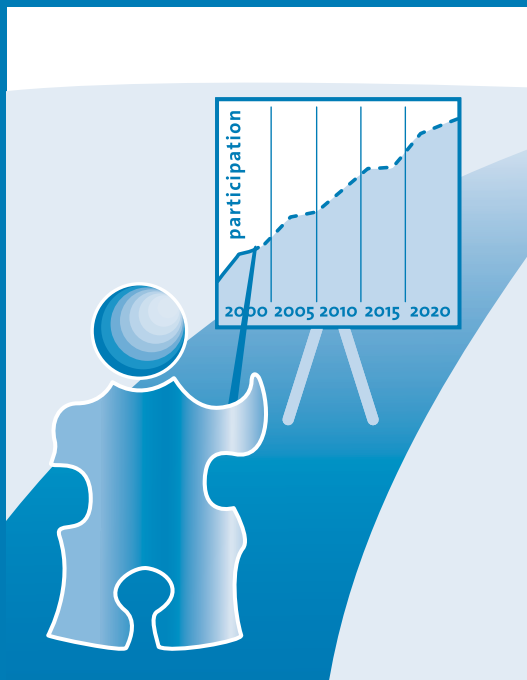



# 6

- 6.1 Clarifying the identity, mission and role of non-state actors
- 6.2 Promoting an effective tripartite dialogue
- 6.3 Improving coordination among non-state actors
- 6.4 Making creative use of capacity building opportunities

## Four steps to promote the quality of participation





So far this guide has provided information and practical guidance for non-state actors based on the emerging experiences with participation. The challenge in the coming years will be to ensure that this participation is gradually 'mainstreamed' into all aspects of the cooperation process. Non-state actors share the responsibility for making this happen, but first they may have to do some 'homework' in order to become credible partners. They can also pro-actively promote innovative approaches to dialogue and cooperation with their government.

This chapter suggests four key steps that non-state actors can take to promote the quality of their participation.

*'In a first phase, we had to fight to be heard. Now that space for engagement in policy processes has been obtained, we will have to show what we have to offer as non-state actors.'*

Southern African civil society representative

*'The boom of participation has led to a situation in which there are too many non-state actors with no clear role to play.'*

West African civil society actor

*'It makes little sense to strengthen the muscles of non-state actors in the absence of responsive capacity at the level of state institutions.'*

East African civil society actor

## New doorways

The Cotonou Agreement has created new doorways for non-state actors to participate in ACP-EC cooperation, but the doors will not open automatically. The processes of enhancing participation and constructing a new partnership between state and non-state actors are still young and fragile. Both ACP governments and the EC on the one hand, and the non-state actors on the other, will need to work together to unlock the development potential of the new participatory approaches.

This chapter focuses on what non-state actors can do to open up the space for participation and to ensure its quality. The underlying idea is that non-state actors do

not have to wait for the official parties to take the initiative. They themselves can be an agent for change, by stimulating in-country discussion or experimenting with new ways of working, and in the process improve their own credibility and impact.

## Four steps to consider

The following sections suggest four steps that non-state actors could consider:

- clarifying their identity, mission and role;
- promoting an effective tripartite dialogue;
- improving coordination; and
- making creative use of capacity building opportunities.

## 6.1 Clarifying the identity, mission and role of non-state actors

The 'participation boom' has undoubtedly unleashed new forces and creative ideas for generating development in many ACP societies. Yet the entry of a wide range of new actors into the development arena has also complicated the picture. In a multi-actor policy environment, a number of questions resurface:

- Who are these different groups of non-state actors that are now asking to be heard and supported?
- What is the basis of their legitimacy – who do they represent?
- What are their motivations – why do they want to participate?
- What specific contributions can they make to the development process?
- How do they perceive the division of roles (or complementarity) between state and non-state actors?

These questions are also highly relevant in the context of ACP-EC cooperation. The Cotonou Agreement makes it clear that participation is not simply a question of sharing out the aid 'pie'. It is also about **building a new partnership between state and non-state actors**, with due respect for the legitimate role that each of them can play. It is concerned with promoting dialogue and public-private partnerships in order to achieve greater development impact.

Many non-state actors in ACP countries still have to address these fundamental questions. They are not yet properly equipped to take advantage of the new opportunities for participation, or to be credible and effective partners in policy processes.

This should not be surprising. Participation is a fairly recent phenomenon. Civil society

is a young, diverse and dynamic sector in most ACP countries. Non-state actors, like the states, are confronted with major political and economic transition processes taking place at national and global levels.

