Enabling Environment for Civil Society Organizations
&
CSO Governance

Framing the Issues

Partnership for Development Knowledge Conference
Supporting Constructive Engagement between
Government of Yemen and CSOs

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What is an Enabling Environment for Civil Society?

- A set of *conditions* – often inter-related – that impact the ability of citizens and CSOs to engage in development processes in a sustained and effective manner, whether to shape policies and budgets, to implement, support or influence public programs or projects, or to pursue common goals

- They include legal and regulatory frameworks, political and governance context, socio-cultural characteristics, economic factors and the ICT environment

- Several core institutional capacities of government and of civil society organizations are necessary for CSOs effectiveness and citizen engagement
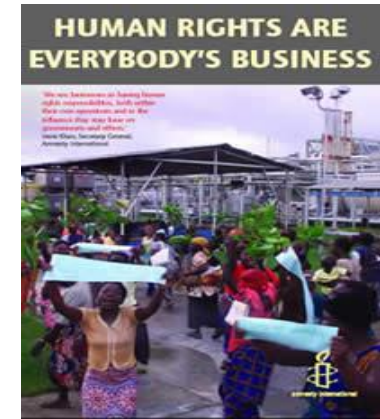
CSOs as Key Development Actors

Building Consensus for Governance Reforms

Transparency and Accountability of Public Institutions

Promotion of Human Rights

Social Mobilization, Aggregation, Representation

Participatory Development and Service Delivery

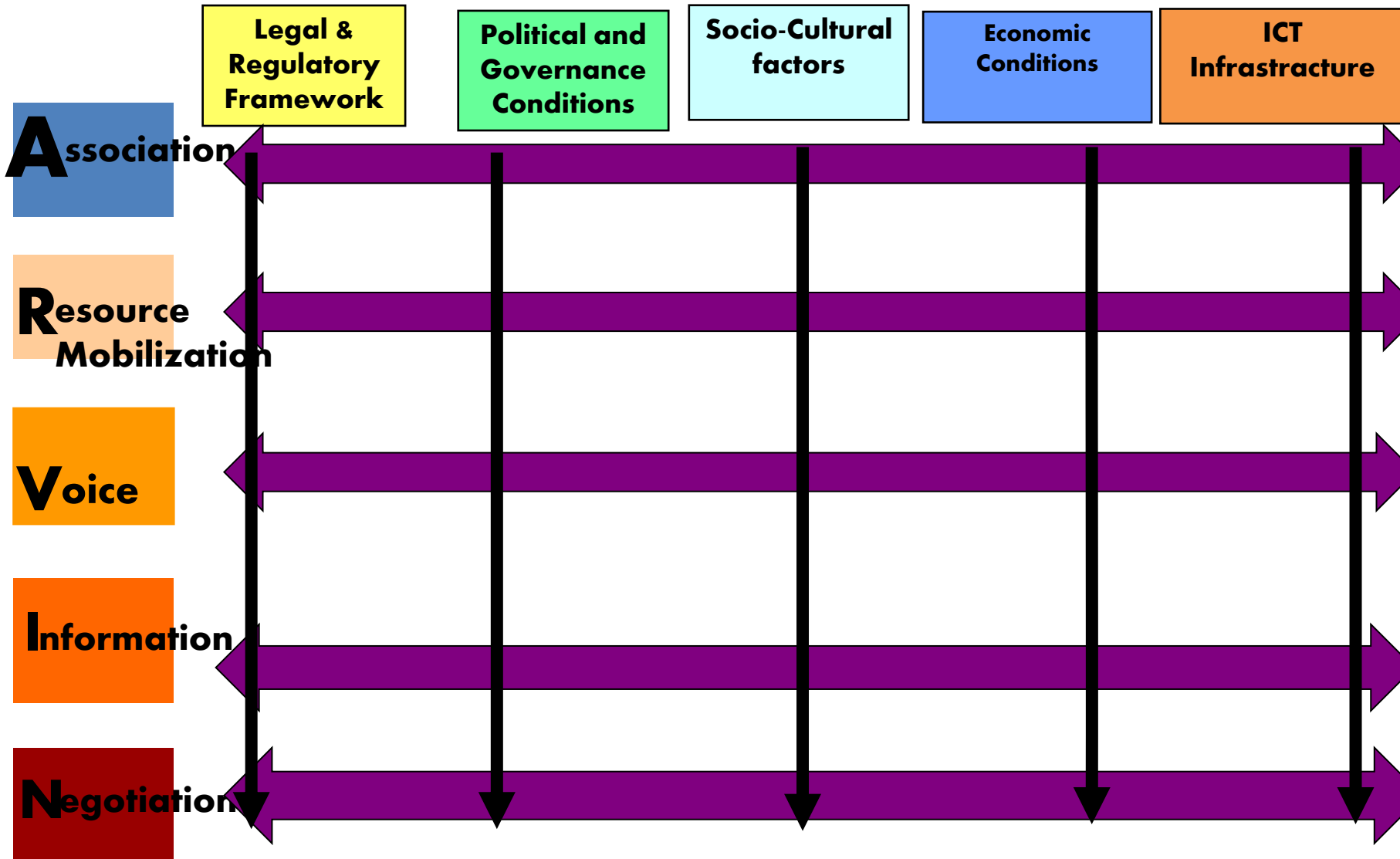**Environmental Protection, & Natural Resource Management**

