

Herrn Bundesminister  
Sebastian Kurz  
Bundesministerium für Europa,  
Integration und Äußeres  
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*Kopie ergeht an:*

Botschafter Nikolaus Marschik  
Botschafter Peter Launsky-Tieffenthal

Wien, 7. Dezember 2017



## **Rat für Auswärtige Angelegenheiten/Entwicklung am 11. Dezember 2017**

Sehr geehrter Herr Bundesminister,

beim Rat für Auswärtige Angelegenheiten/Entwicklung, welcher am 11. Dezember in Brüssel stattfinden wird, werden Sie die Gelegenheit haben, mit Ihren KollegInnen über zentrale Punkte der internationalen Entwicklungsagenda zu diskutieren. Als Dachverband der entwicklungspolitischen und humanitären NGOs in Österreich möchten wir Sie, gemeinsam mit unserem europäischen Dachverband CONCORD, ersuchen, beim Rat folgende zivilgesellschaftliche Perspektiven und Anliegen zu berücksichtigen:

### **Umsetzung des Gender Actions Plans**

Im Vorfeld der Verabschiedung der Ratsschlussfolgerungen zum ersten jährlichen Umsetzungsbericht für den Gender Action Plan (GAP II) 2016-2020 hoffen wir, dass Sie sich dafür einsetzen werden, dass die österreichische und europäische Entwicklungspolitik vermehrt positive Auswirkungen auf das Leben von Frauen und Mädchen hat und der GAP II mehr ist, als ein bloßes zusätzliches Berichterstattungsinstrument für die EU und ihre Mitgliedstaaten.

Um bis 2020 konkrete Resultate zu erhalten, braucht es eine adäquate Budgetierung und klar gewidmete finanzielle Ressourcen für die thematischen Schwerpunktbereiche. Es bedarf auch besser koordinierter Aktionen zwischen der EU und ihren Mitgliedstaaten sowie auf allen Ebenen eine verstärkte und kohärente Umsetzung des GAP II. Der erste Umsetzungsbericht für 2016 hat zwar gezeigt, dass es Bemühungen auf unterschiedlichen Ebenen gab, jedoch fehlt es seitens vieler EU-Delegationen nach wie vor an den grundlegenden ersten Schritten zu Implementierung des GAP, wie etwa an der Einbeziehung der lokalen Zivilgesellschaft. Insbesondere Frauenrechtsorganisationen, deren Arbeit erwiesenermaßen zentral ist, um Fortschritte bei der Gleichstellung zu erreichen, müssen viel stärker als bisher involviert werden. In diesem Sinne erwarten wir deutliche Ratsschlussfolgerungen, in welchen das Engagement der EU und ihrer Mitgliedstaaten für positive und nachweisbare Auswirkungen für Frauen und Mädchen weltweit bekräftigt und konkretisiert wird.

## **EU-Afrika Partnerschaft: Wie geht es nach dem Gipfel weiter?**

Die künftige Afrika-EU Partnerschaft braucht eine langfristige Strategie, welche die 2030 Agenda und nachhaltige Entwicklung für alle Menschen in den Mittelpunkt stellt. Die öffentliche Finanzierung dieser Partnerschaft, und vor allem Entwicklungszusammenarbeit, darf keinesfalls auf Kosten der Ärmsten innenpolitische oder kommerzielle Eigeninteressen der EU priorisieren.

Migration: Als ersten Schritt wäre es wichtig, dass die EU und ihre Mitgliedstaaten Migration als positive Kraft für Entwicklung darstellen und das Potential von MigrantInnen und Schutzsuchenden in diesem Bereich anerkennen. In weiterer Folge sollten sich die EU und ihre afrikanischen Partner darauf konzentrieren, die tatsächlichen Ursachen zu bekämpfen, welche Menschen dazu zwingen ihre Heimat zu verlassen und sich auf eine gefährliche Reise zu begeben. Dazu gehören unter anderem bewaffnete Konflikte, Klimawandel, schlechte Regierungsführung sowie Armut und extreme Ungleichheiten. Entwicklungszusammenarbeit kann hier einen wichtigen Beitrag leisten, es bedarf aber eines abgestimmten Handelns vieler Politikbereiche.

