on the Road to Busan* which remain an important guide for CSO engagement with the process of reforming the aid system through development effectiveness¹ advocacy, which we have continued to pursue through the open platform called CSO Partnership for Development Effectiveness (CPDE). CPDE brings together CSOs from all over the world with the vision of realizing human rights, social justice, equality (including gender equality) and sustainability in development.

Our efforts in Busan were not in vain. The Busan Partnership for Effective Development Cooperation made significant commitments in areas crucial to civil society such as democratic ownership (§12a), gender equality (§20) and enabling environment for CSOs (§22), and commit all stakeholders to the shared principles of ownership, results, inclusive development partnerships, and transparency and accountability (§11).

Busan was a breakthrough in the acknowledgement of the link between the standards set out in international human rights agreements and the conditions that enable CSOs to maximise their contribution to development. Another was the acknowledgement of the CSO-authored *International Framework for CSO Development Effectiveness* as the basis for CSOs to be held accountable as effective development actors. This is an important benchmark in establishing the vital role of civil society, and its autonomy, with Busan also having reaffirmed the principle that CSOs are independent development actors in their own right.

However, our overall assessment is that two years after these commitments were made, there is lack of political will to implement the overall agenda and progress is undeniably slow. Thus, as the Global Partnership for Effective Development Cooperation (GPEDC) prepares to take stock of the Busan

¹ Development effectiveness is defined as policies and practices by development actors that deepen the impact of aid and development cooperation on the capacities of poor and marginalized people to realize their rights and achieve the internationally agreed development goals (IADGs). It places human rights, social justice, gender equality and ecological sustainability at the core of aid relations and the development process more broadly.

commitments in its first High-Level Meeting to be held in Mexico City in April 2014, CSOs are calling on all development actors to ensure an urgent and meaningful implementation of existing pledges towards development effectiveness.

So what how does the evidence stack up on progress since Busan?

For this presentation, I have drawn and quoted from the following sources:

- (1) CPDE Synthesis of evidence of progress since Busan on an enabling environment for civil society organisations. A CPDE contribution to the Global Partnership for effective development cooperation monitoring framework : Indicator 2 (October, 2018)
- (2) Review of evidence of progress of civil society related commitments of the Busan High level Forum by the Task Team on Development Effectiveness and Enabling Environment (December, 2013)
- (3) 2013 State of Civil society report, by CIVICUS
- (4) The Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association to the Un Human Rights Council, (May 2013)
- (5) Asia Pacific CPDE Mapping of Aid and Development effectiveness in the Pacific (November, 2013)

Strengthen the enabling environment for CSOs as independent development actors

In Busan, governments agreed to “enable CSOs to exercise their role as independent development actors, with a particular focus on enabling environment, *consistent with agreed international rights* (§22a, emphasis added)”. Yet, country case studies and other documentation, from both CSOs and other independent observers cited in the CPDE’s review of evidence, confirm the Special Rapporteur’s observation of a persistent and continuing narrowing of the legal and regulatory space for civil society. In September 2013, the Special Rapporteur spoke at a high level event on supporting civil society, convened by President Obama in New York, where he noted, “civil society and those facing dissent face some of the most significant challenges, unlike those who support official policies...Repressive legislation, often shared between states, is becoming a threat to civil society as Member states make laws criminalising or restricting this work...Restrictions on funding have become a major existential threat to associations across the world². The CIVICUS Report points to 413 threats to civil society in 87 countries between January 2012 and October 2013.

On a more positive note, some governments are making efforts to improve conditions for CSOs as evidenced at the UN Human Rights Council’s 25th session in 2014 when several governments enabled the passing of a resolution urging a panel discussion on the creation of a safe and enabling environment for civil society in law and practice.

The Busan commitment to create an enabling environment for CSOs clearly requires an accountability framework and close monitoring of these commitments to minimum standards for enabling conditions for CSOs. To this end, we need to step efforts in reporting on Indicator 2.