This may help to explain the fragility of many non-state actors, yet it also puts pressure on them to start addressing these 'existential' questions related to their identity, mission and their complementary role *vis-à-vis* the government.

### How can non-state actors define their complementary role?

A possible way for non-state actors to proceed is to initiate an in-depth reflection on these issues, both within their own organisation and among different groups of non-state actors.



**To guide this process of reflection, non-state actors may ask themselves the following questions:**

1. What common values and principles do we adhere to?
2. What mission do we want to achieve as development partners?
3. To what extent do we consider ourselves as agents for social change? If so, how do we want to play this role?
4. What relationship do we have with the people/groups we claim to represent?
5. How do we define ourselves vis-à-vis the state at both central and local levels?
6. How can we build our credibility as partners in policy processes?
7. How can we best demonstrate our added value?
8. How can we safeguard our independence?
9. How can we reconcile the desire to maintain our diversity with the need for unity and joint action?
10. What can we do to ensure the long-term viability of our organisation?

The experience of non-state actors in Zimbabwe illustrates the important challenges at stake. There, non-state actors engaged in a lengthy debate to define their role in the development process. This led to the establishment of an inclusive Non-State Actors' Forum, which then had to address many of the questions mentioned above (*see box*).

## 6.2 Promoting an effective tripartite dialogue

Article 2 of the Cotonou Agreement recognises 'the pivotal role of dialogue' in the ACP-EC partnership. Further, Article 4 stresses that 'non-state actors shall be informed and involved in consultation on cooperation policies and strategies'. In combination, these provisions have given



### *Defining identity, mission and role The experience of the Non-State Actors' Forum (NSAF) in Zimbabwe*

The Non-State Actors' Forum (NSAF) emerged in the context of a decentralised cooperation programme in Zimbabwe funded under the 8th EDF. Non-state actors were invited to organise themselves in order to discuss with the official parties how best to manage the programme. The Forum members quickly saw the value of taking this *process* further, beyond the aid programme. The newly formed NSAF:

- sought to ensure, from the outset, that its membership was *inclusive* and exhaustive, including local government and private sector associations;
- spelled out a clear vision – to promote a coordinated approach to non-state actor participation in local, national, regional and international cooperation and development processes;

- agreed on a dual mission – to provide non-state actors with a *platform* for dialogue and consensus building on development strategies, and to *interface* with public institutions and policy makers; and
- elaborated a *constitution* that defined eligibility criteria and a set of basic principles for its members.

The NSAF does not want to act as a superstructure, but to facilitate the involvement of all citizens through their civil society organisations. A pool of experts has been constituted in various specialised areas of development, which can quickly be mobilised. The Forum is now focusing not only on ACP-EC cooperation, but on overall development and cooperation strategies for Zimbabwe.

birth to the concept of a 'tripartite dialogue' \* involving the government, the EC and non-state actors in ACP countries.

As participation is something new for all parties involved, dialogue can help to build confidence, and ensure a collective effort to search for adequate implementation strategies, as well as joint learning. Such dialogue can also enhance the overall impact of the efforts of non-state actors. There is a need to ensure a smooth and efficient tripartite dialogue at all levels – local, national, regional and global.

It is highly likely that the government or the EC will take the initiative in establishing tripartite dialogue mechanisms. However, non-state actors are not passive players in this game. If properly prepared, they can influence both the nature and the functioning of such mechanisms.

A concrete example may help to see what all this means in practice. In the Sudan, a tripartite dialogue was launched in 2002 between the government, the Delegation of the European Commission and non-state actors from the north and south of the country within the framework of the Cotonou Agreement. As described in the *box in section 5.3*, one of the objectives of the dialogue was to prepare for the resumption of cooperation when a peace agreement was reached. It soon became clear that it was in the interests of all parties to agree on a set of principles that would guide non-state actor involvement in all areas of future cooperation (*see box*).

### Dialogue as a multi-level challenge

The effective involvement of non-state actors in policy dialogue processes is important not only at the national level (around the Country Strategy Paper and



### How can non-state actors prepare themselves for dialogue?

1. Is there already a tripartite dialogue in this country on ACP-EC cooperation?
2. If so, what is the focus of the dialogue?
3. Is there already a relevant network of non-state actors involved in such dialogue that we can join?
4. What principles should underpin an effective dialogue?
5. How is the dialogue organised?
6. Who facilitates the dialogue?
7. Is there agreement on the expected outcomes of such a dialogue?
8. Can the dialogue be institutionalised?
9. Can the dialogue be monitored?
10. How can we ensure the quality of our participation?

the National Indicative Programme). It also represents a multi-level challenge, as illustrated in table 2.