Gleichzeitig kann der Ausbau sicherer und legaler Migrationswege für Schutzsuchende zur Erhöhung ihrer Sicherheit und zur Bekämpfung der Schlepperei beitragen.

Sicherheit: Die Zusammenarbeit im Bereich Sicherheit sollte unter dem ganzheitlichen Verständnis von Menschlicher Sicherheit erfolgen, der die Menschenwürde in den Mittelpunkt stellt. Dafür braucht es einen Friedens- und Sicherheitsrahmen, der über das Krisenmanagement von Symptomen wie etwa Konflikte, Vertreibung und Hungersnöte hinausgeht. Um langfristig Sicherheit zu gewährleisten, müssen daher die Ursachen von Armut bekämpft, soziale Gerechtigkeit geschaffen, der Klimawandel deutlich gebremst und demokratische, gut funktionierende Staaten und Institutionen aufgebaut werden. Eine starke Zivilgesellschaft ist in all diesen Bereichen von großer Bedeutung und sollte verstärkt unterstützt werden. Eine Aufweichung der Definition von öffentlicher Entwicklungszusammenarbeit (ODA), sodass in diese auch vermehrt militärische Aktivitäten eingerechnet werden können, ist zu vermeiden.

Zur Rolle des Privatsektors: Wenn es darum geht, Arbeitsplätze zu schaffen, die lokale Wirtschaft und den sozialen Zusammenhalt in einkommensschwachen Ländern zu stärken, sind kleinbäuerliche Familienbetriebe (welche für 90% aller Investitionen in der Landwirtschaft verantwortlich sind) sowie KMUs, die auf lokale Märkte ausgerichtet sind, die mit Abstand wichtigsten PartnerInnen. Dies sollte sich auch in den Entwicklungspolitiken für und mit dem Privatsektor entsprechend widerspiegeln.

Entwicklungspolitische Instrumente wie der External Investment Plan (EIP) sollten Rechenschaft über die Erreichung von Zielen der Armutsbekämpfung, Geschlechtergleichstellung sowie Umwelt- und Klimaschutz ablegen. Um überprüfbare Resultate zu erhalten, sind erhöhte Transparenz sowie der Ausbau der Rechenschaftspflicht durch Ex-Ante-Überprüfungen der Sozial- und Umweltstandards notwendig. Sowohl Partnerregierungen als auch die lokale Bevölkerung sollten in Projekte eingebunden werden, um die Ownership zu fördern. Zudem braucht es Beschwerde- und Rechenschaftsmechanismen um sicherzustellen, dass Unternehmen Menschenrechte und Umweltstandards durchgehend befolgen.

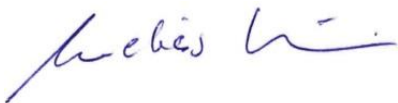
Im Rahmen der Diskussionen um die Rolle des Privatsektors muss auch an einer fairen internationalen Steuerpolitik gearbeitet werden. So muss die EU vor allem für mehr Transparenz sorgen. Dazu zählen insbesondere öffentlich zugängliche Register der wirtschaftlichen Eigentümer von Unternehmen, Trusts und Stiftungen. Ebenso sollten

multinationale Unternehmen verpflichtend länderweise steuerrelevante Daten für die Länder, in denen sie tätig sind, veröffentlichen. Damit würden die bereits bestehenden verpflichtenden Berichtslegungen im Rohstoff- und Bankensektor auf alle Sektoren ausgeweitet.

Partizipation der Zivilgesellschaft: Um das gemeinsame Engagement der EU und Afrikas für eine Partnerschaft, welche auch die Zivilgesellschaft umfasst, zu unterstreichen, braucht es entsprechenden Raum auf allen Ebenen der EU-Zusammenarbeit und des politischen Dialogs und formalisierte, partizipative und inklusive Strukturen auf nationaler, regionaler und kontinentaler Ebene. In Bezug auf den Gipfel von Abidjan hat sich gezeigt, dass es für die gemeinsame Roadmap (bzw. Programme) Entry-Points für zivilgesellschaftliche Organisationen beider Kontinente braucht. Dafür sollten Kapazitäten aufgebaut und politische und finanzielle Handlungsspielräume geschaffen und verstärkt werden.

