

***FINAL REPORT OF THE AD HOC WORKING
GROUP ON PARTICIPATORY
DEVELOPMENT AND GOOD GOVERNANCE***

PART 2

**Lessons from Experience in
Selected Areas of Support for
Participatory Development and
Good Governance**

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Part 2

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Introduction

During its three-year mandate in 1993-1996, the DAC Ad Hoc Working Group on Participatory Development and Good Governance organised several thematic workshops jointly with DAC Members and the OECD Development Centre.

This report -- Part II of the Final Report of the Working Group -- consists of résumés of the discussions on the main themes taken up in those workshops. In accordance with the conclusions of the last meeting of the Working Group, held in October 1996, the report is prepared under the responsibility of the Secretariat to ensure that the experience related and the variety of opinions expressed at the workshops, which included participants from the bilateral aid agencies, multilateral organisations, developing countries, non-governmental organisations and business, are made available to interested sectors of the international development community.

This second part is published in conjunction with Part I of the Final Report which sets out the main conclusions and recommendations agreed by DAC Members in the framework of the Working Party and endorsed by the DAC High Level Meeting of May 1997. Part I, which is published separately, also includes an agreed policy note, endorsed by the HLM of 1996, on in-country co-ordination and a related guidance note on possible first steps by donors.

Abbreviations

PD/GG	Participatory Development and Good Governance
WG	DAC Ad Hoc Working Group on PD/GG

This document is also available on the Internet at <http://www.oecd.org/dac>

Chapter 1

Is There a Role for Donors in the Democratisation Process?

The seminar of November 1994

1.1 The first seminar of the WG, "Supporting Democratisation and Human Rights through Development Co-operation", held on 21 November 1994, aimed at verifying whether foreign assistance had a role to play in the democratisation process, and if so, which role and under what conditions. The WG felt that this question could only be realistically debated together with nationals of developing countries: persons with government experience, either as politicians or because they had held key positions in the civil service; and leading members of civil society, for example, lawyers with a record in defense of human rights, representatives of churches and business.

1.2 The seminar examined three country cases, El Salvador, Kenya and Zambia, illustrating different paths, stages and problems in terms of democratisation. Developing country participants were mainly nationals from those countries, and also included Mr. Belisario Betancur Cuartas, a former president of Colombia, who had played a lead role in the peace process in El Salvador and had been one of the three eminent persons on that country's Commission of Truth. Recent events in each country were illustrated in a note prepared by a DAC Member and by the comments of participants from the country in question. The seminar reached a number of important conclusions, validating the role of donors, defining constituent elements of a democratisation process, and identifying delaying factors in some of the aid procedures with reference in particular to post-conflict situations.

Essentially national processes, but external support can be crucial

1.3 Peace and democratisation are essentially national processes but external support can have a critical role, and a shared responsibility. The Working Group was reminded that people in countries subjected to authoritarian rulers consider participatory development and good governance desirable in their own right.

1.4 Most of the effort must come from within the country itself. The processes which led to democratisation in Zambia in 1991 and to elections in Kenya in 1992, were initiated locally, on the basis of local aspirations, before external donors would lend significant support. The experience in El Salvador shows that a peace agreement is an eminently national question, but neutral external mediation to overcome mutual distrust can be precious. This has not always been the case in the past, during the tensions of the Cold War era. In some cases, donors have also had a responsibility in letting certain developing countries continue borrowing well beyond their repayment capacity.

1.5 Where a democratisation process has started, government enjoys a certain legitimacy and donors should be able to engage in dialogue with all sectors of society.

1.6 As a framework for donor activities in these politically sensitive areas, the DAC "Orientations" on PD/GG were considered to be a useful starting point and, in the view of some invited experts, deserved wide distribution in their own countries.

Aid's contribution to reconciliation

1.7 The review of a post-conflict situation in Central America in this seminar produced some recommendations, especially from participants from the region concerned.

- a) Donors could often be of great help at the prevention stage, and this happens only too seldom.
- b) In poor countries, success in reconciliation processes can be heavily dependent upon external assistance. When extreme poverty and inequitable distribution are among root causes of conflicts, as has been the case in Central America, vigorous programmes to help the poor reach higher standards of living should form part of peace arrangements.
- c) Aid should respond flexibly to priority needs, which may require adaptation of procedures to cover areas which are normally deemed unsuitable by donors, such as demining, purchasing land for redistribution in demobilisation, or helping implement changes which directly involve the military and security forces. Quick disbursements may be crucial. Pledges should be honoured in timely fashion, and donors should enable the partner country to monitor the implementation of their commitments.

Building the foundation for democratic pluralism

1.8 The workshop discussed what constitutes a democratisation process and concluded that democracy is not just a matter of elections. There are countries where elections are held regularly, yet the vast majority of people is excluded from decision-making (for example Honduras). International aid should contribute to fostering concertation and pluralism as elements of a process towards effective democratisation. This in turn requires sustained growth and a model of development which integrates poverty alleviation and the development of people's human resources.

1.9 In societies where political parties are primarily built on ethnic lines, a system or attitudes of "winner gets all" may be far less suited than processes based on consensus building. When excluding the losing parties from the sharing of power, entire ethnic groups may be excluded from resource allocation. This was found to apply to many African countries but can also happen elsewhere. In such societies it is necessary to go beyond thinking in terms of winners and losers, through concertation, tolerance, and the active involvement of opposition. Donors should also promote awareness in partner governments to the benefits they can drive. The role of NGOs can be crucial in nurturing these values.

1.10 Bilateral donors and the multilateral policy-based lending institutions could extend to opposition parties and representatives of wide sections of the civil society the dialogue which they normally have with governments.

Points of convergence stressed by the Chair

1.11 In concluding, the Chair of the WG noted the convergence of participants on four points in particular: the relevance of PD/GG to development and the wide acceptance of the DAC "Orientations" in these areas; the decisive importance of national and local "ownership"; the consensus of society as a prerequisite for sustaining any political system, hence the importance for donors to devise inventive ways of providing aid to organisations of civil society; the need for a framework on which to base reciprocal commitments.

1.12 On the latter point, the Chair noted that:

- Conditionalities should be conceived as commitments between partners having similar goals. Rather than focusing on discussions of conditionalities, however, it is important to identify a framework within which development co-operation can be based.
- This basis could be provided through an agreement between the individual developing country and donors, defining

the progress needed in the political and governance areas, with mutually agreed commitments.

- The general frame of reference for all concerned could be provided by the DAC Orientations together with the International Human Rights Conventions. These accords would leave enough flexibility to implement co-operation as

a long-term process, depending also on the leverage available to donors, and giving due importance to the development of a local capacity for the analysis and monitoring of political and governance issues.

