



## Submission to Global Affairs Canada Consultation on the Revised Civil Society Partnership Policy (September 2017)

### Overview

The Canadian Council for International Co-operation (CCIC) welcomes Global Affairs Canada's (GAC) re-engagement with the International Development and Humanitarian Assistance Civil Society Partnership Policy or the Civil Society Partnerships for International Assistance Policy, as it has been renamed (hereafter, "the Policy"). The Council is keen to work with GAC around its prompt implementation.

That said, CCIC notes several areas in which the draft revised Policy represents a worrying reversal of substantive commitments made in the original Partnership Policy towards an enabling environment for civil society. Elements of the original Policy that are notably absent from the draft revised Policy include commitments to a variety of funding modalities suitable for a diversity of CSO roles and types (Objective 6); references to dialogue in the section on multi-stakeholder approaches (Objective 7); and support for transformational public engagement beyond mere communication of results (Objective 8).

These are fundamental [internationally recognized components of partnering with civil society](#) that were upheld by the original Policy. This is contrary to the very principle of partnership, and makes the draft revised Policy problematic in its present form. *At a minimum, these elements must be restored.* As written, the draft revised Policy undermines the achievement that the original Policy represented for civil society.

Overall, from a policy coherence perspective, CCIC welcomes the alignment of the draft revised Policy with Canada's new Feminist International Assistance Policy (FIAP) and other specific elements of the government's current agenda. The FIAP captures many of civil society's priorities, namely gender equality and the empowerment of women and girls and the promotion and protection of human rights.

However, although the Policy appropriately acknowledges CSOs as [independent development and humanitarian actors in their own right](#), it does not clearly or adequately recognize what this means in practice. As actors in their own right, CSOs have their own diverse purposes, priorities, capacities, and constraints. At different times, these will align with, be complementary to, and sometimes be quite distinct from those of the government. *The Policy should promote an approach that strengthens these inherent capacities of CSOs, not just when they might align with the government's current agenda, but at all times.* This is fundamental to CSOs' role in holding governments to account.

Furthermore, to help establish a diverse and vibrant civil society, *the Policy should also embody a vision of equitable partnership between government and civil society.* This vision should foster an environment, [both at home and overseas](#), which is conducive to civil society realizing its shared and independent objectives, to enhancing civil society's development effectiveness, and to maximizing its impact across all of the many roles for civil society set out in the Policy.

The recommendations below focus on five areas where CCIC believes the draft revised Policy can be improved, namely:

1. Establishing the creation of an enabling environment for civil society as a principal goal of the Policy.
2. Explicitly incorporating the Istanbul Principles for CSO Development Effectiveness and the Humanitarian Principles.
3. Including specific commitments to foster an enabling environment for civil society.
4. Ensuring cohesion among the goal, objectives, and actions of the Policy, as well as between the Policy and other relevant national and international policy commitments, while respecting other priorities identified by civil society.
5. Integrating civil society as an equal partner in all stages of the Policy's implementation.

As an annex to this submission, the Council has included a tracked changes version of the draft Policy with suggested language that reflects the intent of the recommendations included here.

Finally, in terms of process, given CCIC's interest in prompt implementation, the Council appreciates that Global Affairs has steered away from an extensive and drawn-out consultation process. While the review process is very short, and came on very short notice, CCIC has been able to do at least some minimal consultation with its members during the preparation of this submission.

As it has done in the past, CCIC recommends that future consultations are guided by five key principles:

- a) **Timely** – with sufficient notice, and conducted within relevant timeframes for key decisions by the Minister.
- b) **Open** – enhancing equal opportunity for access, while providing for more effective engagement with civil society.
- c) **Transparent** – clear with respect to process and purpose, and with feedback to those who contributed views.
- d) **Informed** – with substantial preparatory and follow-up documentation (both internally and in reporting the process) allowing stakeholders to assess current practice and reflecting how key inputs have been considered and weighed.
- e) **Iterative** – whereby consultation is an ongoing process, not a singular event.

These principles are internationally acknowledged to be key elements for an enabling environment for CSOs in engaging with government.