## Improving the capacity for dialogue at the global level

In most ACP countries, it seems that progress is being made in tripartite dialogue at the local, national and regional levels. But what about at the global ACP-EU level?

In the framework of the Cotonou Agreement mechanisms exist for non-state actors to be involved in policy dialogue processes at the global ACP-EU level. As

mentioned elsewhere, the Joint Parliamentary Assembly (JPA) and the European Economic and Social Committee (EESC) provide opportunities to discuss issues of participation. Their role is institutionalised in the ACP-EU dialogue. Certain categories of non-state actors, such as economic and social partners, can participate in a structured manner in the EESC.

Other channels for tripartite dialogue at the global ACP-EU level have recently emerged, including informal arrangements such as the Civil Society Follow-up Committee (see box, page 87).



### *Principles guiding non-state actor involvement in Sudan*

In order to ensure the coherent application of participatory approaches in all spheres and sectors of Sudan-EU cooperation, the following six principles were agreed among the different parties involved:

**Principle 1: Dialogue.** Cooperation should systematically be underpinned by a focused, constructive and purpose-oriented tripartite dialogue. Non-state actors should have the freedom to express their views, no matter how critical.

**Principle 2: Involvement of relevant non-state actors.** Non-state actors that are both directly concerned with the issues and able to make competent inputs should be involved in the dialogue.

**Principle 3: Transparency.** Full transparency should apply to all actors involved in the consultation at all levels.

**Principle 4: Inclusive approach.** The highest possible degree of inclusion should be sought.


**Principle 5: Non-partisan approach.** In order to safeguard against exclusion, discrimination or manipulation, the parties agreed to involve non-state actors irrespective of their race, gender, ethnicity, religion or political affiliation.

**Principle 6: Accountability.** All parties should be accountable for commitments undertaken in the framework of the tripartite dialogue.

On the basis of these initial experiences with tripartite dialogue at the global ACP-EU level, non-state actors face many challenges:

- It is not at all easy for non-state actors from 77 ACP countries to organise themselves into effective and representative structures that can participate in global policy talks, particularly since the processes of structuring at national and regional levels are still not completed. *For the experience of the ACP Civil Society Forum, see Annex VII.*
- Non-state actors often lack the resources and capacities necessary to establish networks or to engage in intra-ACP consultations.
- It is difficult for non-state actors to define common positions and interests that can be articulated at the global level.
- The dialogue tends to be dominated by a few (regional) organisations, representing only part of the interests of non-state actors.

**Table 2: Dialogue on ACP-EC cooperation: a multi-level challenge**



Level	Dialogue	Possible EC Funding
Local	Grassroots views on the impacts of implementation and strategies, to be facilitated and voiced by intermediary organisations. Linkages with local governments.	EDF - NIP
National (77 ACP countries)	Non-state actors get organised; interlocutors are mandated to dialogue with official parties (NAO, Delegation of the European Commission) about the national strategy and monitoring and evaluation of the cooperation.	EDF - NIP
Regional (6 ACP regions)	Regional bodies lead dialogue on policy issues, transnational programmes or international negotiations (e.g. trade). Non-state actors could be represented in government delegations (e.g. in the Caribbean).	EDF - RIP
Global	Issues-oriented policy dialogue with ACP-EC institutions. Within institutional framework (e.g. EESC, JPA) or informal dialogue processes (e.g. Civil Society Follow-up Committee, intra-ACP non-state actors with the ACP Civil Society Forum).	All-ACP funds



- Non-state actors have only limited access to information on the opportunities for participation or on the outcomes of dialogue processes.
- Non-state actors need to define more clearly the added value of dialogue processes at the global ACP-EU level (compared to what happens at other levels).
- Non-state actors often face overall capacity constraints that prevent them

from making the best use of the opportunities available for participating in dialogue.

The message is clear: in the years to come, considerable efforts will be needed to strengthen non-state actor involvement in global ACP-EU policy dialogue.



### The Civil Society Follow-up Committee

*The Civil Society Follow-up Committee was set up at the end of a conference organised under the Belgian Presidency of the EU in July 2001 to discuss the participation of non-state actors in ACP-EC cooperation. The idea was to establish an informal channel through which the parties involved could follow up on the dialogue and exchange experiences. The committee has met several times so far.*

*The committee focuses its dialogue on progress in implementing the provisions of the Cotonou Agreement with regard to non-state actor participation. It provides an opportunity to discuss new policy documents, to take stock of structured processes of involving non-state actors in different countries and regions, and to reflect on how best to*