Chapter 2

Civil Society and Democratisation

2.1 Civil society is central to discussions of democratisation, the rule of law, human rights. While familiar in substance to aid operators for a long time, the notion of "civil society" has acquired a new dimension in the context of governance and democratisation.

2.2 A workshop on civil society and democracy was organised by the Department of Government of Uppsala University on 12-13 June 1995. The workshop was sponsored by the Nordic countries as a contribution to the work programme of the WG. Participants came from DAC countries, multilateral organisations and a few developing countries. The present chapter draws on the workshop and also refers to relevant previous work on NGOs by the DAC and the Development Centre.

Civil society and democracy

2.3 Political scientists of the university of Uppsala provided this definition to the WG: Civil society denotes a public space between the state and individual citizens where the latter can develop autonomous, organised and collective activities of the most varied nature. Where there are no opportunities to forge bonds of affinity or co-operation, individuals and families are isolated. [Axel Hadenius and Fredrik Uggla, Uppsala University, *Making Civil Society Work, Promoting Democratic Development: What can States and Donors do?* in *World Development*, Vol. 24 N° 10, pp. 1621-1639, 1996.]

2.4 In relation to democracy, civil society has both a pluralist function, through the variety of its components, and an educational function, as groups learn to articulate their aspirations, design their projects, negotiate, form alliances.

It is recognised that civil society is neither homogenous nor necessarily consensual.

2.5 A useful distinction can be made between:

- people's organisations, that is, membership organisations, from the grassroots level to apex unions, which pursue the goal of improved living conditions for their own members (these are also known as "self-interest" or "self-help" organisations); and,
- associations pursuing broader objectives for the "common good" such as environmental and human rights groups ("civic" or "advocacy" associations). Some of these may act as intermediaries between external assistance and membership organisations.

2.6 Experience shows that it is easier for an organisation to develop where it pursues the economic self-interest of its members. Likewise, advocacy associations have a greater impact when they address specific needs of their members. Acquisition of democratic values is more marked when the internal life of associations is democratically structured, their leadership is accountable to members, and fosters tolerance and a feeling for the common interest.

2.7 Researchers and aid agencies sometimes differ as to what other activities to include. Political parties and trade unions tend to be included, but not by everyone. Business, on the other hand, tends to be excluded, again not by everyone. Business associations, such as chambers of commerce, are usually included.

2.8 A strong state and a strong civil society are mutually supportive. The state has a critical role with respect to civil society in providing a functioning and accessible legal system and in ensuring the existence of a legally protected "public sphere" where civil society can develop with no undue interference. Without a vigorous civil society, the state is narrowly based and susceptible to capture by political and economic interests.

2.9 For many researchers the growth of a viable and robust civil society is a necessary but not sufficient condition for democracy. The importance of civil society to democratic governance lies foremost in the legal distinction between state and independent associations of a private and voluntary nature. A dense network of associations can play a role in monitoring the boundaries of the public sphere so as to prevent or challenge authoritarian rule. Thus civil society also represents a countervailing force to government. As noted in an internal USAID seminar, this force can engage positively with the government and the government will have to listen. A Danish policy paper also notes the countervailing role of civil society: civil society provides channels for popular participation in the political process, acts as a mouthpiece for weak and marginalised groups, and builds bridges between various groups in society, a function which is relevant to conflict prevention and resolution.

2.10 The role of a free press and media (including the radio which is cheaper and easier to establish and operate than TV) which provides independent information and channels for the expression of opinions, is crucial to the countervailing function of civil society.

2.11 Self-help/membership groups can promote democratic development by providing channels for groups to participate in decision-making on factors affecting them. An example is provided by FONGS (Federation of NGOs in Senegal, an apex federation of villagers' groups) and other unions of local groups which have formed the country's national council for rural dialogue and co-operation (Conseil National de Concertation et de Coopération des Ruraux, CNCR). The national council now takes part in discussions on agricultural policy with the government, representing the interests of rural

populations. An effective role of this kind is the result of decades of fostering and strengthening of local groups and encouraging them to create unions and federations, with continued commitment of national innovators and appropriate support from donors. The resulting structures lend greater impact to the "voice" and interests of their constituents. [See "CNCR -- The Construction of the Senegalese Farmers' Movement: The Contribution and Role of CNCR" in "People's Empowerment -- Grassroots Experiences in Africa, Asia and Latin America", published by IRED Nord, Rome, 1997, with support from the EC].

Major strategies for external support

2.12 In many developing countries, civil society organisations are few and weak, and often totally dependent on foreign money, with limited resources left for the associations' overhead costs since donors prefer to fund projects. The organisations seldom co-operate with one another, may live under threat from the state, and suffer from inadequate information and knowledge bases.

2.13 Donors have used two main types of support strategies:

- **improving the environment for civil society**, e.g., helping strengthen the rule of law, removing obstacles to the creation of associations and movements;
- **providing direct financial/technical assistance** to groups and organisations.

2.14 **Financial support** should be adapted to the type of organisation that is being helped. Insights are provided by long-standing donor experience with support to developmental NGOs, reflected in DAC and Development Centre work [Bernard Lecomte, *Project Aid -- Limitations and Alternatives*, Development Centre Studies, OECD, 1986; *Voluntary Aid for Development, The Role of Non-governmental Organisations*, OECD, 1988; *Non-governmental Organisations and Governments. Stakeholders for Development*, Ian Smillie and Henny Helmich eds., Development Centre Studies, 1993; and *Participatory Development, From*

Advocacy to Action, edited by Hartmut Schneider with Marie-Hélène Libercier, OECD, 1995]. The analysis of projects suited to aid procedures vs the development of local capacities through "learning by doing" has recently been furthered by the Club du Sahel, in its appraisal of twenty years of aid to the Sahel countries [Jean-David Naudet, "Finding problems to suit the solutions: Introduction to a critical analysis of methods and instruments of aid to the Sahel", SAH/D(96)457, general distribution, OECD, 1996].

- For **income-generating membership organisations**, funds should not be all earmarked in advance, so that members can decide on their priorities and grasp opportunities, and they should be at least in part repayable into locally managed funds for new activities. These approaches favour local initiative and sustainability.
- For **civic/advocacy associations**, including experienced **intermediary** NGOs which help popular groups get organised, external assistance should fund programmes and operating costs rather than focusing on the implementation of donor-driven projects. Most civic/advocacy associations in developing countries find it impossible to function exclusively on local resources. This is one more reason why donors should envisage their support for such groups with an adequate time horizon, much longer than is often done in practice.