CSOs as Key Development Actors

Shared Goals:
Traditional +
modern CSOs
&
Government

Framing Enabling Environment Factors for Citizen Engagement

Association

Legal & Regulatory Framework

Political & Governance Context

ICT Environment

Albania: Law on Non Profit Organizations requirement to register in Tirana was extremely cumbersome, and costly, making 'entry' for CSOs in remote, rural parts of the country challenging.

Yemen law on CSO registration streamlines and digitizes registration, increases transparency of the process, and aims to facilitate 'ease of entry'.

Resource Mobilization

Legal & Regulatory Framework

Economic Conditions

Albania Civil Society Support Agency-created by statute, to distribute government grants to NGOs.

Yemen civil society assessment : Limited domestic sources of funding affecting CSO strategies and priorities

1% or 2% legislations in CEE countries allow citizens to choose NGO to receive 1 % or 2% of their taxes, distributed by government at year end to the NGO.

Voice

In many, especially fragile, contexts media is often controlled by government and elites, and laws – often citing national security - permit criminal defamation, which has a chilling effect on media engagement. **Albania** repealed most such laws in 2012

Malawi previous government denied government advertising to Malawi Nation news media for political reasons.

Information

*Shamima Aktar uses ATI to fight
for beneficiary rights for poor women*

Legal & Regulatory Framework

Political & Governance Context

Bangladesh & **India**: ordinary citizens use RTI Law to improve service provision

Senegal: Local authorities do not generally disseminate information as required by law

Yemen now has one of the most comprehensive access to information laws in the world, which is based on principles of freedom of information valued around the world.

Negotiation

When Government includes citizens in policy & decision-making, they create a 'place at the table' for them to negotiate their issues & to find the space for Govt-CSO collaboration
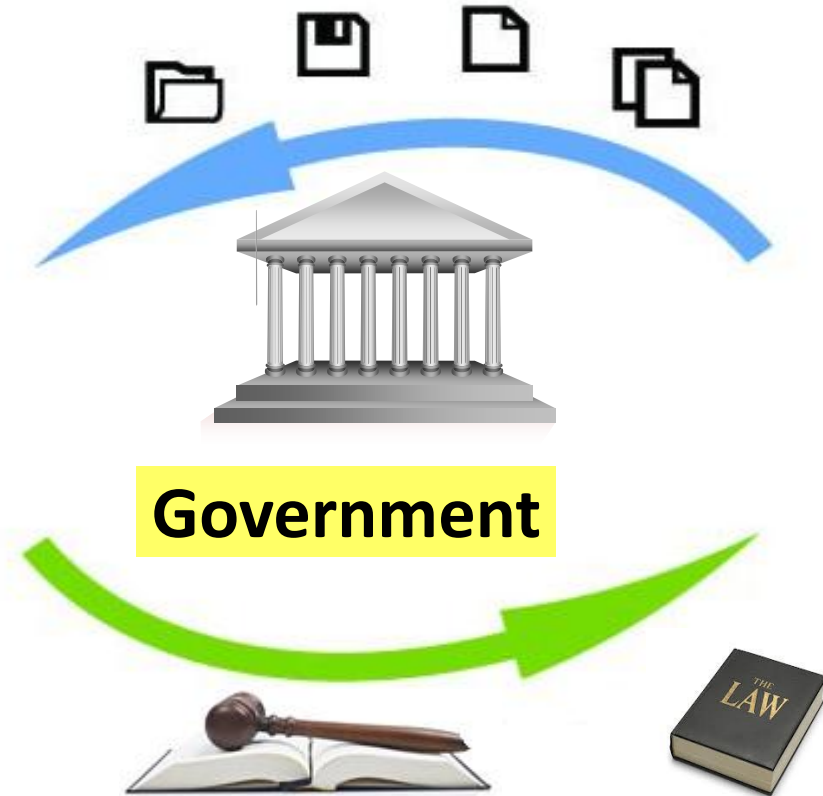
In **Kenya**, a CSO negotiated with Ministry of Health to partner on delivering healthcare services to underserved people in remotest communities