Weitere Informationen von CONCORD zur EU-Afrika Partnerschaft sowie der Rolle der Zivilgesellschaft befinden sich untenstehend im Anhang. Wir ersuchen Sie um die Berücksichtigung der dargelegten Anliegen, freuen uns auf ein diesbezügliches De-Briefing und stehen im Falle von Rückfragen gerne zur Verfügung.

Mit freundlichen Grüßen,



Annelies Vilim  
Geschäftsführerin  
AG Globale Verantwortung

**Anhang:**

- CONCORD's alternatives to five EU narratives on its partnership with Africa
- CONCORD: The future of the Cotonou agreement – Role of civil society in the future ACP-EU partnership

## ANNEX 1: CONCORD's alternatives to five EU narratives on its partnership with Africa

Ahead of the Africa-EU Summit CONCORD recommends that the future Africa-EU Partnership build a long-term strategy putting people and planet first and coherent with both continents' commitments on sustainable development, prosperity and peace for their people. CONCORD further expresses concern that development policy and public funding, notably official development assistance, are increasingly being diverted or leveraged to serve EU interests, rather than meeting the needs and aspirations of people in Africa.

Below CONCORD tackles **5 EU narratives** that underpin the EU's approach to the EU-Africa Summit and suggests positive alternatives:

### 1. **MIGRATION:** *using all leverage possible to keep people there and send people back*

✘ The EU's migration and development approach fails to acknowledge that the overall majority of Africans who migrate do so within their own continent. Borders have tightened in the North while no alternative legal pathways have been provided, increasingly putting people at risk. Whilst much of EU attention and resources is focused on North Africa and specific countries from where migrants to Europe are deemed to originate, there is decreasing development assistance for Southern Africa, a region to which increased numbers of people are moving, seeking a better future.

✘ The EU's approach to migration and development policies is currently built on two main priorities: sending people back and keeping people there. For many years, African countries have been confronted with aid and trade conditionalities that offer "more-for-more", pressuring them into accepting readmission and return of their nationals. The EU and Member States meanwhile intend to move to "less-for-less" approaches that reduce aid, withhold trade preferences or use every form of leverage possible to achieve policy objectives other than those associated with development cooperation. From withholding visas for students, business leaders, diplomats and other expats to providing extra funds to partner countries as incentives to prevent migration, these measures may be detrimental to achieving the EU's stated development objectives.

✘ EU policy narrative also suggests that part of its efforts are designed to "address the root causes of migration". First, this narrative lacks an understanding that migration is not a problem per se, as long as those who decide to migrate have other options, and that safe and legal pathways are in fact a key part of migration management to be able to better regulate and control influxes of migrants. It also does not take into account the fact that much of the migration is regular migration. Thirdly, the EU narrative suggests that irregular migration towards the EU will stop as a result of investing in long-term employment and economic development in Africa. Research has shown that the opposite is happening in low income countries: at first outward migration will increase. It cannot be argued the EU is not being informed about this so-called "migration hump", this has been evidenced time and again by academics and civil society organisations. It seems that the EU is using this flawed narrative to promote EU investments and engagement of EU companies, of which the European External

Investment Plan (EIP) is a prime example.

✘ Instead of addressing the root causes of forced migration and displacement, the EU and its Member States are increasingly spending large amounts of scarce ODA resources on migration management, and even larger sums on the reception of asylum seekers in their own countries. At the same time, the resources for countries like Uganda which are hosting millions of refugees are not forthcoming. Development programming and ODA should be used in line with the development effectiveness principles of ownership by, and alignment to the recipient country's priorities. Fundamentally it has to be about poverty eradication and creating sustainable development. Spending ODA on border management is in contradiction with the Lisbon Treaty, which states that poverty eradication is the main purpose of EU development policy.

✘ The EU is pushing for more border controls among African states but this harms human mobility as a household strategy to improve living conditions and regional agreements such as ECOWAS. The EU should dialogue with African states to identify a pro-development migration management, reconciling border security needs with positive human mobility in order to support livelihood strategies.