Learning to form alliances

2.15 For democratisation purposes, associations should be encouraged to establish alliances based on compromise among themselves ("coalition building") and to learn to negotiate with the state and donors to promote the interests of their constituencies.

Related issues in assisting civil society

2.16 Donors should avoid adopting overly normative attitudes. There is a need for accurate

analyses of specific situations, in particular in Africa, with more local voices helping to deepen the analysis and adapt civil society support programmes to each culture and society. For example, in many African countries, the state and its institutions are weak, and one of the tasks is to strengthen the political community as a whole. The role of ethnicity and the association of political parties with ethnic groups also need to be understood.

2.17 "Bogus" intermediary associations also exist and are established with the intent of mobilising aid to benefit their founders. Donor agencies, and NGOs' field co-ordination mechanisms where they exist, need to separate these from "bona fide" groups to prevent misuse of scarce resources.

2.18 The issue of sustainability of local civic associations, and implicitly of donor commitment to the long term, was taken up in a 1995 USAID evaluation of its support for civil society in five developing countries: Bangladesh, Chile, El Salvador, Kenya and Thailand. The study noted that in a number of cases donors terminate their assistance at early stages of democratisation, as was the case in Thailand and El Salvador, without having devoted sufficient attention to creating a favourable enabling environment for the growth of civil society. The conclusions suggest that donors should pay more attention to creating a supportive policy environment and building bridges between public interest associations and in-country funding sources. As noted at Uppsala, however, even in the longer term local resources may be insufficient in the poorer countries to sustain the associations.

Examples of support for democracy through aid for civil society

2.19 Over the years, donors have traditionally provided support to many types of associations. More recent activities emphasise human rights and the explicit goal of promoting more open and democratic governance. For example, Denmark now includes civil society issues in its policy dialogue with governments for its twenty-odd countries of concentration and includes persons from the civil society in the dialogue. Danida has supported democratisation

in Nepal since it began in 1991. A comprehensive review of Danida's democratisation assistance to Nepal, carried out in 1994, concluded that support to human rights monitoring and advocacy addressing specific needs of specific groups has had a positive impact, while general awareness-raising activities and research-oriented work, have had a very limited impact. The Nepal review recommended that a more strategic approach be worked out gradually, to focus on priority areas, such as workers' education, bonded labour, child labour and trafficking in women. Swiss aid pays special attention to support for grassroots organisations and the need for adequate financing procedures (flexible funding, for example) and has taken a long-term approach to also assisting the creation of unions and federations of such groups. A number of NGOs, such as the Dutch NOVIB, have pioneered the switch to decentralisation of programming, decision-making and management, giving greater autonomy and responsibility to partner associations in developing countries.

Criteria for donors

2.20 Key concerns for donors should be to identify local initiatives for participatory development, and to share information on innovative individuals and initiatives, avoiding dogmatic approaches and taking advantage of diversity.

2.21 Donors should seek to foster desirable features in the organisations they assist, such as:

- an internal structure that is democratic rather than strictly hierarchical;
- management that is both capable and accountable to its membership;
- a willingness to co-operate with other actors, thus creating an enabling environment and achieving systemic reform.

2.22 Special funds could be set up for strengthening civil society as a whole rather than individual organisations. These (possibly multidonor) funds would be managed within host countries by representatives of civil society, designated by several associations together. Insights may be drawn from experience of the UNDP and bilaterals (e.g., a Danish fund for democratisation in Albania whose board includes representatives of NGOs and government, and independent personalities; an EC-supported fund for NGO empowerment in various East European countries; CIDA's funds managed in association with governments and civil society).

Keeping abreast of relevant developments

2.23 A better understanding of the relevance of various components of civil society for democracy and development, and of best practices for external assistance, can be expected to continue emerging from further research and reviews of experience in countries at various stages of economic and social development. For example, insights were provided recently by: a) an important seminar held among researchers from various countries engaged in research projects on civil society at the Institute of Development Studies in Sussex in June 1996; and b) the publication *NGOs Civil Society and the State: Building Democracy in Transitional Countries*, Andrew Clayton ed., INTRAC, Oxford, 1996, and in particular the report by Lisa VeneKlasen, *The Challenge of Democracy-building: Practical Lessons on NGO Advocacy and Political Change*. A new study of support for civil society in Eastern Europe and developing countries (with case studies on Kenya, Sri Lanka, Hungary and Peru) is co-ordinated by the Canadian North-South Institute. An international seminar and a publication are slated for end-1997.

Chapter 3

Human Rights in Development Co-operation

Introduction

3.1 Human rights issues appear to have gained ground in development co-operation. At the level of principles, the DAC Orientations on PD/GG state clearly DAC Members' adherence to internationally defined human rights principles and standards as set out in UN instruments. The workshop on "Human Rights and Development Co-operation" held in February 1996, was devoted to reviewing development co-operation activities in human rights and signalled selected issues of special concern, possibly for a future agenda.

3.1 Independent observers note in addition that human rights have become more deeply entrenched in the culture of the world. There has been the emergence of a nascent "international" civil society, made up of thousands of NGOs in the human rights field who react quickly to events affecting human rights and democracy anywhere. Their impact is variable and more importance should be attributed to human rights in foreign policy criteria of democratic governments as a group.

The workshop

3.2 With sponsorship from the Canadian International Development Agency (CIDA), and in close liaison with the DAC/DCD, the workshop was organised by the Development Centre as a contribution to the programme of the WG. To facilitate the exchange, the DAC/DCD through a survey collected information from Members and a summary is provided in a forthcoming publication of the OECD Development Center reporting on the workshop.

Participants included representatives of nineteen DAC Members, multilateral organisations, and representatives of international and national human rights institutes and associations, from developing and OECD countries.

a) Human rights in development co-operation

Recent developments

Widening concern with promoting human rights

3.4 Human rights is an area where many different actors have been at work over the past twenty-five years or more, in particular intergovernmental organisations and NGOs, which have engaged in action to develop standards and an international machinery, as well as documenting violations and launching campaigns to protect victims. But until recently there was relatively little attention to this area on the part of many official donor agencies.

3.5 This is changing. The number of aid agencies with an interest in the promotion of human rights in developing countries has grown in recent years, often but not always linked with policies for supporting democratisation.

3.6 The connexion between development work and strengthening respect of human rights is gaining acceptance in the development community, both official and non-governmental, leading to increased policy and programming activity. Several Members affirm in policy statements that respect for human rights is an objective in its own right, but is also critical for

the longer-term sustainability of societies. The exercise of civil and political rights is closely related with levels of education, health and basic living conditions.