However, in **Senegal** findings show that illiteracy & social hierarchies influence *who* is given the space to negotiate

CSOs

Government

- **Transparent and accountable governance**
- **Self-Regulation**
- **Social mobilizations, civic education**
- **Social accountability skills**
- **Technical , operational expertise**
- **Effective networking**
- **Capacity to negotiate with state actors**

- **Create capacity to respond to citizens**
- **Effectively implement laws**
- **Robust citizen engagement strategies**
- **Create "Safe spaces" for negotiation**
- **Institute robust transparency and accountability measures**
- **Facilitate social accountability**
- **Support CSO development**

Key Messages

Citizen engagement is variously affected by a whole country system (laws and regulations, political and governance dynamics, social and cultural factors, economic conditions, the ICT environment)

Association, Resources, Voice, access to Information, and the ability to Negotiate, are important enablers of citizen engagements and are affected by these determinants

Effectiveness of citizen engagement is also determined by 'institutional capacity' of both government and demand side institutions. This includes government capacity to implement laws, to 'open up', and to engage society as well as civil society capacity for effective internal governance, social accountability and institutional networking

Government and non-government stakeholders should therefore collaborate in assessing these factors in the environment for citizen engagement and agree and take actions to remove constraints

Key Questions

➢ **What are the most pressing constraints to the effective functioning of CSOs in Yemen today?**

➢ **What challenges does government face in expanding the 'civic space' and building a partnership with civil society organizations?**

➢ **How can government and CSOs go about analyzing and addressing the remaining challenges?**

➢ **How can the Development Partners help?**

THANK YOU!

EXTRA SLIDES

Institutional Capacities: Examples

Voice	**Information**

Legal & Regulatory Framework

Political Governance Context

In the *Dominican Republic*, **supply side reforms** to **allow for better tracking** of social safety nets and health and education services, together with reforms for performance based budgeting, are providing for the first time an **unprecedented quantity of data on public service delivery** (human and financial resources including things such as when teachers are or are not in schools). At the same time, there is **demand for support for civil society organizations** to engage in how to use this information to **reduce corruption** and **improve service delivery.**

Legal & Regulatory Framework

Political & Governance Context

ICT Infrastructure

Resource	**Voice**
Information	**Negotiation**

in the state of Karnataka in *Northern India*, Health sector projects financed by the Bank make use of **mobile phones to monitor delivery of services**. With funding support from the Governance Partnership Facility, the projects now **empower citizens to hold accountable public-sector officials**.

By calling patients after the planned delivery of care, citizens confirm if the nurse's visit took place, if inoculations were delivered, or if any fees were demanded. Such information can **help build state-level monitoring and statistical capacity** for public- sector service delivery.

In the **Dominican Republic** citizens can call # 462 to request information and services. The number r is especially well known by poor and marginalized populations, since they use this number for their cash transfers from government, healthcare, and public works. They also provide their phone numbers and this enables them to receive mobile messages of updates. The same system invites them to attend participatory budgeting assembly ,meetings in their area, and the system is also used to evaluate the quality of public services, as an ICT mediated score card system

Institutional Capacities: Examples

Closed Budgets

- Citizens still have difficulty acquiring needed budget information
- Only 1 out of 80 countries (New Zealand) provided substantive answers to all six budget information requests (Ask your Government Campaign)
- In the majority of countries, there is not a single integrated unit in the Ministry of Finance—or any other ministry—that responds to demands for this information

Legal Loopholes

- In many instances, <u>legal loopholes</u> are used to escape corruption
- *Example*: In Mexico, inadequacies in Mexico's judicial process and legal loopholes have allowed the president of the budget committee to escape indictment resulting from misuse of HIV/AIDS funds.

