



Missing Out: Civil Society and ENPI

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ENPI has the potential to have a significant transformational impact in the EU's eastern neighbourhood, and the entry into force of the Lisbon Treaty has only increased its promise. However, ENPI is currently not living up to its potential. A major reason for this is the lack of involvement of non-state actors (NSAs).

Research in Azerbaijan, Georgia, Moldova, and Ukraine shows that deficient NSA participation is due to three factors:

1. the lack of quality NSA entry points into various ENPI processes;
2. the insufficient use of existing entry points by local NSAs;¹ and
3. unreformed public policy institutions.

1) Lack of NSA Entry Points

NSA participation in the elaboration and monitoring of the three national-level strategic documents (Country Strategy Papers, National Indicative Programmes, and Annual Action Programmes), as well as of budget support, is deficient.

While the task of involving NSAs mainly rests with national authorities, it is the EC's responsibility to provide a framework conducive to NSA participation, and to compensate for shortcomings at the national level. Here, the EC's record is mixed. Shortcomings of the EC framework include:

- ▲ CSP elaboration and monitoring: NSAs are only consulted before a draft is prepared, and are excluded from the finalization phase. This allows them to influence priority-setting, but prevents them from commenting or otherwise impacting

the draft. They are not consulted again until the mid-term review.

- ▲ NIP elaboration and monitoring: NSAs are not consulted before a draft is prepared, and can only comment on the existing Concept Note. This excludes them from the priority-setting process. As with the CSP, NSAs are not involved in the finalization phase and so cannot ensure that their input has been taken into account.
- ▲ AAP elaboration and monitoring: Here again, NSAs are not consulted before a draft is prepared, and they are excluded from the finalization phase.
- ▲ Budget support monitoring: NSAs have no say in the selection of sectors to receive budget support. In addition, as their presence in Joint Monitoring Groups or Steering Committees (JMGs/SCs) is not mandatory, they are generally excluded from them.

2) Little Awareness = Little Impact

The lack of entry points in the four aforementioned countries is not the only reason for insufficient NSA involvement. NSAs are generally either unaware of existing opportunities for participation, or unable to make use of them.

Not enough is done on the EU side (by both Brussels and local EU delegations) to foster NSA input. EU websites list suggestions as to how civil society can get involved, but these are general and leave the initiative up to individual organizations. Local delegations announce and sometimes even conduct consultations on their websites, but little more is done to raise awareness of NSA entry points. Finally, the

¹ This paper is based on in-depth studies conducted by think-tanks in these four countries.

scattered and technical nature of much of the information available — not to mention the fact that little of it is available in local languages — makes it difficult for NSAs to understand the whole process and see where they can participate.

As a result, in none of the four countries studied are all available entry points utilized. In Ukraine, where civil society has been the most involved, NSAs have participated in the elaboration of all programming documents but do not sit on budget support JMGs. Thus they cannot monitor budget support, which is the EU's priority type of assistance.

Fulfilling ENPI's promise

The EC has not recognized that its ENPI partners are not ready for the type of aid it wishes to offer. To offer policy-driven assistance to countries with closed and unreformed policymaking institutions is to build on quicksand. ENPI will not bring about real transformation until these truths are accepted, and their implications are taken into account.

ENPI has the potential to foster reform in partner countries, but in the short term this will require a greater role for the EC in catalysing institutional reforms.

Recommendations

1. Make the democratization of public policy institutions — making them accountable and responsive to the public — the priority of ENPI aid. Only open and sound institutions

can adequately consult NSAs and assimilate their input into ENPI.

2. Make clear to national authorities that NSA participation in ENPI planning and monitoring is mandatory — potentially by tying funding to adequate NSA consultation;
3. Assist the national governments in identifying potential NSA participants in ENPI processes;
4. Given the lack of a strong tradition of compulsory NSA participation in policymaking in ENPI countries, maintain a separate track for NSA consultation by the EC. NSAs should be consulted by both the EC and the national authorities before any drafts are put forward;
5. Create new NSA entry points into the CSP mid-term review, the drafting of new NIPs and AAPs, and the formation and functioning of budget support JMGs;
6. Provide trainings for NSAs on ENPI monitoring at both the programming and operational levels;
7. Enhance public information efforts to raise awareness about ENPI;
8. Make key ENPI documents (including criteria, indicators, benchmarks, etc.) easily accessible to non-state actors, and translate all documents into local languages;
9. Do not offer budget support to countries unable to absorb it efficiently. When it is offered, make the presence of NSAs in budget support JMGs/SCs mandatory.

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