3.7 In this respect, in the Orientations DAC Members expressed their belief that human rights and fundamental freedoms, greatly facilitated by freedom of expression and an independent press, empower people to improve their living conditions and make it possible for civil society to criticise and redress unjust or inefficient state policies. Discriminatory policies often contribute to ethnic conflict, causing untold suffering and retarding overall development.

3.8 Programming approaches are varied: some Members started with small, responsive projects, others are starting with that approach now, while some are moving from the discrete project approach to developing a more strategic one.

3.9 The 1995 Secretariat survey of DAC Members found much increased emphasis on women's rights compared with the early 1990s. Highlights of women's issues appear in a subsequent section of this chapter, "Furthering the human rights of women".

3.10 It was also found however that in many cases it is impossible today to identify aid for human rights or estimate its volume, as for several reasons this aid is not recorded or not recorded separately, so that a database for DAC Members collectively does not exist as yet.

b) Looking forward: the need for more strategic approaches

3.11 The responsive small-scale approach has merit in that it responds to local demand: the funding is often through embassies, which are close to local realities. From the agencies' viewpoint it is also, in any case, a useful first step for acquiring experience in this area. Also, there will be a continuing need for agencies to maintain a responsive capacity. But in providing support only for discrete, often small, responsive projects, there is a risk of dispersion, discontinuity and lesser impact: how can the approach get multiplied at the level of a whole

developing country, for example in a country with thousands of villages and millions of poor people in need of legal redress?

3.12 The main lines of the issues which are involved in moving towards strategic approaches, according to one aid agency which is doing just that, include the following:

- Developing aid agency capability, by encouraging and training existing staff, developing sectoral programme guidelines, monitoring performance and seeking evaluation indicators; developing a pool of trusted consultants and staff backing when this is needed in the field; providing guidance to staff with respect to the policy dialogue.
- One of the starting points is to record human rights activities of the agency and make it possible to retrieve this data.
- Building a strong field knowledge, consulting stakeholders including donor-country and local NGOs, and basing programmes on adequate analysis of country situations, tapping into local expertise.
- Establishing sound programmes: clarifying at the outset the nature and extent of the donor commitment to human rights and democratic development. If there is a long-term commitment, allocations of personnel and funds should be reasonably substantial and sustained over a considerable period. If the commitment is more modest or just beginning, small-scale embassy-fund type initiatives may be appropriate. Short-term and long-term approaches may be appropriately combined. It is often appropriate to support both government organisations and NGOs.
- Decentralisation of donor decision-making is essential for speed and flexibility; delays in approvals can greatly reduce impact and credibility.
- Women's organisations should be identified and nurtured.

- Depending on the circumstances, a broad development initiative (for example, land reform, conflict resolution) may be more fundamental for building respect for human rights than initiatives with a narrow focus on civil, political or legal rights.
- The assessment of results should be encouraged at project level. Local organisations should be trained in evaluation techniques, including self-evaluations. Donor agencies should be flexible and consider suitable arrangements for reporting and evaluation which may differ from standard procedures.

c) Capacity building in government and state institutions

Adapting programmes and partner selection to government commitment

3.13 In working for the promotion of human rights, as in everything else, development co-operation should respond to the particular context, needs and opportunities present in each partner country. There can then be multiple options as to the selection of partners -- governmental and non-governmental -- with which to work. The important point is that donor choices should be informed by a careful analysis of the state and society, and of potential partner institutions and organisations. Several DAC Members have developed criteria for providing aid specifically in the human rights area, which depend on the level of commitment of the host government.

3.14 These criteria essentially suggest that in countries where human rights violations are due to the actions of, or tacitly approved by, the government, aid for human rights should not be granted for programmes directed at the government and state institutions, except in minor ways when aid agencies and NGOs are able to find "niches of entry" and allies for reform. Where the government is not committed, the focus should be on civil society, especially human rights NGOs, trade unions, self-help organisations, local government bodies, independent journalists.

3.15 In countries where the government is committed to achieving respect for human rights, measures should be undertaken in a long-term perspective. They should include co-operation with official institutions, in particular for establishing the rule of law, improving the judicial system, encouraging respect of human rights by law enforcement agencies (security forces, prison personnel), and improving the general conditions in prisons. The task may require more resources than donors usually allocate to it.

The role of the policy dialogue

3.16 A key instrument for donor agencies is "policy dialogue" which generally is conducted with government authorities at high level. The case for respecting human rights is strengthened when it is taken up systematically in bilateral consultations. The adoption of explicit policies on human rights is essential for donors engaging in dialogue with developing countries on this subject, to ensure continuity, credibility and transparency.

d) Strengthening the capacity of NGOs

The role of human rights groups and associations

3.17 There exists today a worldwide citizens' movement for human rights which connects individuals through international and national NGOs. The churches, trade unions and many political parties are involved in the defense and promotion of human rights. National organisations now exist in a great many developing countries to promote and protect human rights in their own societies. Some, such as the Civil Rights Movement in Sri Lanka, are longstanding. Others, such as the Egyptian Organisation for Human Rights and the Civil Liberties Organisation in Nigeria, have begun to function more recently. The major human rights associations -- Amnesty International and Human Rights Watch -- which do not accept government contributions, perform a unique protective function, documenting violations, appealing to governments and informing and mobilising public opinion (some DAC

Members, for example the Netherlands, maintain a regular dialogue with these two organisations). Specialised international networks, such as HURIDOCS, collect and exchange documentation and information. Some major developmental organisations, for example the Save the Children associations, promote children's rights. Organisations of judges and lawyers, such as Interights, the Lawyers Committee for Human Rights, and the International Commission of Jurists focus on law and work for the reform of legal systems to bring them into conformity with international human rights standards. The Ford Foundation spends between \$15 - 20 million per year placing it among the major sources of assistance in this area. A multitude of groups including many smaller international and national NGOs, undertake human rights work often of a highly specialised nature, such as disseminating relevant court decisions among jurists, working against censorship or against child bonded labour, or for the improvement of conditions in prisons internationally or locally. Education in human rights is another critical function of many large and small groups.

Networking

3.18 The workshop demonstrated the value of networking as a way of strengthening NGO capacity and impact. Support for networking implies trusting partners and granting some funding without advance specification of activities, although medium-term planning and identification of results continue to be needed.. This flexibility enables partners in developing countries to take advantage of opportunities as they arise. Networking does not necessarily require large amounts of funding, but is time consuming. It makes it possible for NGOs and activists to publish newsletters, take part in meetings and visit people engaged in the same kind of work elsewhere. Networking also provides encouragement to local actors. It maintains the limelight on problems and people, thus providing a measure of protection to human rights activists, and feedback to interested groups on developments of relevance to them. For example:

- An African network is being built up among human rights activists ("Afronet"), with headquarters in Zambia.
- Networking is found specially useful by women's rights groups as it enables them to understand the situations faced by women in different societies, and sustains them in their work in their own country.
- National groups from ten Asian countries have established an NGO coalition for housing rights which is better able to support national actions and campaigns through networking.