- ✓ *The EU narrative should look at migration as a positive force for development, and migrants and refugees as development actors with a potential positive role to play in development. Global development across the ages has never been possible without migrants and their contribution. This has also been recognised by the signatories of the 2030 Agenda, including all EU and AU member states. As agreed in the 2030 Agenda, their contribution needs to be facilitated rather than blocked, including by the EU.*
- ✓ *The EU should focus its efforts on tackling forced migration and displacement – the really problematic area of migration. This means addressing all possible factors and drivers that force people to leave their homes and communities and engage in unsafe migration, such as conflict, climate change, inequality, poverty and governance failures. In fact, many of the 244 million international migrants are in some ways forced to leave, even if they are not fleeing war or persecution. Improving local political, environmental and socio-economic conditions should be the number one priority for the EU-Africa Partnership, while increasing legal pathways for human mobility and its benefits for local development. This should include establishing a regulatory framework to ensure safe, regular pathways for asylum seekers and migrants.*
- ✓ *The return of rejected asylum seekers should be conducted in safety, and with respect for their human rights and dignity, with support for their successful reintegration into their societies of origin. The absence of a real Common European Asylum System (CEAS) continues to be highly problematic and leaves many people in the dark and unable to have their rightful claims respected during the process.*

## 2. SECURITY: *Putting borders before human security and human rights*

✘ A narrative which equates border control with security and safety, and frequently links migration with terrorism has repercussions for the rights of both migrants and refugees. Returning migrants back to countries where they are not safe, with little or no oversight over their protection, is not compliant with Europe's international human rights obligations. Any policy of returning migrants to 'safe areas' not of their origin also risks undermining sustainable development policies the EU is pursuing in countries of origin in the long term.

✘ Spending ODA on migration management and supporting security forces in the region diverts funding away from people-centred sustainable development, as funds no longer go to addressing the drivers of fragility but rather the symptoms. This risks leading to unjustified disparities in funding between regions, and weakens the link between development spending and actual need - thus strengthening the politicisation of ODA and development cooperation more broadly.

✓ *EU cooperation with African countries on security should have a greater focus on tackling climate change as a driver of insecurity and conflict now and in the future. Failure to prioritise investments in adaptation, enhancing adaptive capacity of countries and strengthening resilience to climate change risks missing the global goal set by the Paris Agreement and undermining long-term strategies to secure the socio-economic and ecological systems on which poor people depend.*

✓ *If EU and Africa want to build societal and state resilience with a people-centred focus, the primary objective should be to strengthen inclusive governance. Governance strategies that support citizens to actively engage with power holders ultimately lead to investments, services and supportive policies that correspond with their needs and contribute to building their resilience.*

✓ *When turning to security sector actors, the EU and Member States should disclose their plans and seek the scrutiny of the international community, OECD DAC included. The EU should refrain from spending development aid on military actors, and all financing must comply with the requirements of OECD-DAC ODA definition if sourced from development financing instruments.*

✓ *EU-Africa cooperation in the area of security must integrate a clear women's rights perspective, including by fully implementing the "UN Security Council Resolution 1325" and subsequent resolutions on Women, Peace and Security, which aim to strengthen women's participation as actors for peace and security, as well as to eliminate the widespread use of gender-based and sexual violence in conflict and post-conflict situations.*

✓ *The EU and Africa need to develop a peace and security framework which looks beyond the crisis management of symptoms such as conflicts, forced displacement or famines. Addressing fragility, strengthening resilience, reducing insecurity and preventing conflicts*

*requires a people-centred approach, oriented towards addressing the root causes of poverty, creating social justice, stabilising and building democratic and well-functioning states and institutions, containing violence in general and gender-based violence in particular, and building a culture of peaceful conflict transformation within and between societies. It is of the utmost importance to support civil society initiatives in this regard.*

### 3. PRIVATE SECTOR INVESTMENT: At any cost?

✘ The focus on using private sector instruments such as the European Fund for Sustainable Development and External Investment Plan to tackle the “root causes of migration” in fragile contexts in Africa lacks analytical underpinning. There is little evidence that leveraging European companies’ investments in poor Sub-Saharan African states will deliver decent jobs and services for the poorest people in a sustainable way, nor that the private sector will invest in fragile contexts in Sub-Saharan Africa. On the contrary, using ODA to provide private sector guarantees risks diverting ODA away from supporting domestic small-scale private sector development and local inclusive business models, or from investing in public goods such as education, health and the preservation and restoration of natural resources.

