

OCTOBER 2020  
SELF-REFLECTION GUIDE

**Global Partnership Monitoring:**  
Drivers of **Indicator 2** results and  
questions for self-reflection and for  
multi-stakeholder dialogues



**Global  
Partnership**  
for Effective Development  
Co-operation

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## How can reflection on your monitoring results help to translate evidence into action?

The [monitoring exercise](#) of the [Global Partnership for Effective Development Co-operation](#) (Global Partnership) *provides evidence on progress in implementing effective development co-operation commitments; supports mutual accountability among all development partners; tracks country-level progress in implementing the four internationally-agreed [effective development co-operation principles](#) and [informs the SDG processes](#).*

As recognised in the [2020-2022 Global Partnership Work Programme](#), achieving the Sustainable Development Goals, amidst the COVID-19 crisis, will require a global response guided by effective co-operation and partnerships. Improving how we partner and work together and taking data-driven action on the basis of the monitoring evidence is vital to inform global recovery and to reach those most in need.

Several Global Partnership stakeholders have been reflecting and acting on their monitoring results. In order to strengthen and support these ongoing efforts, stakeholders have access to **Tools** to guide self-reflection and subsequent action on monitoring results most relevant to them. This self-reflection guide for Indicator 2 is a key component of these tools. Furthermore, to ensure that country-level action is informed by the most pressing issues concerning the effectiveness of development co-operation in individual country contexts, stakeholders can participate in the [Action Dialogues \(2021\)](#). These multi-stakeholder dialogues will be led by partner countries at the country-level in collaboration with their stakeholders and partners. The Action Dialogues aim to stimulate in-country reflection and dialogue on key effectiveness challenges and facilitate concrete action on monitoring evidence, and encourage behaviour change. Participation in previous monitoring rounds is not a pre-requisite for participation in these multi-stakeholder dialogue initiatives.

The reform of the Global Partnership monitoring exercise is currently underway. A new monitoring proposal will be submitted for endorsement at HLM3 in 2022. Action on results and multi-stakeholder dialogues, during this reform will enable engaged stakeholders to inform how the future monitoring exercise could produce results that are more actionable.

Facilitating the use of monitoring results also provides an opportunity for renewed focus on the 'unfinished business'<sup>1</sup> of the effectiveness agenda. Dedicated efforts to address monitoring evidence in a particular country or context may offer an updated perspective on which aspects remain most relevant.

### What support from the Joint Support Team?

The Joint Support Team (JST) of the Global Partnership can provide support to stakeholders in using the Tools and in exploring the Country-level Action through Dialogues initiatives. All stakeholders are encouraged to approach the [Joint Support Team Helpdesk Support](#) for such assistance.

The JST can also assist with packaging monitoring results for consultations, multi-stakeholder and constituency-based dialogues, reports, international fora and events.

<sup>1</sup>Note: The term 'unfinished business' is generally used to refer to those indicators in the current monitoring framework which refer to commitments made prior to the 4th High Level Forum on Aid Effectiveness in 2011.

## About this document

This document provides guidance to civil society organisations (CSOs), partner country governments and development partners on how to interpret, reflect and act on Global Partnership monitoring results on the topic of CSO effectiveness and enabling environment (Indicator 2). For each module of Indicator 2, this guidance note provides a summary of factors that could influence performance on effectiveness and proposes some questions to self-assess whether current policies and practices may be contributing to or inhibiting effectiveness. This document can be used in conjunction with the relevant [country profile](#), which presents individual country results per module of Indicator 2 and by stakeholder. It can also be used alongside the online [Partner Country \[PC\] Data Profile Tool](#), which generates an individual country-specific profile with results for Indicator 2 and for other GPEDC indicators.

There are other monitoring indicators that include elements related to civil society and CSOs (Indicator 1a assesses how development partners are engaging civil society at country-level in the preparation of their country strategy or partnership framework, and whether CSOs are implementing development partners' projects in partner countries. Indicator 1b includes an assessment of whether partner country governments are engaging and consulting with national stakeholders when designing national development strategies, including with CSOs. Indicator 3 has a sub-element that assesses who typically participates in public-private dialogues in a given country, including whether CSOs do. Indicator 7 has a question that looks at the extent to which CSOs and other national actors have been involved in mutual assessments for development co-operation. Indicator 8 assesses whether countries have systems to track and make public allocations for gender equality and women's empowerment (SDG 5c.1), which may be of particular interest to CSOs working with gender issues). Results for these indicators can be provided upon request. Partners who are planning a partner country-specific analysis or dialogue can contact the JST at [monitoring@effectivecooperation.org](mailto:monitoring@effectivecooperation.org) for a summary of relevant results available.

The global-level analysis of the latest monitoring results of indicator 2 is contained in the Global Partnership 2018 [Progress Report](#).

## Understanding monitoring results: reflections on Indicator 2

This section focuses on the Global Partnership monitoring exercise's Indicator 2, the results of which can be influenced through the policies and practices of various actors, including CSOs, partner country governments and development partners. For each module of Indicator 2, this document provides a summary of factors that could influence performance on effectiveness and proposes questions to self-assess whether current policies and practices may be contributing to or preventing effective delivery.

**Indicator 2: Civil Society Organisations operate within an environment that maximises their engagement in and contribution to development**

***Why is this important?***

The political, financial, legal and policy context in which CSOs operate, as well as the ways in which these development actors organise themselves and work with governments and development partners, deeply affects their development effectiveness and their contribution to development.