Enhancing the work of NGOs

3.19 The share of expenditures channelled to and through NGOs appears to be quite large (over 50 per cent, for example, in Swedish aid for supporting human rights in 1994/95). Findings from evaluators and practitioners identify some areas of concern:

- insufficient financing of core funding to assist human rights NGOs of developing countries, whereas that is one of their major needs;
- the practice of reimbursing NGOs for expenditures already made, which may create cash flow problems especially for smaller human rights NGOs including those in developed countries;
- long delays in official disbursements linked to the inadequate number of staff dealing with human rights programmes in the aid agencies. Advance payments as in "block grants", a practice widely used by some donors for developmental NGOs, would allow for greater flexibility and less administrative work on both sides.

3.20 Aid agencies' experience in supporting NGOs more generally, leads them to also flag other concerns, such as the risk of dependence on government funding (a dependence which is possibly unavoidable in many cases for advocacy groups in poor countries) and the resulting weakening of links between the NGOs and their memberships/communities.

e) Furthering the human rights of women

3.21 Women's rights figure more prominently in aid agency policies than they did a few years ago, before the world conferences in Vienna on human rights and Beijing on the human rights of women. Beijing gave legitimacy to groups all over the world who define many women's problems as human rights problems, and not anymore as essentially through the angle of improved effectiveness of aid. Generally speaking, human rights are perceived as pertaining to the public sphere, whereas violations of women's and children's rights, including violence, frequently take place within the household and hence outside of the public eye. Religious fundamentalism and cultural relativism (the latter may in practice imply accepting the violation of women's rights) exacerbate the obstacles to women's enjoyment of human rights. Governments should be encouraged to ratify international and regional legal instruments which provide for the protection of the human rights of women and girl-children (reservations by governments ratifying the Convention for the Elimination of All Forms of Discrimination Against Women seriously undermine its impact). Legal reform is one of the necessary steps for improvement, including the safeguard of women's rights during armed conflicts, and above all a clear prohibition of gender-based violence, whether occurring in public or private life. Representatives of women's associations stressed that changing women's status means changing society: a long-term endeavour that is difficult to assess.

3.22 Growing emphasis on women's rights in aid programmes goes all the way from parallel campaigns for women during electoral campaigns, so that they are made aware of their rights (supported, for example, by CIDA) to systematic use of quotas and the earmarking of funds to secure women an equal share of aid, as advocated by a new Danish policy paper.

f) Selected critical issues in human rights today

3.23 There is a host of particular issues within the broad human rights theme that are coming up for attention in aid agencies, including

minorities' rights, the rights of indigenous peoples, children's rights (including child labour and sexual exploitation), human rights issues in relation to HIV/AIDS. The issues listed were briefly presented to the workshop, to signal problems for a future agenda.

Minorities' rights

3.24 Policy statements of Members' aid agencies show greater concern for the human rights of minorities and indigenous peoples than was the case a few years ago. With funding from the British ODA, representatives of aid agencies, minority groups, and experts, met in November 1995 with the British NGO "Minority Rights Group" on the issue of "development and minorities". Highlights were presented at the workshop ["Minorities and Development: Report of an MRG Seminar", MRG, London, 1996].

3.25 Some workshop participants noted that recent tragedies, such as those of Rwanda and Burundi, show how wrong it was not to react to grave human rights violations earlier in the hope that development would provide solutions. The Rwanda experience has raised all sorts of questions for aid agencies but it does not appear that anyone has clear answers yet. Could aid programming have served, or helped, to prevent the genocide? The questions remain of how to address legacies of discrimination (and genocide) in development programmes.

Indigenous peoples

3.26 An agenda for assisting indigenous peoples' rights is emerging slowly, encouraged by the UN through the International Year (1993) and the current Decade of the World's Indigenous Peoples. It is reflected in mostly small-scale projects related to land rights (e.g., for the demarcation of land belonging to indigenous peoples) and for maintaining indigenous cultures. The Nordic countries announced recently that in their co-operation programme policies, the indigenous rights of recipients would henceforth be taken into account in the allocation of funds [for a succinct view of the debates on indigenous peoples taking place in international and regional

proceedings, see Denis Marantz, "Issues Affecting the Rights of Indigenous Peoples in International Fora", in *People or Peoples; Equality, Autonomy and Self-Determination. The Issues at Stake of the International Decade of the World's Indigenous Peoples*, International Centre for Human Rights and Democratic Development, Montreal, 1996].

Child labour and children in bonded labour

3.27 ILO estimates that close to 80 million children, between five and fourteen years of age, work today. Of these, some seven million are between five and ten years old. More a rural than an urban phenomenon, it is prevalent in the informal sector (in the cities, essentially in petty trading and as domestic help). This is a complex issue to which poverty and gaps in the educational system contribute, but by precluding or seriously handicapping access to education, child labour helps to perpetuate poverty. A number of DAC countries provide funding for an ILO international programme for the elimination of child labour.

3.28 Much remains to be done to mainstream the child labour issue in development co-operation. More can be done in poverty programmes by identifying specific activities for children through existing aid-supported programmes for education, health, and microcredit.

3.29 Furthermore, between 1.2 million and 1.6 million children in India and Nepal are subjected to bonded labour, virtually sold to creditors by parents who cannot reimburse their debts. Two associations in the countries concerned are doing good work in this area, with assistance from various sources.

- The main international partners of the governments of countries where there are children in bonded labour should raise this issue when negotiating official aid programmes (local corrupt politicians and police benefit from the exploitation of children).

HIV/AIDS

3.30 The HIV/AIDS pandemic raises the issue of human rights in two major ways: a) through restrictions of individual rights such as mandatory testing for HIV, and these may discourage people from seeking testing or treatment fearing consequences if they are found to be seropositive, and; b) members of socially marginalised groups are unable to exercise their basic rights and this makes them more vulnerable, as they may not receive information and contraceptive services. This societal discrimination may involve gender, race, ethnicity or sexual orientation. In Asia, the case is illustrated by migrant workers and by the servitude of women as domestic servants or commercial sex workers.

Initiatives for the future

3.31 The workshop afforded a unique insight into practices and problems of bilateral development co-operation in support of the promotion of human rights today. Further opportunities for exchange on positive measures may contribute to identifying evolving best practices and strengthening capacities.