- ✓ *The EU’s private sector-oriented aid initiatives should recognise that the most important category of private sector actors in terms of creating employment, strengthening local economies and promoting social cohesion in low income countries are the small-scale family farmers (responsible for 90% of all investment in agriculture) and SMEs targeting domestic markets. ODA should support their efforts. This will require re-designing instruments such as the External Investment Plan.*
- ✓ *Instruments proposed by the EU should be accountable for delivery in line with pro-poor, pro-women, and environmentally friendly objectives, and with a raised bar on transparency, ensuring strong ex-ante social and environmental standards are in place. There should be ownership and policy dialogue with partner governments and communities impacted by investments involving European companies operating in partner countries, including a grievance mechanism and corporate accountability mechanism to ensure human rights are respected and the environment is safeguarded.*
- ✓ *The EU should spell out how it intends to support improvement in local African business environments, with specific plans for empowering women and youth. It should ensure that private finance does not substitute public investment in health, agriculture, education, infrastructure, adaptation to climate change and social protection and that sustainable development and poverty eradication remain the primary objectives of its partnership with Africa. Addressing power imbalances (in supply chains, in multi-stakeholder dialogues, etc.) should be at the core of the EU approach to tackling inequalities.*
- ✓ *In the case of blending and leveraging the EU should work with its African partners to guarantee the financial and developmental additionality of the funds and the development nature of the results. Aligning proposed support with national development agendas and ensuring the participation of civil society in defining the needs is critical to any hope of*



*lasting success.*

#### 4. **TAX AND TRADE:** *will bring benefits for Africa and the EU*

✗ The EU's assumption that international trade will boost inclusive economic growth in Africa is not borne out by the evidence. Overemphasis on trade agreements, foreign direct investments and global value chains without effective safeguards discounts the evidence that this approach has negative effects for entire segments of the population, including the most vulnerable. It also ignores calls by CSOs and social movements for a different trade agenda, prioritising people and the planet over protecting investors. Furthermore, it downplays the importance of local, national and regional trade.

✗ National budgets in many African countries rely on corporate taxes to a larger extent than budgets in OECD countries. Corporate tax avoidance, combined with international tax standards which favour richer countries in the division of taxing rights, and the irresponsible use of tax incentives, affect developing countries particularly strongly, costing them more than 100bn USD in estimated lost revenue every year.<sup>1</sup> Loss of tax revenue and capital flight from Africa to Europe also undermines countries' ownership over their own development process. All these processes are to the detriment of a meaningful partnership with Africa.

- ✓ *The EU and Member States' taxation policies must not undermine and – where possible – should support developing countries in their fight against corporate tax avoidance. EU policies should translate into greater domestic resource mobilisation in Africa.*
- ✓ *In view of the commitment to gender equality in development, the EU should support corporate tax transparency and contributions as crucial source of funding for gender-responsive public services in Africa.*
- ✓ *The EU should ensure greater transparency in tax payments by multinational companies in various countries and obligations in the extractives and banking sectors should be expanded to all sectors through the introduction of effective and comprehensive public Country-by-Country Reporting requirement, without exceptions.*

#### 5. **YOUTH:** *Tokenism over long-term investment in poverty reduction*

✗ The EU's focus on investing in youth is an opportunity, but it is unclear that the EU will make a meaningful offer for Africa's young people at the coming Summit. It is also unclear that the EU's migration partnership approach and reliance on private sector guarantees will achieve the stated aims if there is less long-term investment in poverty reduction among younger populations and their empowerment, starting in childhood. There is no clear evidence that the private sector alone will deliver decent jobs and futures, without continuing robust public investment and ODA support to essential services, and without deeply reforming corporate governance itself.