Indicator 2 is structured in four thematic modules reflecting the enabling environment and CSO practices that help them contribute to development effectively. The responsibility for making improvements across these four areas is shared among various stakeholders. Issues covered under Modules 1 and 4 are the responsibility of governments; while those covered under Module 2 are primarily the responsibility of CSOs; and finally those under Module 3 relate to the behaviour of development partners. In the spirit of a multi-stakeholder approach, and for a balanced assessment, Global Partnership monitoring rounds collect the views of civil society, governments and development partners across all four modules.

- **Module 1: Space for CSO dialogue on national development policies**  
This module assesses the extent to which governments consult CSOs on national development policies, including on SDG implementation and monitoring. It also looks at whether CSOs have access to timely and relevant information to effectively participate in these consultations and if these dialogues are effectively informing policy-making.
- **Module 2: CSO development effectiveness: Accountability and transparency**  
This module assesses the effectiveness of civil society organisations' own operations in line with the Istanbul CSO Development Effectiveness Principles and the International Framework on CSO Development Effectiveness (CPDE, 2010). It looks at whether CSOs co-ordinate among themselves to facilitate participation in policy dialogue and whether they engage in equitable funding partnerships. It also addresses whether CSOs are implementing their development work, guided by international human rights standards and principles and are transparent and accountable in their operations.
- **Module 3: Official development co-operation with CSOs**  
This module looks at the extent to which development partners consult with CSOs on development co-operation policies and programmes and whether development partners promote an enabling environment for CSOs in their engagement with governments. Also assessed is whether development partners provide effective financial support that maximises the contribution of CSOs to sustainable development.
- **Module 4: Legal and regulatory framework**  
This module looks at whether adequate legal and regulatory frameworks are in place. This area, grounded in internationally recognised human rights, assesses the extent to which the country's legal and regulatory frameworks enable CSOs to associate, assemble and express themselves; allow them to access resources; and provide effective protection to CSOs that work with marginalised or at-risk populations.

Each module covers different aspects and each aspect is assessed through a question. The methodology provides four characteristics that could define CSO enabling conditions for each aspect assessed, which are the basis for scoring by stakeholders. The monitoring methodology captures **perceptions** by stakeholders of

the status of these enabling conditions in a given country, and not the quality of these conditions in practice. These perceptions are based on the judgement of each stakeholder group and they can be different from one group to another. Further structured dialogue at the country level can explore these questions and the different perceptions using the monitoring results as a basis.

In the [country profiles](#) and on the online [Partner Country \[PC\] Data Profile Tool](#), results of Indicator 2 are provided per country, per module, and distinguished per stakeholder (reflecting separately the views of civil society, government or development partner focal point). Results are shown in one of the following five qualitative categories, which reflect different levels of CSO enabling environment and development effectiveness, from lower to higher. For details on how the score is calculated, refer to the [technical document](#).



The Guidance and Good Practice developed by the Task Team on CSO Development Effectiveness and Enabling Environment (2019) is a valuable complementary document that explains the elements assessed by each module of Indicator 2 and what they mean in practice. The Task Team guidance also provides examples that illustrate good practices of different stakeholders on how these commitments are being implemented at global and country levels. A recent study by the OECD (2020) provides a comprehensive review of the various ways in which DAC members support and engage with civil society and is also a valuable resource for DAC members who wish to reflect on and improve their CSO policies and practices. The Civil Society Partnership for Development Effectiveness (CPDE, 2019) also undertook a reflection on inclusion, transparency and accountability, which includes a detailed analysis of Indicator 2 and other indicators in the 2018 monitoring exercise. (See References section at end of this document.)

*What can influence results on each module and what action can improve them?*

### **Module 1: Space for CSO dialogue on national development policies**

*(Questions to support self-assessment by partner country governments)*

**Consulting CSOs on national development policies.** A good practice consultation includes CSOs from different fields of activity and regions, including CSOs representing marginalised groups. It takes place with regularity and frequency, involves dialogue, allows for advanced access to relevant documents, and provides feedback. Effective dialogue also ensures stakeholders start from similar vantage points.

1. *What is the government's policy regarding consultations with CSOs? Does the policy foresee a certain frequency for the consultations? Does it include the full range of major national development policies?*
2. *In practice, are CSOs consulted in the context of national development planning? Do consultations occur more than once a year? Are consultations predictable, with participants being informed well ahead of time? Is the content of the consultation set in co-operation with CSOs? Is the agenda shared in advance? Do consultations happen at stages of the decision-making process where changes in policy direction are still possible? Does the format allow for dialogue and provision of feedback? Are the "rules of engagement" clear? Is the result of the consultation shared with participants?*
3. *Which actors are typically invited? Is the criteria for participation open and transparent, with no restrictions? Can any CSO participate? How are the most vulnerable and marginalised CSOs engaged? Are there financial and human resources available to support these dialogues?*

**Consulting CSOs on SDG implementation and monitoring.** A recent survey administered by CPDE (2020) found that SDGs have been well integrated in national development planning, but there is “weak country ownership and institutionalisation of stakeholder engagement, and poor transparency and inclusivity in the SDG processes”. According to the survey findings, which were based on responses from CSOs in 32 countries whose governments have or will be presenting their Voluntary National Reviews<sup>2</sup> in the High-Level Political Forum (HLPF), there is inadequate engagement of CSOs in SDG-related processes, which is a major gap in the implementation of the Goals. Similar findings came across in a study on helping and hindering factors for effective CSO participation in SDG implementation (Fowler, A. and Biekart, K., 2020). Trade unions have also elaborated SDG Country reports assessing transparency, consultation and social dialogue around SDG processes in each country (ITUC, 2020).