- The approach paper on human rights in the Synthesis Report of the DAC Expert Group on Aid Evaluation [*Evaluation of Programs Promoting Participatory Development and Good Governance*, OECD, 1997] recommends in its conclusions that consideration be given to the establishment of a "learning network" for the exchange of information among aid agencies, practitioners in the field and research institutes, possibly in the framework of DAC. An initiative to establish such a learning network could be highly beneficial to sustain momentum and enhancing understanding and effectiveness.

3.32 Following a feasibility study supported by SIDA and the Ford Foundation, a decision was taken in June 1996 to establish an International Institute for Human Rights Policy Studies, expected to become fully operational in January 1998 if funding can be secured. The aim is to

build an effective capacity for undertaking strategic thinking and sustained applied policy

research on international human rights issues.

Chapter 4

Legal Systems

4.1 As stated in the "Orientations", a predictable legal environment, with an objective, reliable and independent judiciary, is an essential factor for democratisation, good governance and human rights. In practice many countries (developing or developed) have difficulty meeting this objective. Respect for the rule of law is also mentioned as an essential qualitative factor for reaching the goals of the "21st Century Strategy" adopted by the DAC.

4.2 The rule of law is defined as the following:

- government should exercise its powers in accordance with the law;
- there should be an independent court system;
- that system should have full constitutional rights to investigate whether the exercise of governmental/administrative powers is in accordance with the law;
- everybody should have an equal opportunity to seek redress in the courts and receive equal treatment whatever their social status. The rule of law is also essential to the effective functioning of the society and the economy, requiring honest law enforcement agencies that effectively carry out court decisions, and a court administration that ensures that cases are dealt with expeditiously and at reasonable cost to the plaintiff.

4.3 Legal systems are not likely to improve without significant demand from within the system itself or the society for reform. This

type of demand is closely related to other elements such as the level of participation, democracy and good governance. For example, an independent judiciary implies a watchful parliament with a functioning opposition; clearly guaranteed rights; and a constitutional framework which the powers of the executive, the legislative and the judicial branches of government. Also required are guarantees for the tenure of office of judges, and a free press which can expose injustice.

4.4 At its first meeting, in May 1994, the WG heard a presentation of highlights from a major USAID evaluation of United States assistance for legal systems reform. Subsequently, at the workshop on human rights of February 1996, some of the current problems of judicial systems in developing countries were also discussed. Greater observance of human rights norms by law enforcement agencies is being sought by various official and non-governmental aid organisations. The following paragraphs summarise available experience with some of the major issues involved.

The USAID evaluation of rule-of-law programmes

4.5 Many DAC Members have been providing assistance for legal systems in developing countries, but the WG focused on the experience of the United States because its programme was the largest. Furthermore, USAID submitted a far-reaching assessment whose conclusions are highlighted here.

4.6 USAID has been active in "Rule of Law" (ROL) programmes since the 1960s, but the

current resurgence of activities in this area began in the mid-1980s with the Administration of Justice programmes in Latin America. Activities intensified in the early 1990s, as democracy became a major area for United States aid. ROL programmes carried out by USAID, the Asia Foundation and the Ford Foundation were assessed in depth in six countries: Argentina, Colombia, Honduras, the Philippines, Sri Lanka and Uruguay. [Gary Hansen, *Weighing in the Scales of Justice: Strategic Approaches for Donor Supported Rule of Law Programmes*, Center for Development Information and Evaluation, USAID, 1994 -- summarised in the *Synthesis Report--Evaluation of Programmes Promoting Participatory Development and Good Governance*, cit.] The assessment has gone well beyond measuring the immediate results of the supply of a given amount of equipment or the dollar value of aid for institutional development. In addition to assessing recent donor experience, the study also developed criteria for initiating ROL programmes and proposed a strategic framework for setting ROL priorities and designing country programmes. The study identified weaknesses of legal systems as often due not to a technical but to a broad political problem. It defined reform as a political process that should identify and overcome the weaknesses in legal systems that seriously constrain an individual country's democratic development.

4.7 The study concluded as its most obvious lesson that legal system strengthening is not necessarily the best place to begin an ROL development programme. Indeed, the least difficult aspects of support are the provision of equipment and training, and improving management systems. If certain preconditions do not exist -- such as a determined political leadership and an already reasonably wide access to justice -- legal system strengthening will almost certainly have little impact.

4.8 The study developed an "analytical tree" to define key questions to be asked of a country in order to determine the strategy to be adopted (e.g. "are basic standards of human rights in place?", "is the political leadership supportive of the rule of law?", "is there full and equitable access to the justice system?"). These questions are meant to inform decision-making, not to determine sequencing, as this can only be done

on a case-by-case basis depending on each country situation. Indeed, the analysis suggests that seeking a "technical fix" to institutional change is inappropriate and that in essence aid officers need to think politically rather than bureaucratically in approaching legal systems reforms.

Structural reform and obstacles to improvement

4.9 Structural reform seeks fundamental change in the basic rules governing the judicial system, notably by moving from a patronage to a merit system for appointing and promoting judges. It is the boldest and most difficult strategy to undertake in rule-of-law programmes. It is bold because it calls for a major reconfiguration of power in both the external and internal dynamics of the judicial system. It is difficult because executive and legislative branches -- accustomed to operating above the law -- would prefer not to deal with the constraints of an independent judiciary. By controlling appointments and promotions of judges who do not have tenure, and by voting inadequate budgets for the judicial system, the executive and legislature keep the judiciary in check. Launching a structural reform effort will encounter active or passive resistance from vested interests and political factions most likely to lose power and resources because of the reform.

4.10 At the workshop on human rights held in February 1996, mention was made of problems faced in assisting legal systems reform which echo the findings of the US evaluation. Human rights and the values implied in an independent judiciary should be taught in the curricula of law schools. Judges are often nominated solely by the head of the executive rather than selected on the basis of competence and integrity as assessed by their peers. In many developing countries, budgets for justice departments are underfunded and judges' salaries woefully inadequate. Judges have no security of tenure and work in isolation from one another. These are all issues that need to be addressed for reforms to be effective.

4.11 The US assessment suggested that from a donor's perspective, when an opportunity arises

to initiate basic reforms even under uncertain auspices, the positive gains to be reaped may justify a modest investment. Monitoring implementation shows in many cases that important reforms introduced, with or without donor support, may never be effectively implemented. To counteract the denial of justice to ordinary and underprivileged citizens, several strategies can be pursued, most effectively when they are simultaneous:

- supporting alternative mechanisms for dispute resolution;
- supporting legal advocacy NGOs;
- helping build constituencies that pressure government agencies and legislatures for legal reform.