## **Recommendations**

1. **The principal goal of this Policy, and its implementation, should be to create a partnership between Global Affairs and civil society that maximizes respective contributions to a strong and vibrant civil society at home and overseas. This requires a) partnering with, supporting, and building the capacity of a diversity of CSOs, including feminist and women's rights organizations, to realize their full potential; b) facilitating the multiple roles that civil society plays; c) maximizing the impact CSOs have in development and humanitarian assistance to deliver on the Sustainable Development Goals (SDGs), the Grand Bargain, and Canada's FIAP; and d) engaging the public as global citizens. This will require a Policy that embodies a new and equitable partnership between GAC and civil society, and which is responsive to CSOs as independent development and humanitarian actors in their own right.**

To meet this goal, the Policy should aim in its vision, goal, objectives, actions and process, to model core

principles of equitable partnership between GAC and civil society and to facilitate an environment that is conducive to civil society realizing its full potential. *This means that the Policy should not just guide how GAC and CSOs interact on individual projects, programs or policy priorities “to advance the government’s priority objectives” [Policy, page 1], but should foster a renewed partnership between government and civil society. This partnership itself should strengthen both the realization of government objectives and CSOs as independent development actors, noting that strengthening the involvement and contribution of CSOs is a necessary goal in itself. Furthermore, GAC’s approach to partnership should be guided by partnership principles (for example, such as those outlined in the [CCIC Code of Ethics](#) for how CCIC encourages its members to structure their own partnerships). These principles should clearly be articulated in the Policy.*

This approach also involves thinking of Canadian and local CSOs – including feminist and women’s rights organizations, networks and other non-traditional development and/or humanitarian actors – not just as implementing agencies, but as partners in policy and program development, research, and public engagement. As noted in the draft revised Policy, CSOs play a variety of roles, including as researchers, innovators, advocates, programmers, brokers, and service providers. To maximize the collective impact of these human and institutional resources (both in Canada and in Southern countries), *the government will need to commit in the Policy’s actions to building capacity among new and existing partners to fulfill these diverse roles in practice, and to implement the Policy, the FIAP, and broader feminist and human rights-based approaches* – in pursuit of globally shared agendas like the Sustainable Development Goals and the Grand Bargain. This commitment should be included in the actions under the section on fostering an enabling environment (currently Objective 2).

To be sustainable, and to meet the inclusive and feminist standard set by the FIAP, the Policy must explicitly commit to long-term engagements with civil society through partnerships that take direction from and build upon not just government agendas, but also civil society’s own priorities, country experience, and programmatic knowledge, derived from their diverse realities as independent development actors in their own right. In implementing the Policy, *the government should therefore seek a balance between being directive and being responsive, in ways that emphasize civil society’s own capacities to make contributions to the FIAP goals.* Effective and responsive partnership will require respect for one another’s autonomy and constraints, for complementarities and differences, and for on-going learning and sharing with one another. This responsive approach is one that made Canada’s partnerships with civil society so exemplary in the past, and it is this type of engagement that will set Canada’s Policy apart from those of other donors in the future.

A responsive approach must include a commitment to diverse and appropriate funding mechanisms, including mechanisms that directly and specifically support CSO-defined priorities. Whereas the original Policy committed to providing “equitable, flexible and transparent [funding] modalities that will support the diverse roles and types of CSOs in Canada and in developing countries,” (emphasis added) this commitment to diverse modalities is absent from the funding section of the draft revised Policy. In fact, many of the mechanisms introduced in 2010, and maintained since, [have failed civil society in this regard](#). With this in mind, *this reference should be restored.*

A key element of a strong and vibrant Canadian civil society is an engaged and supportive Canadian public. In this respect, Objective 8 on engaging Canadians as global citizens is inadequate. Objective 8 currently focuses solely on the communicative aspects of public engagement in terms of value-expression and awareness-raising. For public engagement to be transformative, however, CSOs need to be empowered and supported by government in engaging the Canadian public in a broader and deeper

understanding of global citizenship that goes beyond communicating, to mobilizing citizens' active participation and engagement in promoting global social justice and positive change. This means facilitating community-based activism, enabling public interaction with government on public policies affecting development, creating educational opportunities for Canadians to learn about development, and other areas that are ignored by the current draft text. *The original Policy reflected the personal engagement and contribution of Canadians as a priority, and this must not be lost in the revised Policy.* As recommended during consultations for the original Partnership Policy, *the Policy should commit to developing a policy framework for public engagement.*