1. *Has the government established formal institutionalised procedures to consult CSOs throughout different phases of the SDGs process? [determination of priorities, mainstreaming into national policies or programmes, implementation, monitoring]. Is there a multi-stakeholder partnership to advance implementation of SDGs that includes CSOs? Are a diversity of CSOs included in these consultations? How are the most vulnerable and marginalised CSOs engaged?*
2. *Where the country has undertaken a Voluntary National Review, were CSOs invited to attend review meetings? Could they contribute to draft the VNR report? Was data and evidence from CSOs used as inputs to the report? Was data and evidence from CSOs included in the presentation by the national delegation at the HLPF? Have CSOs been invited to participate in the presentation of the VNR at the HLPF or to be part of the country’s official HLPF delegation?*

**Accessing relevant information.** For CSOs to be able to effectively participate in consultations with the government, they need to have timely access to relevant government information. Capacity development on technical issues is also a key element for CSOs to meaningfully engage in the dialogue. The right to access information can be seen in practice but also be covered by law.

1. *Is information disclosed and disseminated in a timely manner? Do laws and regulations exist for accessing information? Does this access exist in practice? Is there an appeal process for excluded documents? Is the process for doing so clear and transparent? Does the government generally attend to requests for additional information? Is the language of documents accessible to non-technical audiences? Is the disclosed information comprehensive?*

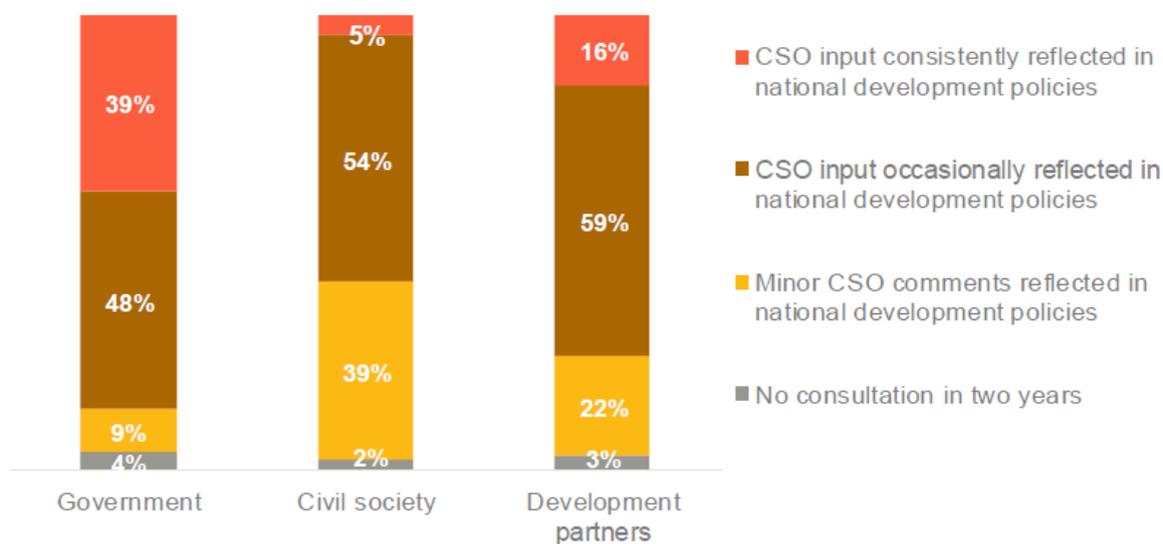
### **Consultations informing policies**

1. *When consultations with CSOs take place, are the substantive elements of CSOs’ advice and inputs normally considered? Does the government provide responses to major CSO recommendations? Does it include explanations for accepting or rejecting the received recommendations? Does the government report on a regular basis on how citizens’ recommendations are being reflected in decision-making processes?*

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<sup>2</sup> [Voluntary National Reviews \(VNR\)](#) are a process through which countries assess and present progress made in achieving the sustainable development goals and the pledge to leave no one behind. The purpose of these reviews are to present a snapshot of where the country stands in SDG implementation, with a view to help accelerate progress through experience sharing, peer-learning, identifying gaps and good practices, and mobilizing partnerships. In 2020, 51 countries have signed up to conduct a VNR review.

**Figure 1. Views of governments, civil society and development partners on the use of results of recent consultation with CSOs to inform government design, implementation and monitoring of national development policies: 2018 global results**



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

## **Module 2: CSO development effectiveness: Accountability and transparency**

*(Questions to support self-assessment by CSOs)*

**Engaging in equitable CSO partnerships.** Equitable CSO partnerships are long term collaborations based on shared values and mutually agreed goals. They require deliberate efforts to counter-balance inequalities in power and disparities in capacity between financing CSOs (typically an international NGO providing financial resources) and partner country counterparts.