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<sup>1</sup> UNCTAD (2015), "International Tax and Investment Policy Coherence", in World Investment Report 2015: Reforming International Investment Governance, viewed June 2017, "[http://unctad.org/en/PublicationChapters/wir2015ch5\\_en.pdf](http://unctad.org/en/PublicationChapters/wir2015ch5_en.pdf)



- ✓ *This means, to achieve scalable results, not only focusing on Technical and Vocational Education Training (TVET) for adolescents and young adults, but investing in systems to ensure all children have access to health care, adequate nutrition and quality basic education in their formative childhood years. Delivering more and better jobs will require supporting partner countries to invest in earlier health and education interventions (tackling stunting, fostering basic literacy, numeracy and digital skills) to ensure adolescents and young adults are equipped to make the most of vocational education and training (TVET) opportunities when they arise. It will also require investments in freedom of association, and the facilitation of social dialogue at all levels.*
- ✓ *The EU needs to prioritise the sustainable development goals, and the roadmap they offer, in the Africa Partnership - focusing on leaving no one behind, especially children who are marginalised and excluded, recognising that different children and youth face different barriers and have different needs.*
- ✓ *Improving school retention and completion rates for both boys and girls is crucial so they have the skills to be part of a productive workforce and can contribute as citizens to the development of their families and communities. The EU should use its focus on gender to empower girls who face additional barriers to education and employment, given girls' potential to transform their generation and the one to come. Youth on the move or in protracted refugee situations within Africa are another group the EU should prioritise in supporting access to quality education, which is one of the most equalising forces in society.*
- ✓ *Investing in youth, means investing in them wherever they are: The EU should commit to allocating additional ODA to Africa – home to most of the LDCs. Without this commitment, there is a risk to create a gap in the funding for the people and countries most in need.*
- ✓ *Meeting the hopes of future generations of Africans and Europeans means listening to diverse groups of young people up to, at and beyond the Summit. The EU should avoid tokenism and should design processes to allow the meaningful political and economic inclusion of young people in processes. Clearly a strong and integrated Africa can be fully realised only if its demographic advantage of young people is mobilised and equipped to help drive Africa's integration, peace and development agenda. This requires EU support for African leadership that is accountable and provides for the meaningful participation of young people at local, national and regional levels.*

## **CONCLUSION: Invest in policy coherence for long-term sustainable development**

Instead of pursuing short-term interests the EU should be pursuing a long-term relationship with the African Union and African people, grounded in human rights and sustainable development.

This approach should be at the core of European policies on trade, finance, environment and climate



change, food security, migration and security.

The EU should partner with African countries in managing mobility so it is possible to migrate safely, so that there can be “brain gain” and so that the right to asylum is respected as well as the rights of migrant women, children and men along their journey.

The EU should ensure that security policies support and do not undermine human rights and development and invest in children and youth for the long-term through systems strengthening, and focusing on reaching those furthest behind, no matter who and where they are.

The EU should prioritise combatting illicit financial flows and tax avoidance which rob Africa of millions of dollars and forging new trade and investment policies which do not leave large numbers of people behind in Europe and in Africa, but rather foster sustainable development and the realisation of human and labour rights for all in a race to the top.

The EU should look at the external impacts of its policies in a much more consistent way, and establish effective and accessible remedy mechanisms for affected communities.

## ANNEX 2 :

### The future of the Cotonou agreement

#### Role of civil society in the future ACP-EU partnership

Civil society is specifically enshrined as an actor in the Cotonou Partnership Agreement (CPA). This is specific to ACP-EU compared with other strategies, eg. Joint Africa-EU Strategy (JAES). According to Articles 4, 7, 8 and 19, CSOs should be involved in the political dialogue of joint EU-ACP institutions, and the different issues approached in the political dialogue including development cooperation. CSOs should also be provided with capacity-building and financial resources for supporting the design and implementation of those cooperation strategies. But despite all these provisions, the CPA fails to define specific mechanisms for CSO participation.

#### Political dialogue

The participation of civil society and other non-governmental stakeholders in the dialogue, a binding provision of the CPA in its Art. 8, is far from being translated into reality. This results in a very rare engagement between CSO and EU-ACP joint institutions, the sole exception being the ACP-EU Joint Parliamentary Assembly where the majority of CSOs organizations participate as observers. According to Art. 15 of the CPA, the joint Council of Ministers was to have an ongoing dialogue with CSOs, however this was not implemented into practice. CSO engagement in other joint institutions or dialogue with other regional bodies is even more reduced and in some instances even, non-existent.