*While the Council sees the development of public actions as an important innovation in this revised Policy, many of the action items listed throughout the Policy are particularly directive and reflect the government's current priorities (for example, the first action under Objective 9 focuses almost exclusively on the International Aid Transparency Initiative (IATI). IATI did not emerge as a priority in the International Assistance Review consultations.). The actions should be developed in a separate consultative process to better reflect shared or CSO priorities and included in an implementation plan as an annex to the Policy. This implementation plan could include both time-bound and ongoing actions that the government will take to realize the objectives of the Policy.*

**2. The Istanbul Principles for CSO Development Effectiveness and Humanitarian Principles must be central elements of the new Policy's Guiding Principles and Commitments. Both sets of Principles provide overarching guidance to GAC for what civil society values, how it works, and how governments can benefit from and support their programs. While the current draft acknowledges a range of previous commitments, including the Istanbul and Humanitarian Principles, the Policy should explicitly indicate that the government's engagement with civil society will be guided by these two sets of Principles in implementing the Policy's objectives and corresponding actions.**

CCIC welcomes the government's decision that human rights-based and gender-transformative approaches should underpin the Policy, as they do the FIAP. Feminist and human rights approaches are mutually reinforcing and civil society has a central role to play in advancing both. CCIC further supports the government's intention to incorporate direct references to the Sustainable Development Goals (SDGs), the Agenda 2030 framework, and the Official Development Assistance Accountability Act (ODAAA) into the Policy's Guiding Principles and Commitments. The ODAAA, in particular, grounds the Policy in the government's obligations to international human rights conventions and standards.

*The Istanbul Principles for CSO Development Effectiveness is the leading global framework for CSOs in articulating their development effectiveness. This is distinct from the 2030 Agenda. The eight Istanbul Principles – which include commitments to human rights, gender equality, equitable partnerships, environmental sustainability, and transparency and accountability – inform civil society's vision, values, and ways of working as development actors. They also acknowledge the need for civil society organizations to constantly evaluate and improve their own development practice. All governments, including Canada, committed in Busan in 2011 through the Global Partnership for Effective Development Co-operation to be guided by the Istanbul Principles in their support for civil society. CSOs committed, in turn, to be held to account (to donors, their partners and their constituencies) to improve their practice in line with human rights-based approaches for transformative change. The central importance of Canada's commitment to the Istanbul Principles was acknowledged in the previous Partnership Policy, and must not be lost in the revised version.*

It is also critical that the Policy recognize the unique roles and requirements for CSOs operating in humanitarian contexts. The Council welcomes the greater profile for humanitarian assistance in the Policy's objectives. *Accordingly, the Guiding Principles (and Policy) should include a commitment to ensure full respect and support for partners' efforts to deliver humanitarian assistance on the basis of clearly identified humanitarian needs, and according to the core humanitarian principles of neutrality, impartiality, independence, and humanity, including through timely and responsive funding.* These goals, approaches and principles should inform and appear as actionable areas under the relevant Policy objectives.

The humanitarian principles are essential to ensuring the safety and security of Canadian humanitarian workers, their partners in developing countries, and the people in the communities where they work. This affirmation of humanitarian principles is even more critical given the FIAP's (and the draft revised Policy's) broadened scope on all international assistance. Without proper safeguarding of humanitarian action, this broadening of scope runs the risk of conflating and securitizing humanitarian assistance by improperly aligning it with military, police, or peacekeeping actions. On the other hand, the broadening of scope will create new obligations for the government as additional forms of international assistance become subject to the Policy – for example, security support in contexts where governments are actively undermining the role or freedom of CSOs. Finally, alongside the SDGs, *the Policy should also reaffirm the commitments made by both government and CSOs through the Grand Bargain, as well as its commitments to learning, evaluation, and accountability initiatives in accordance with the Principles of Good Humanitarian Donorship (under Objective 9).*