² Maina Kiai, “observations on communications transmitted to Governments and replies received (A/HRC/23/29Add.2), May30,2012, accessible at http://www.ohchr.org/Documents/Issues/FAassociation/A-HR-23--Add2_EFS.pdf

Democratic Ownership and Inclusive Development Partnerships

All stakeholders at the Busan High Level Forum agreed that “inclusive development partnerships” are the foundation for cooperation for effective development. A more inclusive development process requires governments to “deepen, extend and operationalize the *democratic ownership of development policies*. (Emphasis added (§12a). There are also related sections paras. 11a, 11c and 22)

Critical to democratic ownership is the existence of institutionalized, inclusive, multi-stakeholder mechanisms for determining and monitoring development policy and planning. The Task Team on Development Effectiveness reports that there is growing evidence of the effectiveness of multi-stakeholder approaches to advance ownership at the global level, such as seen with the GPEDC. There are also indications that, while the quality varies considerably, multi-stakeholder dialogue is on the rise at country level.

The CPDE Synthesis of evidence report on Busan commitments pointed to varying, but usually very limited, degrees to which national development strategies have been informed by inclusive consultations. The evidence describe consultations that are mostly episodic, at the discretion of governments, and often involved limited numbers of CSOs, selected for the broad support of government policy.

So, despite the Busan commitments, country evidence suggests that policy-making processes to determine development priorities and the allocation of resources for these priorities remain mainly an exclusive prerogative of governments, with a few opportunities for policy influence from affected populations. There however some examples of established multi-stakeholder dialogue.

CSO Development Effectiveness

Since Busan, CPDE has been working with regional and country level platforms and CSOs on awareness building, training initiatives, and improvements in CSO transparency and accountability related to the *Istanbul Principles* and the *International Framework for Development Effectiveness*.

In June 2013 the CPDE’s Working Group on CSO Development Effectiveness organized the first Training of Trainers (ToT) in Johannesburg attended by forty-five civil society educators, facilitators and trainers from across the globe. The TOT was an initial activity organised to reach out to CSOs at the national level. Thousands of CSOs globally have adopted the *Istanbul Principles for CSO Development Effectiveness*, the implementation of which, are now supported by various toolkits and guidelines. CPDE will continue to facilitate implementation of the *Principles* through awareness-raising and capacity building in our programme activities. The *Principles* are in essence a statement of CSO common values and approaches to guide their work, with adaptability to different contexts and CSO approaches.

In the Pacific sub-region, for PIANGO, the organisation which I head which is the regional coordinating body for national umbrella NGOs, we have embraced the Istanbul Principles in our Strategic Plan and are working to developing a Pacific Code of Minimum standard for ethical and effective CSO development practice. In one of the Pacific countries, the civil society of Tonga received EU support in December 2013, to develop a Tonga Code of minimum standards.

Donor-CSO relations is an area of concern. In 2012, the OECD published *Partnering with Civil Society: 12 Lessons from Peer Reviews* that provides effectiveness principles for donors, differentiated from principles that might apply to their relationships with other actors. The donor-CSO relationship is evolving, but with findings also pointing to an uneven record across donors’ practice. Most donors,

although not all, have sound civil society policies in place. However, the degree to which the good intentions in donors' civil society policies are reflected in practice is varied, such as in the area of strengthening developing country civil society. Many donors maintain CSOs' right of initiative in some funding envelopes, while others increasingly use financial incentives to direct CSOs to partner solely on the basis of donors' priority areas of focus.

In the Pacific, for example, our geopolitical donors have preferred using their own country NGOs and INGOs for their aid programmes rather than directing them to national and local NGOs. Funding modalities are increasingly private sector contract managed with fly in fly out overseas consultants and technical advisers. As governments all for budget support, we civil society also call for direct, predictable and longer term funding support.

As there is growing demand for civil society engagement, there needs to be corresponding resources for CSO capacity building and institutional strengthening. Most CSOs often experience deficits in basic administration, programming and implementation and require assistance in a broad range of fields like strategic planning, governance, human resource and financial management, resource mobilisation, outcome and impact assessment, monitoring and performance reporting. Only a few CSOs in our region seem to be able to cope with the increasing demands placed on them by donors, governments, and communities. Increased capacity will enable CSOs powerful agents for change as partners in the delivery of better services, as enablers of social inclusion, and through making governments more effective, accountable and transparent.

Promote equitable and just development cooperation architecture

Stakeholders in Busan agreed that a more inclusive development framework is the foundation for effective development cooperation. For inclusive development to fulfil its transformative potential, it must place people – especially the poor and marginalized – at the heart of development and must ensure human rights, equity and accountability.