1. *Are partnerships between CSOs covered in a written partnership arrangement? Are these agreements jointly established and reflect joint programming? Do partner country-based CSOs participate in defining the shared priorities of the partnership based on their reflection of country realities, which are reflected in the programme? Do they include core institutional support and capacity development? Are mutual responsibilities and accountabilities explicitly set out? Do these partnership agreements foresee mutual learning and mutual decision-making?*
2. *Is reporting of grants based on the funded CSO's programme cycle and processes?*
3. *Are partnerships between CSOs typically long-term (over a 5 to 10 year period)? Are they periodically renewed?*

**Co-ordinating CSO engagement in policy dialogue.** CSOs can co-ordinate at national or sectoral level to facilitate their engagement in policy dialogues with governments and development partners. CSO co-ordination mechanisms include networks, platforms, confederations and associations.

1. *Are there CSO platforms at national and sectoral level? Are these national platforms initiated by partner country CSOs? Are platforms broadly accepted and acknowledged to be representative of a diversity of national and local CSOs? Are there information sharing mechanisms, both within the CSO platform as well as between the platform and other stakeholders?*
2. *In addition to external funding, are these platforms also sustained by member funding, which often ensures longer term financial sustainability?*

3. *Do these platforms have a code of ethics and good practice for CSOs (based on the Istanbul Principles for CSO Development Effectiveness and codes for good humanitarian practice) to improve the quality of CSO development efforts? Are there mechanism to ensure no duplication of work and collaboration for scaling up when possible?*

**Following a human rights based approach (HRBA).** An HRBA implies that CSOs have initiated capacity development processes that empower their constituencies and communities to represent their interests in development. CSOs make specific efforts to take into account the interests of marginalised peoples and/or social movements in determining their programmatic priorities and inclusion in policy processes.

1. *Are CSOs actively engaging and taking direction from local leadership in vulnerable communities, including local women and women's organisations, or other marginalised sectors, in determining programme priorities and approaches? Do CSOs provide feedback to local leadership about how this has been taken up in their programme priorities and approaches? Are leaders from vulnerable communities, including women's representatives, included among CSO participants in multi-stakeholder policy dialogue on an ongoing basis? Are CSOs working with local partnerships that strengthen the sustainability of organisations of marginalised populations, including their engagement with local power holders, and supporting human rights defenders?*
2. *Are (international) CSOs supporting domestic CSO co-ordinating mechanisms and platforms to promote human rights-based approaches and regular skills training on rights-based approaches with the CSO community?*

**Addressing CSOs' transparency and multiple accountabilities.** CSOs are accountable in many ways and at different levels to their constituencies, to their governance structures, to their programming counterparts, to their funders and to government regulatory bodies. In many countries accountability of CSOs is also guided by voluntary codes of conduct and standards, which cover best practice in governance, CSO transparency, human rights with respect to staffing, financing and programming practices.

1. *Are most CSOs associated with CSO-led accountability mechanisms and standards? Do these national accountability mechanisms have formal processes to confirm CSO adherence to the standards? Are these processes and assessments renewed/reviewed periodically? Do they offer capacity development programmes with national and local CSOs to promote these standards?*
2. *Do CSOs generally report on their organisational and programme information? Is there a national platform for disclosure of CSO information on development activities? Is it open and accessible to the public? Do large CSOs publish to the IATI transparency standard? Do CSOs provide relevant organisational information to partners as part of the partnership relationship?*

### **Module 3: Official development co-operation with CSOs**

*(Questions to support self-assessment by development partners)*

**Consulting CSOs.** A good practice consultation by development partners is inclusive for a diversity of CSOs, takes place with regularity and frequency, involves dialogue, allows for advanced access to relevant documents, and provides feedback. A diversity of CSOs implies CSOs from different fields of activity and regions, including CSOs representing marginalised groups.

1. *What are your corporate policies regarding CSO consultation in determining and implementing development co-operation policies and country priorities? How regular are these opportunities? Do they happen at different stages of policy and programme development, including during the design, implementation and monitoring? Do these consultations take place at a stage in the decision making*

process when change is still possible? Are these consultations co-ordinated among development partners present in a specific partner country? Do they involve knowledge sharing?

2. What is the selection criteria for CSOs participation? Is this information available to the public? How is a diversity of national and local CSOs ensured in consultations? Do you observe an imbalance in CSOs consulted that are based in the country of the development partner, versus those based in partner countries? Is there a strategy for public engagement by and with CSOs to raise awareness of development issues?
3. Is the content of the consultation set in co-operation with CSOs? Do the invited CSOs receive advanced access to relevant documents allowing adequate preparation and useful feedback? Are the consultations structured for dialogue and feedback of CSO views? Is there feedback back to CSOs following consultations?

**Figure 2. Views of development partners, civil society and governments on the extent to which development partners consult civil society on their development co-operation policies and programmes: 2018 global results**