Supporting alternative mechanisms for dispute resolution

4.12 Of the various ways to make legal services more available and affordable to low-income people for the resolution of disputes or redress of grievances when their rights have been violated, legal aid, legal literacy campaigns and paralegal services are limited in their reach and impact. Legal aid programmes tend to deal with individual cases, depend on scarce "pro bono" lawyers, and frequently lack the resources to pursue court litigation. Legal literacy often means imparting rudimentary legal notions for a few hours to poor people. It does not enable plaintiffs to act effectively.

4.13 Alternative mechanisms for dispute resolution have proved popular and been in great demand. They imply diverting cases away from an often overburdened and mistrusted court system, to mediation boards, neighbourhood counselling centres, and binding arbitration schemes. These measures are new and show promise as a low-cost expeditious means for settling grievances. They are being supported by USAID and the Asia Foundation in five out of the six countries covered by the evaluation. In Sri Lanka nowadays disputants cannot go to court until they have first tried a mediation council. But there are limitations: in Sri Lanka for example, mediation councils cannot deal with disputes between government agencies and

the citizens and communities to which they are presumably accountable. Also, attendance at mediation sessions is not compulsory and defendants may not show up (this happens in half the cases in Sri Lanka). However, USAID expects good results from the introduction of such systems in Latin American countries.

Legal advocacy NGOs

4.14 Legal advocacy NGOs can be highly effective when they have the professional competence to engage in litigation and to provide legal representation, and when they employ lawyers to engage in public interest suits and in cases which concern disadvantaged groups rather than individuals. In the Philippines and Sri Lanka, where the NGOs perform these roles, they in fact seek through legal means to reform structures perpetuating poverty and oppression, and empower communities to take action in defence of their rights.

4.15 Legal advocacy NGOs frequently serve a dual purpose in pursuing strategies that increase access to justice and build constituencies for reform. Once groups and communities are mobilised, their continuing vigilance can serve to obtain enforcement of laws by government agencies. Investment in legal advocacy NGOs thus has the potential for high returns.

Coalition building

4.16 One of the study's major conclusions is that where the political will to engage in effective legal systems reform is weak, donors should first consider developing a strategy to help constituency and coalition building. This will help strengthen civil society and its capacity to articulate demand for reform of legal systems. The constituencies concerned include legal advocacy NGOs, the free media, and in many cases also the commercial sector, and more rarely, the bar associations. Potential constraints of coalition-building among NGOs is that some may represent relatively small constituencies or have little inclination to form coalitions. But donors should not shy away from supporting such efforts, although they are labour intensive:

experience in the Philippines has shown the power of a coalition in achieving basic reforms.

4.17 The media and printed press help influence and mobilise public opinion around the issues for which the NGOs generate pressure. There are risks, however, both for the media (in the Philippines, for example, more than 30 TV/radio journalists have been killed during the last decade) and for the printed press as the government may ration or withhold newsprint or withhold advertising (in some countries there are few commercial advertisers). Intimidation or worse against "offending" journalists is not uncommon. The commercial sector generally, if not always, has a real incentive to press for property and contract-rights enforcement. Coalition building refers especially to donor efforts to help forge reformist coalitions and alliances among NGO leaders and senior government managers.

Looking at the future

4.18 Because USAID is entering an era in which a wider array of approaches to law and

democracy programmes is being used, a more systemic perspective is needed. Its experience may be of interest to other foreign assistance agencies seeking to further the accountability of the justice system for its action or inaction, which is essential to democratic sustainability. Further research should include more analysis of strategies for building constituencies and coalitions, and of the impact of alternative dispute resolution as the most promising approach to relieve pressure on existing legal systems. Donors should be willing to act as experimental and risk-taking innovators to develop promising approaches.

4.19 Subsequent internal reports of USAID have stressed that solutions cannot be implanted from abroad. They recommend greater reliance on serious, genuine and committed local NGOs and increased host-country input in the initial articulation of the problems to be solved and the design of programmes; and suggest that the most important commitment on the donor side is to work in a long-term perspective.

Chapter 5

Democratic Decentralisation

5.1 Decentralisation may be accompanied by measures and mechanisms for the participation by citizens in the management of their own community. This can be designated as “democratic decentralisation” or “democratic local government” (the term “democratic decentralisation” is commonly used by some aid agencies, in particular USAID). Where it is put in place correctly, democratic decentralisation can also improve the functioning of the state and improve the effectiveness of services.

5.2 Experience with introducing and supporting democratic local government is still relatively recent and concepts have not always been used in an unambiguous manner. Initial findings from development co-operation activities and from research were reviewed at a workshop held on 5-6 September 1996 at the Development Centre, in support of the work of the DAC Ad Hoc WG on PD/GG to facilitate mutual learning with a view to improving future activities in the area of local governance.

5.3 This workshop brought together over 60 participants from North and South, among whom a majority of officials from DAC Member institutions and from non Member governments, as well as academics, and staff from the Development Co-operation Directorate, the Club du Sahel and the Development Centre. It was organised with support from various DAC Members and UNDP, and sponsored by USAID.

Concepts

5.4 While the democratic dimension in decentralisation was the focus of the workshop, in practice it is usually associated with the more conventional notion of administrative

decentralisation. It is therefore not helpful to oppose various types of decentralisation and levels of decision-making. Rather, emphasis should be put on the ways in which different levels of decision-making are linked in a shared vision of governance. Democratic decentralisation is not meant to weaken the central government, it may even strengthen it by limiting its functions to those it can and must perform effectively. For this to happen, the State has to be perceived as legitimate and should have adequate resources at its disposal. Similarly, resource requirements at the local level have to be acknowledged and met.

5.5 Democratic decentralisation is complex and the distinction between central and local level is an oversimplification. For example, local government can comprise several levels which have to interact among themselves (such as district, county, and village levels), and in various ways with the central level. Furthermore, additional partners at various levels may emerge from the civil society.

5.6 Thus the concept of democratic decentralisation is defined by sharing resources, power and responsibility in a variety of ways which have to be generally understood and be protected by checks and balances, reflected inter alia by the accountability to the people of the actors at different levels.

Process

5.7 The workshop paid considerable attention to the question of “how” to introduce and sustain democratic decentralisation, and make sure that it achieves the desired effects. It was acknowledged that democratic decentralisation is more difficult to introduce than administrative

decentralisation since the latter relies on a relatively straightforward command structure. When the democratic dimension is added, the process is complex, somewhat open-ended, and does not follow any specific blueprint

5.8 Experience has shown that without top-level commitment the whole process tends to remain “fake”. But top-level commitment alone is insufficient. It may translate into a top-down drive which needs to be met and espoused by local dynamics working from the bottom (“grassroots” or “pavement”) upwards.