The Policy's explicit and important commitment to support international assistance programs grounded in a human rights-based approach (HRBA) is consistent with the Istanbul Principles, as well as the FIAP and ODAAA. But unless the Policy spells out what is implied by a HRBA in terms of engaging civil society, the commitment may be largely rhetorical. CCIC suggests *adding text that elaborates what an HRBA implies for donor relations with civil society in the Guiding Principles section.* This includes, *inter alia*, the following<sup>1</sup>:

- a) Analyzing human rights in the context of local power dynamics in country strategies by engaging local actors;
- b) Explicitly adapting the modalities of support to CSOs in relation to local and diverse civil society contexts;
- c) Strengthen mechanisms for inclusive policy dialogue and mutual accountability in developing countries and in Canada;
- d) Using all diplomatic and programmatic means to address shrinking and closing space for CSOs as development actors;
- e) Taking deliberate measures to support and build institutional capacities for HRBA within civil society and within GAC;
- f) Providing leadership on the part of both government and civil society, including at a political level, to proactively implement these approaches in all aspects of government's relationship with civil society; and
- g) Implementing Canada's guidelines on supporting human rights defenders.

**3. In line with the principal goal outlined previously (see Recommendation 1 above), the Policy should take specific steps to create an enabling environment for CSO partners in Canada and overseas, in**

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<sup>1</sup> See Brian Tomlinson, "Implementing a Human Rights Based Approach: Lessons from the experience of providers of international assistance," forthcoming 2017, CSO Partnership for Effective Development Cooperation (CPDE).

**particular for human rights defenders, environmentalists, indigenous peoples and their representatives and women’s rights organizations. This should include a) promoting rights, legislation, and policy measures that are supportive of a diverse and vibrant civil society; b) establishing timely, responsive, predictable, and flexible funding mechanisms appropriate to the diversity of CSOs with whom GAC works; and c) establishing institutionalized and iterative dialogue, including of a multi-stakeholder nature, between the government and civil society as equal partners.**

The concept of a civil society enabling environment is central to the Policy and is one of its six specific objectives. This objective is critical as civil society organizations are often on the front lines maintaining the fabric of society, especially in fragile and crisis contexts. Yet the space available for CSOs to operate is shrinking and closing globally, particularly for human rights defenders, women’s rights organizations, environmentalists and indigenous peoples and their representatives.

Accordingly, CCIC suggests that the Policy should be strengthened to better capture the scope for an enabling environment and the required actions on the part of the government. *The Policy should make the link between its broad commitment to an enabling environment (page 1) and the essential importance of an enabling environment for civil society to the achievement of the FIAP, the SDGs, the Grand Bargain, and broader development and humanitarian objectives (as a conclusion to the guiding principles section).*

*The specific objective focusing on an enabling environment should be clear that an enabling environment includes three elements: a) supportive legislation and regulatory frameworks that are conducive to civil society operations in Canada and overseas; b) timely, flexible, predictable, and responsive funding mechanisms suitable for a diverse range of CSOs; and c) frequent and institutionalized opportunities for dialogue between government and civil society, both separately and as part of multi-stakeholder engagement. It should then elaborate action areas that will advance civic space in relation to these three elements in Canada (GAC as a donor in relation to Canadian civil society) and in its international assistance and country development programs.*

#### Legislation, Regulation, and Policy

The specific objective on the enabling environment (currently Objective 2) must clearly acknowledge that the Canadian government’s goal is to facilitate an enabling environment for CSOs with respect to government laws, regulations and policies in Canada, as well as in the Global South. *It should commit GAC to work with civil society partners to ensure that the outcomes of the Canada Revenue Agency review of political activities, as well as issues with respect to direction and control and anti-terror legislation, are consistent with an enabling environment for CSOs as effective development and humanitarian actors.*

#### Funding Mechanisms

Excluding recent *ad hoc* increases in funding for humanitarian CSOs, civil society has seen a steady decline in funding from GAC over the past decade. In fact, in 2014-15, funding from Partnerships for Development Innovation reached a ten-year low. *The new Policy, in particular Objective 6, should signal a new strategy for reversing this trend, and supporting and building the capacity of civil society organizations – especially women-led and women’s rights organizations – to maximize their impact.*