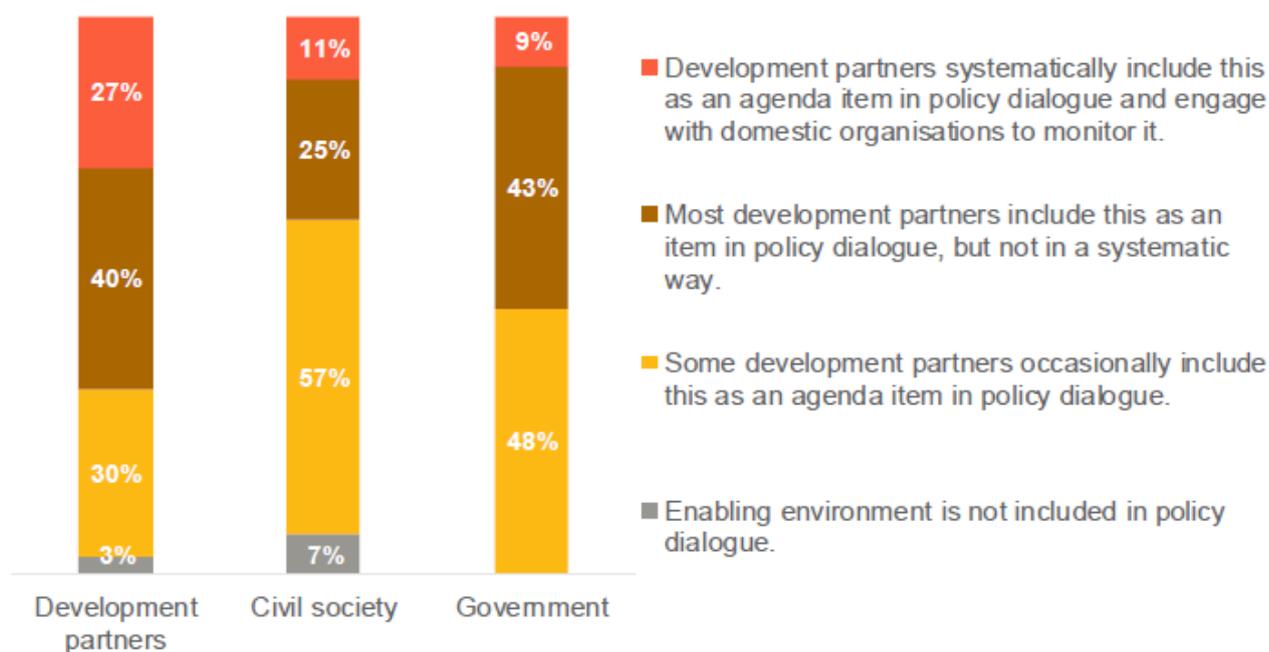
Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

**Advocating for an enabling environment for CSOs.** It is considered that an enabling environment issue is included and pursued as an agenda item in policy dialogue with government when this dialogue is directly addressing political, financial, legal or policy constraints experienced by CSOs. Furthermore, these constraints reduce their potential contribution to development, as well as proposals to remedy those constraints.

1. Does your agency have policies about systematic monitoring of CSO enabling environment issues at the level of its partner countries? Do these policies call for inclusion of enabling environment in policy dialogues with respective governments? Are CSOs informed about these dialogues with government? Is CSOs' security safeguarded in these dialogues?
2. How do heads of missions in your embassies/country offices maintain the dialogue with partner governments on the country's CSO environment? Is it a core part of the conversation in a systematic manner? Does the dialogue typically include a CSO?

3. Does your agency engage civil society based in partner countries in monitoring enabling environment issues and is it responsive to their concerns? What opportunities do you create for these CSOs to engage the partner country government on enabling environment issues?
4. Is your agency actively engaged in global and regional initiatives that address enabling environment issues? How does your agency respond to urgent situations for civil society?

Figure 3. Views of development partners, civil society and governments on the extent to which the promotion of an enabling environment for CSOs is an agenda item in development partner's policy dialogue with the government: 2018 global results



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

**Providing effective financial support to CSOs.** Civil society organisations are crucial development actors, both as implementing partners for others and as development actors in their own right. Development partners can offer effective support for CSOs and engage them in ways that leverage their local knowledge and provide unique capabilities and influential roles as watchdogs and advocates for sustainable development. A recent OECD report (2020) shows that development partners are struggling in this regard and that more needs to be done to provide and promote CSO-financing enabling environments.

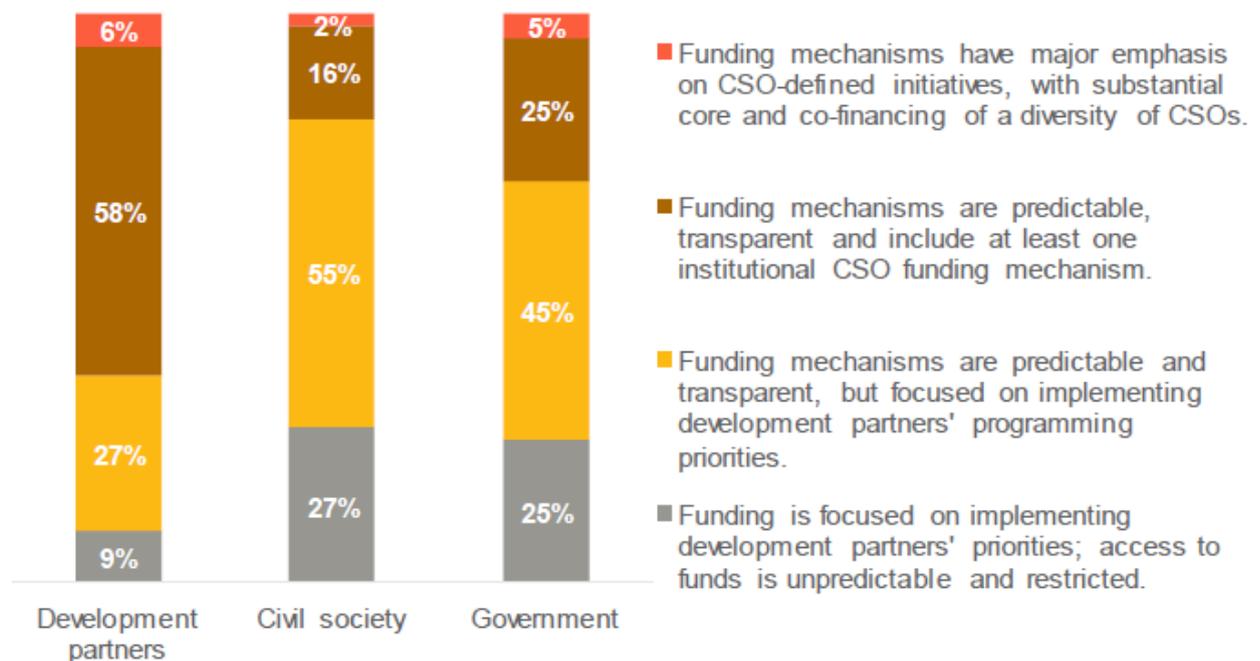
1. Does your agency have comprehensive CSO policy documents that give strong importance to transparent and predictable mechanisms supporting a diversity of CSO-defined initiatives and partnerships? Is there an explicit emphasis on small and medium organisations in partner countries? Do you observe a propensity to fund CSO as implementing partners for agency priorities? Do you report a greater share of funds to a specific type of CSO? Do these policies set out funding mechanisms that focus on core CSO support and/or institutional co-financing of CSO programming? Is the share of core CSO support substantial and directly accessible to CSOs in partner countries? Do your policies favour a balance of assistance channelled through CSOs to implement projects initiated by your agency (earmarked funding) over assistance to CSOs, which are core contributions to CSOs' own programmes?<sup>3</sup> Does your agency make resources accessible also to informal civil society actors that