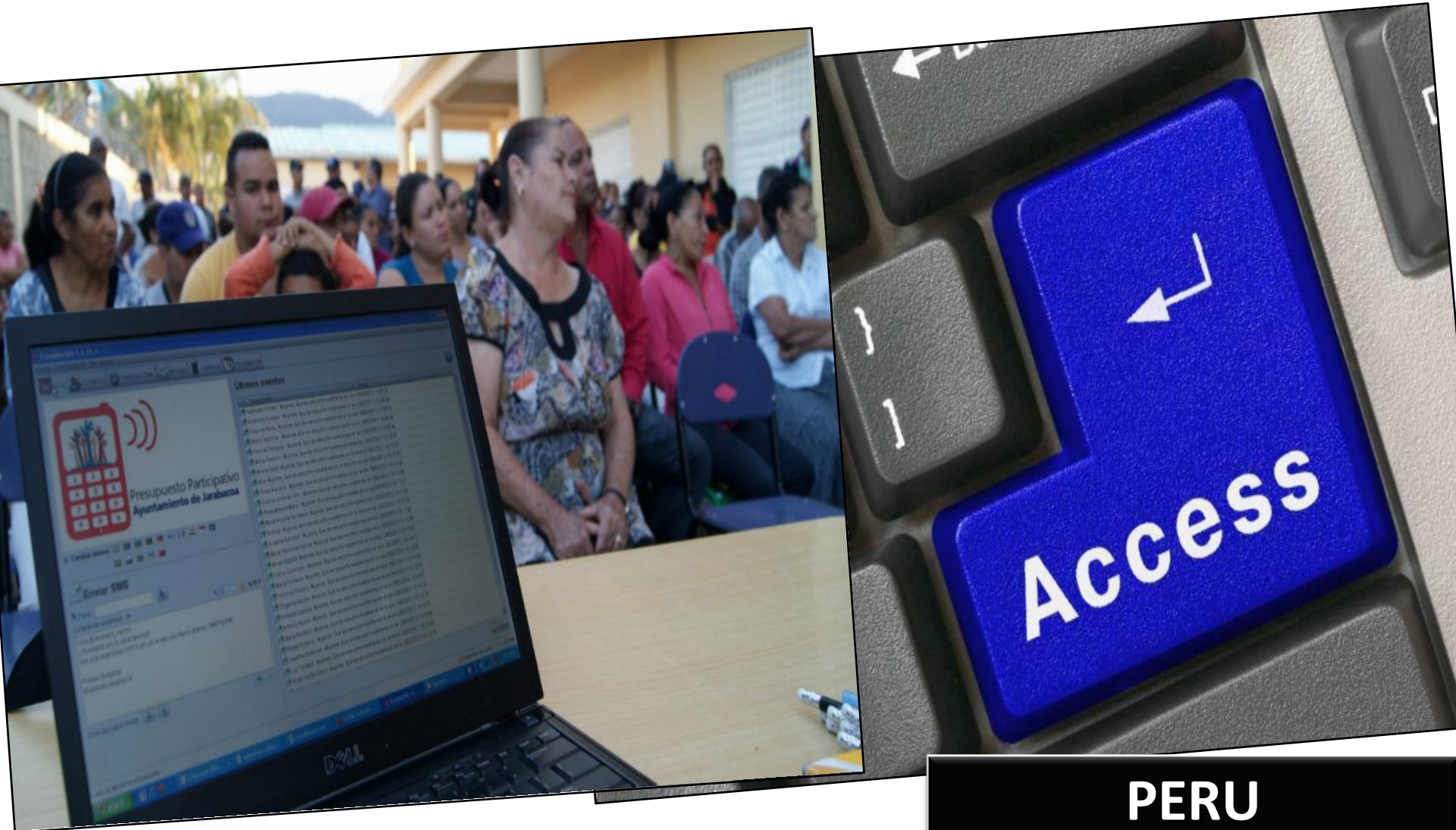**Lack of Institutionalization**

Limited Negotiation Space

- Often no institutionalized systems and practices are put in place for effective governance and public accountability
- Marginalized people and the poor do not usually have a sit in the table when negotiations between the Government and CSOs take place.
- *Example*: A crucial bill to improve health financing in Kenya was taken over by politics, resulting in policies benefiting the better-off

Voice: *Media Matters!*

IRENE CHOGE - KILIFI

2:47 / 5:08

The Health Assignment: Toilets and Grades

NTV Kenya · 27,758 videos

Name of School: MUTSENGO PR
Number of students who sat KC
167
Mean KCPE grade 2011: 165.95
Pupil Toilet Ratio: 190.7
Province: COAST
Division: KALOLENI
Location: MWANAMWINGA

MINISTRY OF PUBLIC
HEALTH & SANITATION
DIDA DISPENSARY
200 M

KENYA

Access to Information Laws Matter!

PERU