*associate civil society in the upcoming trade negotiations.*

*The committee is intended to provide an informal space for dialogue and exchange of information and practical experiences. As an informal, ad hoc structure, the committee does not pretend to be a representative body, or to have any decision-making role.*

*The participants in the meetings of the Follow-up Committee have included representatives of the ACP Secretariat, the Belgian Ministry of Development Cooperation, ACP and European civil society organisations, the Economic and Social Committee, the European Commission, and the EU Presidency.*

## 6.3 Improving coordination among non-state actors

Coordination among non-state actors is key to enhancing the quality of participation in ACP-EC cooperation. In particular, improved coordination could:

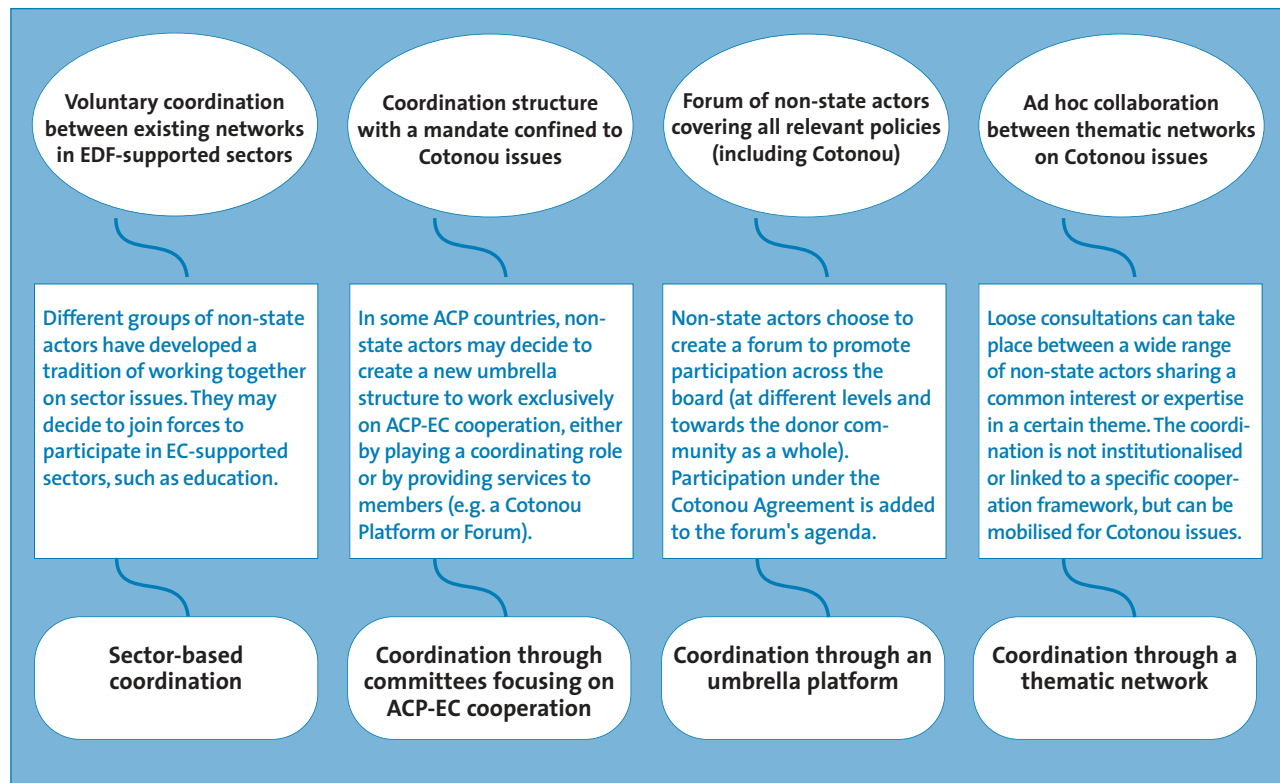
- facilitate ongoing processes of information sharing, dialogue and consultation among non-state actors at all levels;
- strengthen the collective voice and impact of non-state actors in defending their common interests in dialogue with official parties;
- ensure that non-state actors with specific skills and competencies are involved in the processes of programming, implementing and evaluating the CSP and the NIP; and
- enhance the inclusion of different groups of non-state actors.
- top-down approaches, leading to the establishment of non-representative structures that tend to be disconnected from most non-state actors, especially those working at decentralised local levels;
- the politicisation of coordination structures;
- in some cases, the coordination structure has been 'hijacked' by individuals seeking to position themselves for their own personal gain;
- power battles between different groups of non-state actors; and
- the pressure from official parties to deal with a single body representing all non-state actors, which may lead to the creation of an artificial, non-viable structure that does not respect the rich diversity of the groups it claims to represent.