<sup>3</sup> DAC members can check their performance on aid for CSOs at the OECD statistics based on reporting to the [Creditor Reporting System database \(CRS\)](#)

are not formally registered or may not meet official funding criteria?

2. Which considerations guide your agency's CSO funding decisions? What do the specific policies on CSO funding say about eligibility criteria? Are funding mechanisms available for the full range of CSO roles in development, including advocacy and watchdog roles in partner countries, and for CSO platform coordination? Are they accessible to different types of civil society organisations, including CSOs based in developing countries? Do the requirements for funding applications offer obstacles for CSOs based in partner countries, favouring international CSOs or donor-country based CSOs (language, reporting requirements, ability to co-fund, etc)?
3. Are there requirements for CSOs to match the funding with their own resources? Are these requirements appropriate to the size, purpose and country context for CSOs?
4. Are there efforts to reduce the transaction cost burden on CSOs for financial support provided? Does it use CSOs' own or co-defined formats and systems? Does it provide multi-year funding? Does it adapt the requirements to contribution size and risk level? Does your agency actively participate in efforts to coordinate, simplify and harmonise funding requirements for CSOs in partner countries (including facilitating access by local small and medium sized organisations)?

**Figure 4. Views of development partners, civil society and governments on the extent to which development partner financial support maximises sustainable engagement of partner country CSOs in development: 2018 global results**



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

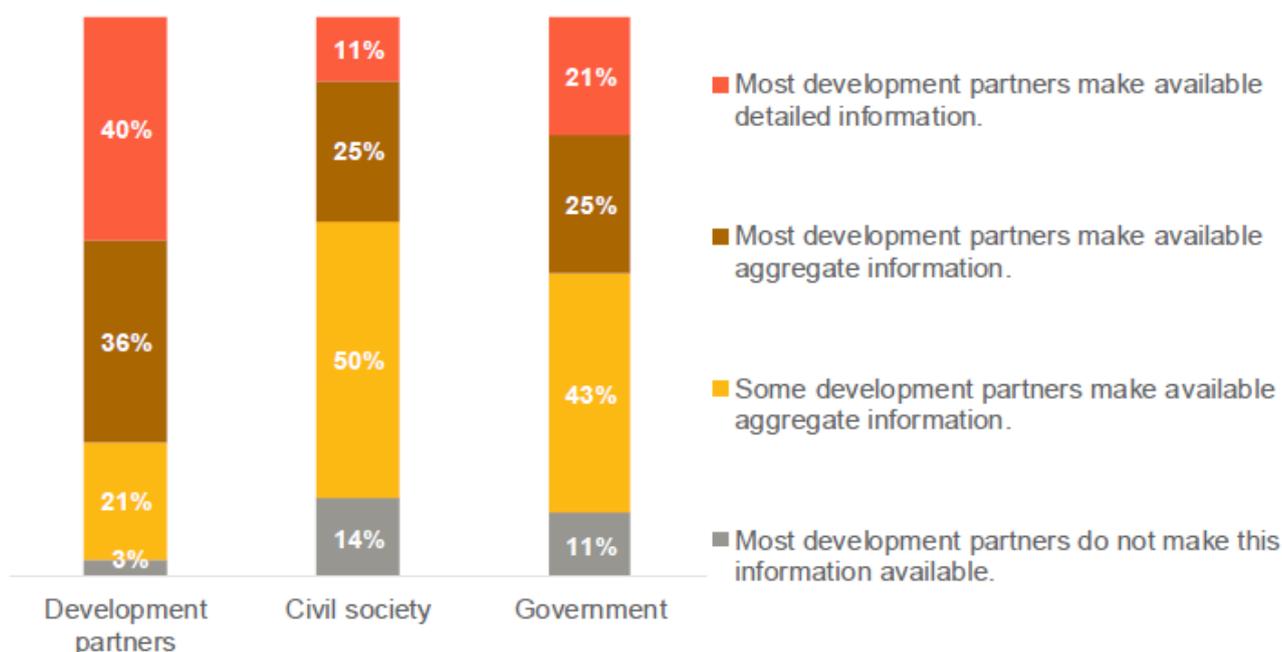
**Reporting to international platforms on CSO funding.** Detailed information on development partners' support to CSOs increases transparency and accountability towards citizens (with appropriate safeguards for those partners who might be vulnerable if exposed). Reliable information allows tracking where funds are going, to whom and for which purpose, which can in turn inform decision making to ensure aid goes where it is most needed. Information on CSO financial support can be provided to national or international online platforms, but also through development partners' websites.