The nature of funding modalities or mechanisms is central to GAC’s commitment to an enabling environment for civil society. While essential, the actions identified in Objective 6 represent a limited

interpretation of predictability as faster processing of proposals and greater clarity around the types of funding mechanisms available. Predictability is also about publicly articulating forward-looking projections of funding for civil society, about long-term and sustained partnerships, and about opportunities for accessing funding that supports institutional maintenance and strengthening in a sustained and predictable manner. *GAC should revise the Policy to reflect this understanding.*

While the new Small and Medium Organizations (SMOs) for Innovation and Impact Initiative is a very positive step, GAC will need to continue to think creatively about establishing a broader new set of responsive mechanisms that go beyond calls-for-proposals and GAC-initiated and unsolicited proposal processes that are currently lacking in transparency. Such mechanisms do not necessarily respond to the needs of new (and existing) partners. Instead, these mechanisms should take advantage of the different roles that different CSOs play and the diverse set of CSOs that may be necessary to reach vulnerable and excluded populations in the Global South, particularly as this relates to working with feminist movements, local women's rights organizations, and other peoples' organizations. These organizations often require funding mechanisms that are more flexible, and more responsive to their emerging and evolving needs, often working in difficult country contexts. *In its actions for this objective, the Policy should commit to a GAC review of its funding policies and practices to ensure that they are enabling civil society partners, including women's rights organizations, networks and non-traditional development and humanitarian actors, to maximize their development roles and impacts, consistent with good donor practices.*

The particular roles and requirements of humanitarian organizations should be reflected in the funding mechanisms available to them. The fluidity of humanitarian crises means that CSOs need flexibility to amend emergency response projects during implementation. *The Policy should include a commitment to invest in multi-year humanitarian funding in protracted crises – including investments in system strengthening efforts, particularly those that support local capacity – through a portion of the annual complex emergencies funding round, in complement to existing funding modalities, and to implement an efficient and responsive approval process for such funding.*

Direct consultation with CSOs will be essential in developing and implementing these new funding mechanisms. *Objective 6 should acknowledge the central importance of funding availability and funding modalities to the creation and maintenance of an enabling environment. Its action areas should indicate a commitment to explore and expand new funding mechanisms that are highly responsive to the priorities of CSOs, consistent with the broad goals of the FIAP, supporting their considerable capacities for long-term engagement with constituencies in the Global South and in Canada for transformative change. The Policy should commit to a structured dialogue with CSOs to continue to reform existing funding mechanisms and establish new opportunities over the next year.*

### Dialogue

A meaningful and institutionalized dialogue between civil society and GAC is essential for an enabling environment in Canada and in its major country programs. Dialogue facilitates mutual respect and accountability. It also fosters space for mutual learning between GAC and (Canadian) CSOs, which contributes to informed and evidence-based development, humanitarian, and public engagement policy and programming. *This element of dialogue and learning has been completely struck from Objective 7 (relative to the previous Partnership Policy). It should be reintroduced, emphasizing the importance of both dialogue and learning exchanges with civil society, as well as with multi-stakeholder processes. Both should be in keeping with the principles for good practice in consultations, highlighted in the overview above.*

The draft revised Policy's commitment to regular dialogue could be further supplemented with *a more explicit commitment to making these exchanges meaningful by holding dialogue in advance of (rather than following) significant policy decisions*, including but not limited to those affecting CSOs directly.

In addition, the annual meeting between government and CSOs to monitor progress on the Policy's objectives and actions will be an important (but should not be the only) opportunity for dialogue between government and CSOs concerning the Policy's implementation, progress, and continued gaps.