A key element of inclusive development partnerships is partnerships that embrace leadership and ownership of development initiatives from varied development stakeholders, including CSOs. Thus, CSOs may have 'differential' priorities, plans and approaches, and their 'right of initiative' to design and implement development programmes consistent with the needs and priorities of the people they serve or represent needs to be maintained. Findings suggest however that the concept of 'ownership' continues to be conflated with that of 'alignment' with government (or donor) plans and priorities, and 'inclusive development partnerships' are seen to exist when CSOs act as co-implementers of government programs rather than as development actors in their own right.

I would like to share that in the Pacific region where I come from, in 2013, there has been a review of the Pacific Plan, an overarching plan for regional integration which has become the cornerstone of Pacific Regionalism and development cooperation for Pacific Island Forum countries. PIANGO played an important role in mobilising NGOs in-country to participate in the consultations and asserted the need to apply paragraph 22 of the Busan Partnership agreement, and also made a combined submission, calling for a transformative development agenda "that is more inclusive of all development actors including Pacific CSOs". This effort from PIANGO has been acknowledged as a really important contribution to the Review. We were pleased to note that the review report concluded that: "citizens feel that the right conversations are not being had about the region's new vulnerabilities – social, economic, political, cultural and environmental – and that citizens' voices about the kind of Pacific that is emerging are not being heard in the absence of coherent, effective regional governance" The review

has recommended a change in architecture, in line with the changes PIANGO called for in its submission, to include a strong role and important entry point for civil society, private sector, government officials, and various regional organisations to make proposals for future regional initiatives and present a case for collective regional action. This would support a more open and more accessible policy formation process – more groups would have a say. The review has recommended an independent board or committee of experts on regional issues, including representation from countries, civil society, and the private sector. If this eventuates, we will directly credit our efforts as a post Busan achievement.

Gender Equality

The Busan Partnership Agreement highlights that gender equality and women's empowerment are critical to achieving development results (paragraph 20- 22). It states that efforts will be redoubled to Integrate targets for gender equality and women's empowerment in accountability mechanisms, grounded in international and regional commitments, among others. As a measure progress towards this commitment the indicator that was agreed was the number of countries that have a system for tracking allocations for gender equality and women's empowerment. But Gender Equality has not been included as a main session to be reviewed in Mexico City, neither is there a slight mention at this meeting.

Accelerate and deepen Busan commitment

The key trends in the CIVICUS state of civil society are worrisome:

- A shocking 57% of the world's population live in countries where basic civil liberties and political freedoms are curtailed.
- In fragile and conflict-ridden states, civil society groups speaking out against entrenched patriarchy and religious fundamentalism are increasingly becoming targets of armed groups.
- Communities that traditionally relied on rivers, forests and communal grazing grounds for their subsistence are faced with being displaced by big corporations – including extractive industries, construction firms and agri-businesses.
- With the lines between business and politics blurring, we are increasingly seeing civil society voices being relegated to the margins in discussions on the post-2015 agenda and other global matters.

While the Busan Partnership has moved the agenda beyond aid effectiveness, there is a need to strengthen development effectiveness in practice and overall adherence to human rights standards. CPDE advocates for a human rights-based approach (HRBA) in development that seeks to empower the rights-holders (people) to hold the duty-bearers (development stakeholders) accountable. Development cooperation must contribute to building the capacities of 'duty-bearers' to meet their obligations and of 'rights-holders' to claim their rights. To this end, CSOs strongly ask development actors to:

- Ensure the realization of democratic ownership as the core aid and development effectiveness principle.
- Practice inclusive multi-stakeholder policy dialogue.
- Promote and implement gender equality and women's rights.
- Entrench human rights, decent work, and sustainability in development policies, programmes and outcomes.
- Commit to and implement rights-based approaches to development.
- Mainstream a HRBA at all levels of development policy, encouraging the implementation of independent human rights complaints mechanisms to provide individuals/groups affected by donor-funded development programs means of redress.

At the GPEDC Mexico High-Level Meeting, CSOs call for the formulation of an **Action Plan** on implementing the Busan commitments. This Action Plan should contain specific benchmarks and timetable to gauge global and country-level progress in key areas of development effectiveness towards achieving an equitable and just development.

A Flickering Flame

As I prepared my presentation, I was reflecting on the Busan partnership Agreement as a flickering flame – an inconstant and wavering light, a brief or slight sensation, a flame burning unsteadily. As the world heads to Mexico for the First High Level Ministerial to review the Busan commitments, let's keep the promise of Busan at the forefront of our minds, lest we forget.

I THANK YOU

(ENDS)