1. Does your agency have corporate policies about reporting on CSO financial support? Do these require publication of information on your agency's website? Do they require reporting to international

platforms or standards such as the OECD DAC CRS or IATI? What is the regularity required for reporting?

2. What are the corporate/policy requirements for the level of detail required in the reporting (should it include details on sectors, geographical locations, beneficiaries, expected results?)?
3. Do these policies include appropriate safeguards to protect vulnerable individuals or communities that receive international funding?

Figure 5. Views of development partners, civil society and governments on the extent to which development partners make available information about their CSO support: 2018 global results



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

#### Module 4: Legal and regulatory framework

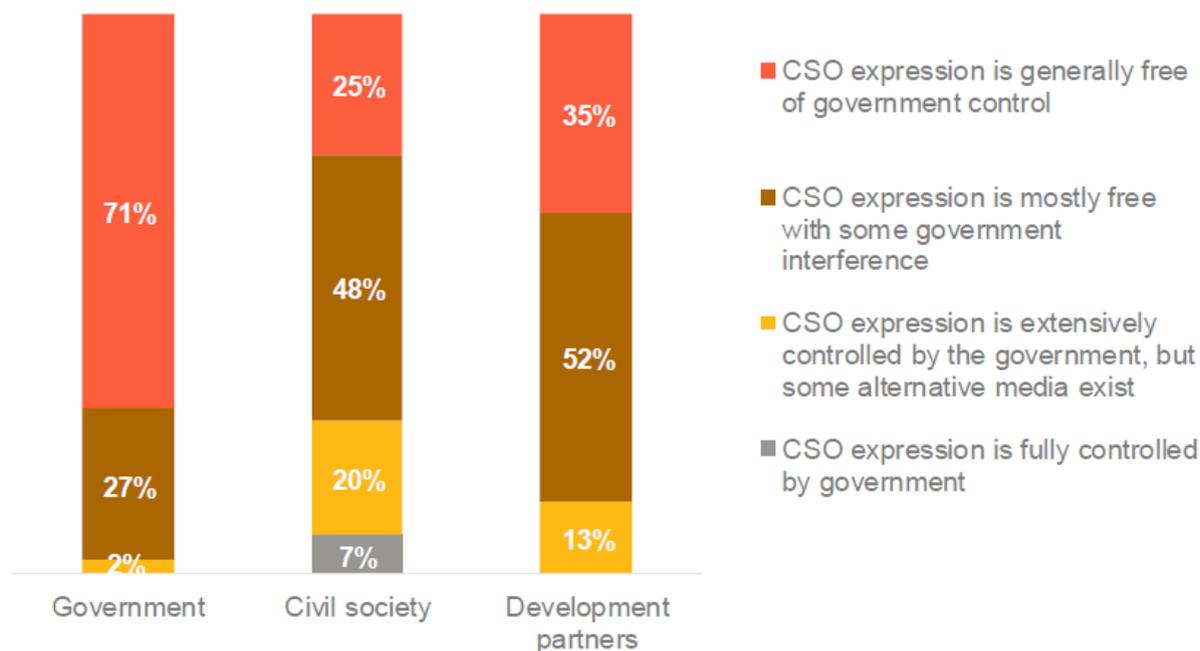
*(Questions to support self-assessment by partner country governments)*

**Enabling CSO assembly and expression.** Legal and regulatory frameworks are crucial to enable CSOs to exercise their rights to freedom of assembly and expression. The extent to which these frameworks exist, both in law and in practice, influences the environment where civil society operates.

1. Are the existing laws on CSO assembly and expression aligned with international standards? Do laws clearly recognise the right to peaceful assembly? Are most peaceful assemblies allowed in practice, regardless of the issue being raised or the groups participating? Are there restrictions on time and location of assemblies? When there are restrictions, do regulatory authorities provide reasons for them? Can organisers appeal them? Is there an explicit legal obligation for law enforcement to protect participants of assemblies, including assemblies occurring at the same time and place and counter-demonstrations, with approaches to de-escalate violence? Is abuse against participants of assemblies swiftly and effectively investigated? Is there ongoing monitoring of the legal environment to identify issues requiring attention and ensure there are no unintended consequences (e.g. counter-terrorism)?
2. Can the public freely access CSO voices, including foreign media and a wide range of independent media, which criticises politics or culture, with little government control of media? Are physical attacks

on CSOs, human rights defenders or journalists for their expression of views investigated without impunity? Do laws on the freedom of expression often result in censorship regarding public policy, culture, or other sensitive topics? Is there a strong culture of political expression, including information critical of government? When the government apparatus conducts legal surveillance, are there few or many reported instances of suspected illegal surveillance?