Successful and equitable partnerships do not just happen. They result from a very intentional focus on the partnership itself, on the power dynamics and differential between partners, and on the perceived and actual value-added that each respective actor brings to the process. They take time, resources and energy to develop and sustain. In many ways, good partnerships are an outcome in and of themselves. In this vein, *GAC can play a positive role to create spaces and provide resources to help broker new partnerships, including multi-stakeholder partnerships, proactively and ideally in a very organic manner.*

**4. Each objective of the Policy should clearly articulate how it, and the corresponding actions, will advance the overall vision and goal of the Policy (see Recommendation 1 above). This means that objectives, and associated actions, should be goal-oriented and include specific, measurable, achievable, relevant, and time-bound (SMART) commitments from government. Furthermore, all objectives should be coherent with intersectional, feminist, and human rights-based approaches (and with advancing the SDGs and the Grand Bargain), while respecting additional areas where specific needs and priorities are identified by civil society and require separate attention and action.**

To further strengthen the Policy, CCIC recommends that the introductory sections go beyond stating the importance of (and the government's commitment to) each objective, to articulate how that objective will contribute to an environment that fosters a strong and vibrant civil society at home and overseas, and use the corresponding action areas to identify how GAC will partner with civil society to move closer to reaching that objective. *CCIC recommends ensuring that the action areas include specific, measurable, achievable, relevant, and time-bound (SMART) commitments from government, as well as broader ongoing commitments.* As noted, these should be developed through a separate consultative process to reflect shared or CSO priorities, and included in an implementation plan as an annex to the Policy.

Key to this revision process is an effort by the government to align the Policy with the new FIAP, including by refocusing the first objective on empowering women and girls and promoting gender equality. *CCIC recommends that this alignment be made explicit and consistent throughout the Policy* by ensuring that the language accompanying each objective considers intersectionality (which goes beyond merely listing different forms of diversity to acknowledge differing and interrelated needs and vulnerabilities, and other systemic causes of poverty and inequality), in accordance with feminist and human rights-based approaches and principles. Furthermore, in discussing people in developing countries, *the Policy's language should reflect their status as rights holders and agents of change*, rather than as simply "the poorest, most vulnerable and marginalized." Similarly, the heading of the section on humanitarian assistance (currently "Save lives and alleviate suffering") *should give prominence to the humanity of those in need (CCIC suggests "Protect human life and dignity").*

These transformative, people-centred, feminist, and human rights-based approaches – which sit at the core of the FIAP – are shared by CSOs, as referenced in Istanbul Principles 1 and 2. In support of these approaches, it will be important to ensure a variety of opportunities, including but not limited to the



annual meeting, for CSOs to provide input to government on evolving and emerging urgent needs and priorities that require collaborative attention and action from government and CSOs alike.

**5. Implementation will be critical to the success of this Policy – and to the success of other Canadian international assistance policies, programs, and efforts. In the spirit of partnership, the government should meaningfully engage civil society as equal partners in all stages of implementation. This should include meeting at least annually to evaluate and review the Policy’s implementation plan, drawing on CSO experience and lessons learned.**

The CSO Partnership Policy was developed jointly by civil society and Global Affairs Canada. It should also be implemented jointly – in the spirit of equitable partnership and good practice. In particular, the *actions under each objective. These actions, as noted earlier, should be devised jointly with civil society to better reflect CSO needs and included in an implementation plan as a later annex to the Policy.* These actions can be both time-bound and ongoing, and should be *reviewed and updated on an annual basis – to reflect both the evolving landscape for civil society and emerging realities and priorities.*

Beyond the FIAP, *the Policy should be aligned with and inform the implementation of other relevant policies and programming, including diplomatic efforts to support human rights and human rights defenders, Canada’s engagement in the Community of Democracies, the National Action Plan on Women, Peace and Security, and whole-of-government action in support of the Paris Agreement on Climate Change and the Sendai Framework for Disaster Risk Reduction, among others.*

*The revised Policy should commit to producing a transparent and clear implementation plan that identifies the actions for each objective. This plan should be published within six months of the adoption of the Policy, and the design of implementation strategies should be subject to further dialogue with civil society. The implementation plan should form the foundation for monitoring, learning and dialogue at the annual meeting with civil society.*

*The annual meetings should be designed through a collaborative process. These meetings should draw on CSO experience and should emphasize learning – including what is not working. Wherever appropriate, representatives from other branches of government should be included in annual meetings and other dialogue to ensure consistency and broad dissemination of shared knowledge and ideas.*

From CCIC’s perspective, the Policy could also include a *commitment for reviewing the Policy as a whole every three to five years, and revising it as appropriate.* The annual meeting can then specifically be an opportunity to review the implementation plan and potentially revise actions linked to each objective.