Currently there is a lack of transparency in ACP- EU institutions. It is possible to have public knowledge of the activities of the Joint Parliamentary Assembly, but there are rarely any communication regarding activities, meetings and decisions of the Joint Council of Ministers and the Committee of Ambassadors. At national and regional level, there is some dialogue often interlinked with financial cooperation and trade negotiations. It lacks also transparency and involvement of civil society and



other non-state actors.

### Consultation in programming

CSO participation has been threatened by the growing number of countries adopting restrictive legal frameworks or actions, both at ACP and EU level. In addition, consultations in country programming are more frequent in ACP countries than in others that are not covered by the same type of provisions as the CPA, but often these are more validation exercises than consultations, with little influence over final decision. A CONCORD study has highlighted the fact that some EUDs are making a real effort to improve the quality of the consultation and that good practice exists. However, different formats are reported for consultations and meetings and the quality varied largely depending on the country and on the perception of the participating organisations.<sup>2</sup> It is not clear however if national governments / National Authorising Officers (NAO) consult national & local civil society for the programming of funds. The same happens with regional bodies, as these rarely or never consult CSOs for the programming of development funds.

### Implementation & monitoring

In terms of national programming, there is possibility for civil society to benefit from support within the national envelope. In fact, according to the CPA, CSOs should be provided with capacity-building and financial resources for supporting the implementation of cooperation strategies. When an ACP country agrees to dedicate some money to CSO from the EDF, it can be used in that perspective. However, only 43 ACP countries have opted to have a CSO envelope under the 11th EDF. Although this represents a higher percentage than in previous EDF (9th EDF 21%; 10th EDF 35%), there are still 30 countries which preferred not to have a CSO envelope. These ACP countries justify themselves due to 'failed past experiences' and 'unavailability of appropriate NSAs'. The level of financial support for CSOs as implementers also varies significantly, both in terms of volume and percentage. Almost half of these envelopes (18) are designed for CSO support to domestic accountability; 14 are aimed at supporting focal sectors.<sup>3</sup>

### Looking ahead

Civil society organizations are legitimate actors of cooperation with essential roles to play in ACP-EU relations and therefore the Cotonou Partnership Agreement 'acquis' for CS participation needs to be retained and reinforced. These multiple roles are also recognized in the 2012 EC Communication, which states that 'an empowered civil society is a crucial component of any democratic system and an asset in itself', contributing 'to more effective policies, equitable and sustainable development and inclusive growth' and participatory democracy by 'representing and fostering pluralism' and 'articulating citizens' concerns and growing demand for transparent and accountable governance'. CSOs do indeed have a role as watchdogs, contributing to democracy but also as implementers of development programs. For that reason, the involvement of CSOs should be included in the **legally binding principles of the agreement**.

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<sup>2</sup> CONCORD (2015). Mutual Engagement between EU delegations and civil society organisations – Lessons from the field. <http://www.concordeurope.org/publications/item/406-the-eu-delegations-watch-report-2015>

<sup>3</sup> CONCORD (2017). Contribution to the Public Consultation on the External Financing Instruments of the European Union:

[https://concordeurope.org/wpcontent/uploads/2017/05/PublicConsultation\\_EFI\\_CONCORDContribution.pdf?1855fc](https://concordeurope.org/wpcontent/uploads/2017/05/PublicConsultation_EFI_CONCORDContribution.pdf?1855fc)

In order to support the different roles of civil society, the revised partnership should:

