

PROPOSED MODEL FOR CONSULTATIONS BETWEEN THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT AND CIVIL SOCIETY ORGANIZATIONS

April 2012

Introduction

This document addresses the model of consultations between the EBRD and civil society organizations and suggests means for improving this process. The document presents suggestions in regards to (I) scope of the consultations (II) prerequisites of transparency and access to information (III) participation at the EBRD Annual Meeting and (IV) mechanisms that facilitate the consultation processes.

These suggestions aim to contribute towards the development of a more consistent, institutionalized, and structured processes for consultations between the EBRD and civil society organizations. This document builds on the information provided in the EBRD factsheet on "The EBRD and Civil Society in 2010"¹.

(I) Scope of the consultations

Various Stages of Operations: It is expected that the scope of consultations cover the three stages of the EBRD intervention and operations with countries, including the stage of Technical Cooperation, the use of Special Funds, and the Normal Operations.

Technical Assessments (or similar other type of documents): It is expected that the process of preparing Technical Assessment Reports produced for each country of operation include consultations with civil society groups at the national level before it is presented to the Governors or Board of Directors for approval. The Technical Assessments include a diagnosis of the political and economic situations in the countries of operation, based on which priority kinds of interventions, including areas of operational themes and technical assistance are proposed. Accordingly, it is necessary that the diagnosis considers and reflects the analysis and point of view of civil society organizations². These consultations ought to be undertaken at the national and regional levels.

Country Strategy Papers: Consultations ought to take place before the approval of the country strategy papers. Draft papers should be provided to civil society groups at a previous time to the consultation meetings, allowing them to review and assess the documents in line with the EBRD Public Information Policy. All comments to the Country Strategy Papers should be posted to the EBRD website before Board approval.

Sectoral Level Consultations: Sectoral level consultations are expected before the country strategy papers are finalized, in order to provide space for stakeholders involved in the identified priority sectors to inform the diagnosis of the challenges in each sector and the kinds of potential investments. Such sectoral consultations ought to be undertaken at the country level, and with the participation of stakeholders from national and local authorities, labor groups involved in the concerned sector, chambers of commerce (or other bodies) representing small and medium enterprises in the concerned sector, and civil society groups involved in sectoral related work.

¹ <http://www.ebrd.com/pages/research/publications/factsheets/civil.shtml>

² Reference to civil society organizations include labor groups and unions

Technical Cooperation Phase: it is expected that the indicative sectors of interest and items related to regulatory and legislative reform included under the technical cooperation phase be publicly listed on the EBRD website before the start of the consultations with the national authorities in countries of operation. For example, if the EBRD proposes to discuss certain reforms or specific legislative framework for public-private partnerships or competition related regulations in countries of operation, it is expected that this be made public and that the text of the proposed model for such legislative reform be publicly available before or at most during the discussions with national authorities. This will allow civil society groups who have concerns with the proposed reforms to raise their suggestions to the EBRD, or call for a public consultation on the issues (involving the EBRD and national authorities), or to engage their national representatives and authorities in regards to their concerns.

Special funds and projects of operation: EBRD is expected to disclose information about all projects, including Technical Assistance, related to Special Funds or any other form of operation.

Methodology of Project Assessment: Given that the EBRD often undertakes revision of methodology of assessments, civil society organizations could have added value input in regards to institutionalizing the process of assessing development and rights-based outcomes of the EBRD interventions (including level of support to productive capacities, decent employment generation, redressing inequalities between various regions of the countries of operation, and access of communities to basic services in areas where the Bank finances basic services as water and health). It is expected that space for civil society groups be designed for input into the revision of methodologies of assessment.

In regards to consultations at the regional and national levels: It is expected that the regional offices in Egypt and Morocco play a central role in facilitating the consultations with civil society groups. For those purposes, it is proposed that a focal point for civil society groups be established in those offices.

(II) The prerequisite of transparency and access to information

- There is a need for a clear agenda of consultations planned during the year or at least over six months, including the consultations planned on various stages of operation and on sectoral levels.
- These consultation processes ought to be associated with effective disclosure of information, especially in the planning phases as well as in regard to promoting specific regulatory and legislative changes. Documents related to the consultations ought to be made available at least 45 days before the consultation meeting or consultation deadline.
- It is expected that the Bank's Public Information Policy cover all stages of engagement and operation of the EBRD, including full disclosure of projects of Financial Intermediaries. This necessitates clarifications in the Public Information Policy to this end.

(III) Participation at the Annual Meetings

While currently there is no on-line registration facility for civil society participants in the 2012 Annual Meeting, it is important to make such facility available in order to facilitate the process and make it more transparent.

(IV) Mechanisms that can facilitate the consultations and its consistency

- **Website:** The page dedicated to civil society organizations in the EBRD website could play a very important role in engaging relevant civil society organizations. The current page ought to be further developed to provide updated and timely information on the spaces for consultation available for civil society groups, with direct links to the relevant documents for each of the open consultations. It is suggested that a clear 6-months or one-year plan for possible consultations are posted on the civil society page, allowing involved groups to constructively prepare for engagement. It is important that the SEMED dedicated webpage replicate such a page dedicated to ways and spaces for civil society groups to be involved from the region. The SEMED dedicated webpage ought to be made available in Arabic in order to facilitate engagement of stakeholders from the concerned countries.
 - **Access to regional offices:** It is suggested that a focal point for civil society engagement be available for civil society groups at the regional level offices.
 - **Access to the civil society unit:** It is expected that the EBRD civil society unit be available to support and advice civil society organizations on access to responsible departments and units in regards to the issues of concern.
 - **Possible civil society advisory group for the civil society unit of the EBRD;** such group could be selected at the Annual Meetings (candidacy for participation in the group would be open to groups not necessarily present at the Annual Meeting), could change on a rotational basis, could include 3 to 5 organizations, and its main role would be to advise on outreach to groups at the national and regional levels and support the process of organizing consultations of various kinds.
 - **Language:** It is expected that documents related to the Arab countries be available in Arabic for access purposes.
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PRESENTED BY:

The Arab NGO Network for Development* and CEE Bankwatch Network**

* **The Arab NGO Network for Development (ANND)** is a regional network operating in 11 Arab countries with 7 national networks and 23 NGO members. ANND's work focuses on economic and social policies and rights in the Arab region. ANND was founded in 1997 and has its secretariat office in Beirut since the year 2000.

** **CEE Bankwatch Network** is an international non-governmental organization with members from countries across central and Eastern Europe, which monitor the activities of international financial institutions that operate in the region and promote environmentally, socially and economically sustainable alternatives to their policies and projects.

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