5.9 For the process to unfold in a satisfactory way a number of prerequisites have to be in place, or if they are not, will have to be kept in mind by government and donors willing to start the process nevertheless. The ideal situation is one where there exist a favourable political environment based on pluralism, accepting a role for civil society and acknowledging a diversity of citizens’ interests; a legal framework, and adequate capacities, especially at the local and intermediary levels.

5.10 Advantages should be perceived at different levels: central government, local government, and individuals. (The workshop heard a report from a seminar sponsored by USAID in July 1996 where the experience with democratic decentralisation was reviewed in terms of incentives).

- The transfer of power, tasks and responsibility has to be accompanied by a corresponding transfer of resources. The latter are required to build the capacities necessary at the various levels and to sustain decentralised operations.

5.11 Poverty, illiteracy and gender discrimination have been mentioned as obstacles in the way of democratic decentralisation. To overcome them will require time and resources. For this reason, and also to reap some economies of scale, the lowest local level (say, village or municipality) may not always be the most appropriate level to which to decentralise. Rather, intermediary levels may have to be created and harnessed to take over tasks and responsibilities in the framework of democratic decentralisation. They would have to be

accountable, however, both to levels below and above them.

5.12 Facilitation and training are necessary even where the prerequisites are in place and resources are available. It was underlined that this should be “new style” training, i.e. demand driven within a locally-owned system, rather than pre-designed packages. Learning from the experience of neighbouring municipalities within the country and within the region through visits seems to be more appropriate than classroom lecturing.

5.13 While a pluralistic political setting was mentioned among the requirements, it was acknowledged that multiparty politics at the local level may create its own problems. But in any case, the focus of donor efforts should be on strengthening local institutions and building confidence within the population to be able to also cope with strains which might be introduced by party politics. Training and education may be helpful in this context, also to keep expectations realistic.

5.14 Increased transparency and proximity may give greater visibility to wrongdoings than in a centralised system. It is important to find appropriate checks and balances to strengthen accountability to the people.

5.15 There is often the expectation that democratic local governance will lead to immediate mobilisation of local resources. This is a false expectation. On the contrary, at the initial stages, resources have to be injected from the outside to build up or strengthen the institutions and bring the process underway.

5.16 Finally, it is important to ensure political accountability of leaders and that staff at the local level be also locally accountable.

Effects

5.17 Evidence on the effects of democratic decentralisation is at best partial and varies somewhat among countries and continents.

5.18 There was, however, broad agreement that democratic decentralisation can have many positive effects, and these were reported to have

occured in a large number of countries where genuine reforms have been implemented. Examples are improved services and respect for the rule of law; greater transparency and accountability; increased competitiveness, efficiency and sense of ownership.

5.19 The effects seem to be less pervasive in terms of economic development and poverty alleviation. While only one example was reported from Asia (West Bengal) where the situation of the poor has improved as a result of democratic decentralisation, several examples were quoted from Latin America. It was argued that democratic decentralisation has mostly a neutral or even a negative effect on poverty, except where the poor at the local level are strongly organised and can indeed exert influence. Effective empowerment of the poor is therefore a crucial condition, not frequently met.

The role of donors

5.20 By traditionally working with central government donors' assistance may in the past have had a centralisation bias built into it. Also, by supporting sometimes governments without genuine commitment to decentralise, and by not always co-ordinating their assistance among them, donors had to face up to less than satisfactory results.

5.21 However, it seems that donors and their partners have learned many a lesson from those experiences and also from some genuine success stories. Based on the experience, guidance for donors has been formulated at the workshop along the following "do's and don'ts":

5.22 Certain conditions make it more likely that democratic decentralisation will succeed. Some donors indeed consider that the prerequisites for any assistance in this area are met before going any further. These conditions include:

- a) A thorough assessment of the socio-political situation and political culture in a country. This can be done with multiple local partners, possibly through sponsoring fora in the country where people who otherwise would not have met

or entered in dialogue (including those who might otherwise have had no "voice" at all) can freely air their views. Making the assessment continuous through monitoring mechanisms seems desirable.

- b) The existence of a legal framework for the implementation of democratic decentralisation.
- c) The existence of adequate capacities at all relevant levels. This may include particular attention to the capacity of poorer sections of the population to have their interests represented.
- d) The existence of a pluralistic political environment within which democratic decentralisation makes sense.

5.23 If these prerequisites do not exist donors may help to bring them into being. This may be an undertaking of uncertain outcome and requiring very long-term commitment to produce significant results.

5.24 Even if the above prerequisites exist, donors should not be the main driving force in introducing, nor offer any preconceived models for democratic decentralisation, nor offer preconceived models. Rather, they should act as a facilitator or catalyst in supporting several actors at the same time, both governmental and non-governmental, and at the central as well as at local levels. In doing so, donors may help to create a "common vision". Offering information and supporting information exchange can be a worthwhile role in this context. Generally, the process should be conducted in such a way that the central State is not weakened but enabled to decentralise and perform its essential tasks even better.

5.25 There is a strong role donors can play in supporting capacity development at various levels, and in various ways. Assistance for education and training will usually be a major component of this support. In any case, even when the activity has substantial technical components, the approach should be participatory, i.e. the contents and the pace of the activities should be demand driven and negotiated with the local partners whose views should not be overridden by donor constraints

such as disbursement pressures or other outside interests. Particular attention should also be paid to learning from the experience of others rather than conventional classroom learning. A regional approach to joint learning may be recommendable in many cases, as practiced among Sahelian countries with support from the CILSS (Permanent Inter-states Committee for Drought Control in the Sahel) and Club du Sahel in their programme for decentralisation, democracy and non-formal education..

5.26 While following a participatory approach, which also implies flexibility (and tolerance of certain mistakes made in the process of learning), donors should remain vigilant as to the true role various partners are playing so as to be aware of deceptive behaviour from whichever side, whether local elites, NGOs or other partners.

5.27 Donors should co-ordinate their activities among themselves and practice transparency as much as they should request it from their partners. They should be prepared to envisage long-term commitments since the process of democratic decentralisation will suffer from being rushed. It may also suffer from sector programmes continuing to be organised in a centralised mode. If this is the case, support may be necessary to switch to devolutionary management in the sectors concerned.

5.28 If donors wish to pursue the objective of poverty reduction through democratic decentralisation they will have to pay special attention to the empowerment of the poor. Only if the poor are well organised at the local level (and donors may be able to support their organisations) is there some likelihood that this objective will indeed be achieved.

5.29 Finally, to improve future donor activities in the field of democratic decentralisation support for further research on the processes underway in many countries is needed to produce a more complete picture of what can and what cannot be achieved. Such research should in particular look into the relations between governments and civil society, and on governance issues in metropolitan regions of developing countries.