### Risks

There are also some risks attached to non-state actor coordination, however. Much will depend on the process followed to create coordination structures. In some ACP countries, non-state actor coordination has been negatively affected by:

Non-state actor coordination has taken a variety of forms in different ACP countries, reflecting national dynamics and the nature of the relations between different groups of non-state actors. The diagram illustrates **four possible scenarios**.

**Figure 4: Possible scenarios for non-state actor coordination**





## What makes coordination effective?

Developing representative, democratic and capable coordination structures will take time. The non-state actors involved will need to go through a dialogue process among themselves, in the course of which they will need to address many questions, including:

1. What coordination structures already exist?
2. Do these existing bodies have the legitimacy and capacity to ensure coordination?
3. Is there a need to create a new structure?
4. What groups of non-state actors should be included in the coordination structure?
5. What should be the governance principles of the coordination structure?
6. How can a balance be achieved between the need for centralisation (to ensure effective coordination) and decentralisation (to ensure the legitimacy and viability of the structure)?
7. How can responsibilities be shared among non-state actors with different roles, competencies and added value?
8. What are the best ways of sharing information in a regular and cost-effective way among non-state actors?
9. How can the autonomy, democratic development and sustainability of the coordination structure be ensured?
10. What can be done to ensure coherence between the coordination efforts of non-state actors in the framework of ACP-EC cooperation and in other key processes (such as the Poverty Reduction Strategy Papers)?

## 6.4 Making creative use of capacity building opportunities

Capacity building is probably the most important 'key' to unlock the potential of the Cotonou Agreement as far as non-state actors are concerned.

During the consultations to produce this guide, non-state actors pointed out that

the overall purpose of capacity building should be to enhance their participation in all areas of ACP-EC cooperation, and not just project implementation. In order to realise this ambitious agenda, non-state actors will need to devise and adopt creative approaches to capacity building.

## How can creative approaches to capacity building be developed?

Non-state actors can play a major role in pushing forward innovative approaches to capacity building that go far beyond project implementation or traditional modalities such as training or technical assistance.

The success of some platforms as the Non-State Actors' Forum (NSAF) in Zimbabwe, can be attributed to the creativity they displayed, throughout the process, in coming up with new ideas on

how to build sustainable capacity. For instance, in the initial years of the Zimbabwe Decentralised Cooperation Programme (ZCDP), which formed the bedrock for the emergence of the NSAF, an important part of the budget was reserved for capacity building at different levels (district, regional, national). Rather than establishing a traditional 'Project Management Unit' (PMU) to run the programme, it was preferred to put in place a 'Technical Facilitation Unit' (TFU) with a much broader mandate than managing the resources (*see box*).



### *The role of the Technical Facilitation Unit (TFU) in Zimbabwe*

A key objective of the Zimbabwe Decentralised Cooperation Programme (ZDCP) was to put non-state actors largely in the driving seat in managing the programme. Yet this is not an easy undertaking to achieve in practice. There are complex financial accountability requirements to be respected. Non-state actors may lack the capacities to take a leading role in the initial stage.

To this end, ZDCP decided to set-up a 'Technical Facilitation Unit' (TFU) as an overall support mechanism for the non-state actors involved. With regard to accountability, the TFU functions like a traditional 'Project Management Unit' (PMU). It is in charge of financial management and ensures that the

programme is implemented according to EDF procedures. But in addition to this, it is explicitly mandated to act as a 'process facilitator' or an enabling structure at the service of non-state actors. Individual staff members are responsible for:

- carrying out capacity building activities for non-state actors;
- facilitating dialogue between different actors at local and national level
- ensuring joint learning;
- communicating the outcomes of the ZDCP to all stakeholders (government, the European Commission, non-state actors); and
- helping non-state actors to build representative structures.



**In order to define a comprehensive and audacious capacity building agenda, non-state actors should consider the following questions**

1. What are the most relevant strategic priorities for capacity building?
2. What can be done to avoid a fragmented approach to capacity building, such as providing *ad hoc* project support to a myriad of individual organisations?
3. What is the most efficient and effective way to develop the capacities needed for dialogue and advocacy?
4. What new capacities are required to operate in a multi-actor environment, including the capacity to enter into public-private partnerships, based on a division of tasks?
5. What roles can certain categories of non-state actors play in facilitating or providing capacity building services?
6. How can capacity building objectives be mainstreamed in all cooperation programmes and projects?
7. What will it mean in practice to strengthen the 'emergence of an active and organised civil society' as a whole?
8. What can be done to reinforce the sustainability of investments in capacity building?