**Figure 6. Views of governments, civil society and development partners on the extent to which the legal and regulatory framework enables CSOs to exercise their rights to freedom of expression and assembly: 2018 global results**



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

**Enabling CSO formation, registration and operation.** Legal and regulatory frameworks are crucial to enable CSOs to exercise their right to freedom of association. The extent to which these frameworks exist, both in law and practice, enables CSO formation, registration and operation.

1. *Is registration more burdensome for a CSO than it is for businesses or other types of legal entities? Are there cases of discrimination in registration? Are these more the rule or the exception? Does law and practice protect CSOs from arbitrary decision-making in the registration process [strict timelines for registration authorities' responses, clear legal grounds for rejection, and judicial appeals processes]? Are there re-registration requirements? If so, can they hinder legitimate organisations from registering?*
2. *Are CSOs allowed to operate freely, including human rights organisations and those critical of government? Does the law provide for involuntary suspension and dissolution only by the order of an independent court? Is judicial appeal available? Does the law clearly define the scope and powers of bodies regulating CSOs, including powers of inspection? Are threats and criminal actions against CSOs investigated and resulting in judicial consequences?*

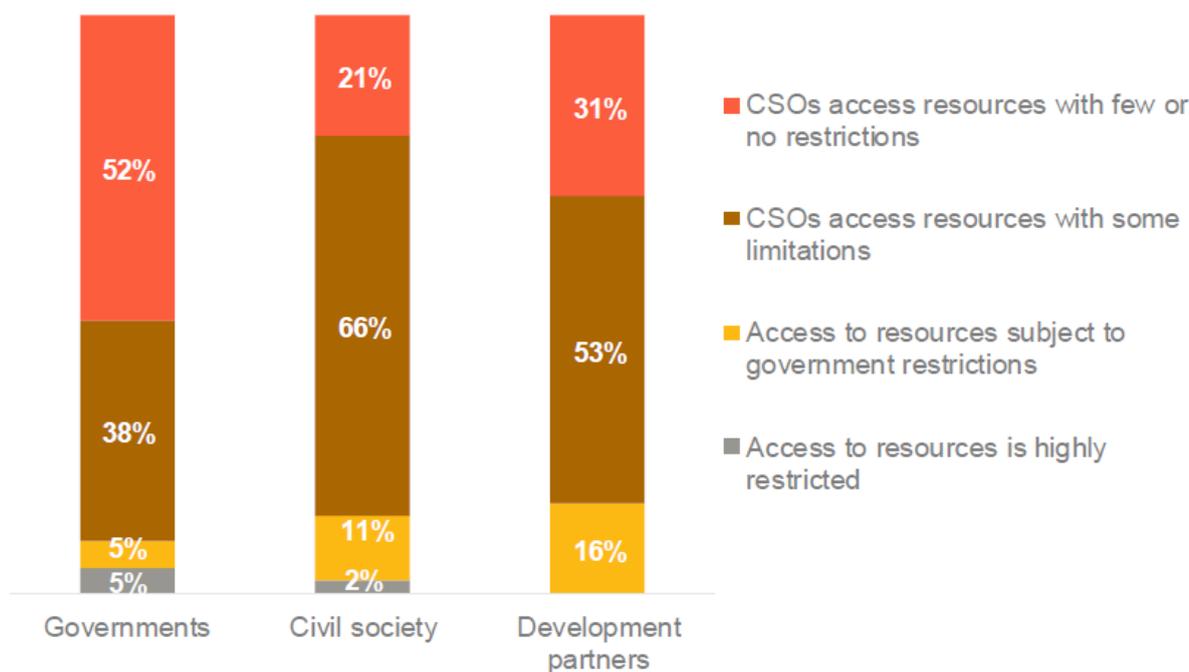
**Protecting CSOs working with marginalised populations and at-risk groups.** Laws, regulations and policies can safeguard CSOs working with marginalised populations and at-risk groups. Marginalised populations frequently experiencing different forms of marginalisation, vulnerability, discrimination or extra-judicial attacks might include trade unions, women’s rights organisations, organisations of particular ethnic groups, human rights organisations, and organisations of indigenous peoples, religious minorities, environment or land rights organisations, LGBT organisations, or organisations of people with disabilities.

1. *Are laws, regulations, and procedures in place to safeguard CSOs working with marginalised populations and at-risk groups? Is there a culture of impunity for those responsible for illegal threats and actions against CSOs working with marginalised populations and at-risk groups? Are government and court officials and law enforcement trained in how to implement the laws and regulations fairly for all CSOs, particularly for those working with marginalised and at-risk populations?*

**Facilitating CSO access to resources.** Laws and regulations can facilitate or hinder CSOs’ access to national or international resources.

1. *Do CSOs receiving international funding need to register this funding with government beyond general reporting regulations? How often do CSOs receiving international funding undergo regulatory investigation? Are there measures to mitigate risks of money laundering or terrorist financing? Do these measures apply to all individuals and legal entities, or do they target CSOs disproportionately? Are these measures sensitive to the resourcing requirements for CSOs working with vulnerable populations?*
2. *Does the law provide tax benefits for individual and/or corporate donations to not-for-profit CSOs? Is the process for receiving tax exemptions generally clear? Is it lengthy or onerous?*
3. *Are government grants and contracts available to a diverse range of CSOs? Are the procedures to access grants clear, open and with transparent criteria?*

*Figure 7. Views of governments, civil society and development partners on the extent to which legal and regulatory environment facilitates access to resources for domestic CSOs: 2018 global results*



Source: [Making Development Co-operation More Effective: 2019 Progress Report](#)

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