**A) Improve the dialogue between the EU and ACP institutions and CSO**

- Put in place formal, inclusive, structured participatory dialogue mechanism, engaging the diverse types of civil society organisations (diaspora, farmers' organisation, grass roots organisations, disability organisations, labour union, NGOs etc) from both the ACP and the EU. Some CSO platforms could host these formal participatory dialogues in their own countries at the highest levels, such as the umbrella level. Such a participatory mechanism aims to inform political decisions and should include a feedback mechanism on how CSO input has been taken into account.
  - At umbrella level, this participatory mechanism should take the form of a permanent forum funded by the EC and ACP countries in order to get CSO comments and proposals about cooperation policies and political issues.
  - Dialogue mechanisms should be established at different levels of governance – local, national (with the different existing national platforms) , regional and interregional based on existing structures;
  - Inform and involve EU and ACP CSOs at every stage of the process of designing implementation strategies and governance and accountability mechanisms, reviewing and negotiating budgets, drafting new or revising existing policies, legislative acts, instruments and programmes, and choosing the most appropriate aid delivery mechanisms and CSO funding modalities;
  - Promote meaningful and inclusive participation by CSOs in dialogue and decision making with the EUDs and more precisely ;
  - Increase the visibility of country roadmaps for engagement with broader group of CSO and of CSO mapping exercises and transform the roadmaps into strategic tools for dialogue and for mainstreaming CSO participation in EU cooperation with the country;
  - Increase the visibility of the role of the EUD CSO focal point amongst ACP CSOs
  - Ensure that dialogue meetings between EUDs and CSOs are more than information sessions and ensure feedback on consultations held with CSOs
  - Whenever possible, facilitate a tripartite dialogue with the partner government and civil society on a general level (e.g. on the country's sustainable development plan or strategy) or on a thematic basis (with a focus on EU priority sectors of cooperation or important policy processes inside the country).
  - Ensure biannual exchanges between NAOs and the different CSO platforms in order to follow the implementation of the National indicative programme
- Put in place and support the functioning of CSO's advisory groups on other agreement than development such as the trade and investment agreements with each region.
- Enhance cooperation between CSO's and the joint parliamentarian bodies or the equivalent future institution, with inclusive spaces for debates which should go beyond EESC representatives.
- Put in place support mechanisms to facilitate transparent and inclusive Intra-ACP CSO cooperation and exchanges
- Establish multiple forms and mechanisms of dialogue between parliaments and CSOs and promoting space for civil society contribution in policy making processes at all levels (i.e. the local, national, regional and the global). Further efforts should be done with regional organisations so that these can include dialogue with CSOs on a regular basis. In addition, a structured dialogue with CSOs during or prior to meetings of joint institutions could also be included (as currently happens in ASEAN and EU-CELAC relations)
- Elaborate new ways to engage a broader range of CSO actors in the partnership through public

dialogue

## **B) Improve the role of CSOs in the monitoring exercise**

- Ensure that the monitoring, accountability and review mechanisms at local, national, EU and global level foreseen under the 2030 Agenda foresee/promote a central role for civil society;
- Support progress of ACP countries in implementing the 2030 Agenda by engaging in regular dialogue with local CSOs to assess the impact of EU and Member States policies in those countries. The EU roadmaps for engagement with CSOs could play an important role in this regard.

## **C) More institutional and capacity building in Civil Society**

- Provide adequate political and financial support to ACP and EU local, national and regional civil society organizations for developing their capacity as independent networks, inclusive and representative actors and allowing them to act more in synergy with others platforms, to enhance Intra-ACP CSO cooperation and dialogue as well as information sharing, dialogue and joint actions between ACP and EU CSOs.
- Keep specific financial envelopes targeting capacity-building of civil society in country (and even joint EU-ACP capacity building) and based on the CSO's needs (CSO self-assessment) CSO platforms need to be able to
  - better work with their members; support for these kind of meetings and digital space to exchange
  - work more in synergy with others platforms
- Ensure capacity building for regional CSO platforms in order for them to better work with their members

## **D) Funding**

- Ensure complementarity between geographic (EDF) and thematic funding instruments and equip EU delegation with a range of flexible instruments to support the multiple roles of CSOs including policy and budget monitoring, advocacy and capacity building and to work with a wide range of civil actors at community, local, national and regional levels.
- Ensure that a civil society envelope is secured in each ACP country as part of the NIP or in case of difficult partnerships or fragile states, as a separate envelope (that could originate from EDF funds).
- Ensure that CSO funding is spent in an open and transparent manner through modalities best adapted to the specific situation of CSO in each country.

## **E) Dialogue with others actors**

- Ensure exchange between CSO and private sector through multi-stakeholder spaces of dialogue.
- There exist several good practices on CSO involvement such as on the consultation of UN treaties and the relation with the UN special rapporteurs. More recently, CSOs will be involved in the highest decision body in the Global Partnership for Effective Development Cooperation which allow them to give useful input, to have a more effective development cooperation in the ground.