

**DRAFT FOR COMMENT**

**NATIONAL CIVIC ENGAGEMENT POLICY**

**OFFICE OF THE PRIME MINISTER**

**UNDP**

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**DRAFT**

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## **FOREWORD [Government]**

### **ACKNOWLEDGEMENTS**

This policy was made possible by the concerted efforts of stakeholders in Government, civil society and UNDP. It was developed through a collaborative and consultative process and is based on the views of a wide range of stakeholders in government and from civil society at federal and sub-national levels. Key informant interviews and focus group discussions involved over 80 individuals, and took place in Addis Ababa, Bahir Dar, Semara and Adama. The Government wishes to thank all those who took part and gave their time in a spirit of open reflection and collaboration which will inform the civic engagement process going forwards.

The Government wishes to thank the members of the Reference Group, who supported and advised the policy development process [NAMES]. Government also thanks the UNDP Governance Team, [NAMES] and consultants [NAMES]. The policy process is a joint initiative of the UNDP Governance Team and the Office of the Prime Minister.

## LIST OF ACRONYMS

CSA	Charities and Societies Agency
CSO	Civil Society Organizations
CSP	Charities and Societies Proclamation
EHRC	Ethiopian Human Rights Commission
EIO	Ethiopian Institution of Ombudsman
EPRDF	Ethiopian People Revolutionary Democratic Party
ESAP	Ethiopia Social Accountability Programme
FDRE	Federal Democratic Republic of Ethiopia
GoE	Government of Ethiopia
GTP	Growth and Transformation Plan
HoPR	House of Peoples' Representatives
ICT	Information and Communication Technology
LJAAC	Legal and Justice Affairs Advisory Council
MoFEC	Ministry of Finance and Economic Cooperation
MoP	Ministry of Peace
NHRA	National Human Rights Action Plan
NEBE	National Electoral Board of Ethiopia
NSA	Non-state actor
PC	Planning Commission
UNDP	United Nations Development Program

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## 1. PREAMBLE

The Constitution of Federal Democratic Republic of Ethiopia (FDRE) enshrines the right to participate in public life and fundamental rights to freedom of association, peaceful assembly and expression. The purpose of this policy is to realize these rights, in the interests of human dignity, peace, poverty reduction and equitable development.

In 2018 the Government of Ethiopia embarked upon a historic process of democratic transition. Recognizing a powerful demand for change from many sectors of society, and in particular the youth, it initiated decisive steps to strengthen democracy, ensure respect for human rights, and secure requisites to peacefully resolve conflict. Political prisoners have been released, and a peace agreement with neighbouring Eritrea secured. The Government has set out its vision for free and fair elections in 2020, strengthening Rule of Law and participation and for reforming the public administration and improving inclusive and equitable service delivery. It is collaborating to achieve these priorities with civil society and with development partners.

Government is committed to end restrictions of the civic, political and media space. With this goal, it has brought forwards legislation to replace the Charities and Societies Proclamation (CSP). This policy provides the wider framework for the rehabilitation of a culture of active civil society engagement. Government acknowledges the impact of the CSP on the potential for realisation and protection of rights, and the routine work of civil society organisations (CSO). It recognizes the role of CSOs in development, and in the provision of life-saving humanitarian and development assistance to the neediest members of society. Government looks forward to a new era of civic life, based on mutual respect and open dialogue with civil society. Government has also embarked on review of several other laws that were restrictive in nature and have undermined human rights and constructive civic engagement, including the anti-Terrorism Law, and the Mass Media and Access to Information Act.

This policy aims to advance democratic transition, and the establishment of a new, more participatory approach to governance and development. Government will lead the process, but cannot alone address the challenges facing the country. At this defining moment, Government seeks to enable a transformative shift in the relationship between the state, as duty bearer, and citizens as rights holders. Active inclusive participation and civic initiatives from all sectors of society, in particular the poorest groups, and women and youth, must shape decisions, drive development, and make possible cooperation for the common good, harnessing the ideas and energies of citizens.

Mindful of this vision, the policy sets out guiding principles, reflecting the views of the many stakeholders consulted. It also outlines actions under two key pillars. These are firstly, measures to further improve the enabling environment for civil society and citizen engagement, and guarantee the right to freedom of association, building on the new CSO law. Secondly, it outlines measures to establish mechanisms and channels which will link the people with Government, and make possible their sustained contribution.

The Government firmly believes that active participation is an inherent right, and also a necessity. It can empower poor and marginalized citizens and help to meet their needs. It can further enable women to claim their rights, as they take the lead on key ministerial agendas. It can promote peace and national consensus by giving space for dialogue. With CSO and citizen scrutiny, it can enhance public service delivery and bring accountability and more efficient use of resources.

Ethiopia is an influential nation with the largest population in the neighbourhood, and plays a key role in regional intergovernmental processes. The way in which it addresses its challenges will therefore have wider consequences. Ethiopia must show regional leadership in advancing democracy. At a time of global uncertainty, the Government sees this as a moment of opportunity. As a nation with a young population, through dialogue, Ethiopia needs to reimagine the future, building on national achievements in development, infrastructure and economic growth and the best of its traditions, diverse cultures and faiths.

## **2. POLITICAL, SOCIAL AND ECONOMIC CONTEXT**

Ethiopia has an estimated population of 107 million, which ranks 14th in the world. 80% of the population resides in rural areas<sup>1</sup>. It is a Federal Democratic Republic composed of nine regional states and two chartered cities defined according to ethnicity. The FDRE Constitution, adopted in 1995, defines the powers of federal and regional states, and of the bicameral Federal Parliamentary Assembly.<sup>2</sup> Regional states have their own organs of government, with legislative councils, executive and judicial bodies adapted to regional constitutions. Regions are structured into zones (although not in all regions) and Woredas (districts), Kebeles (wards).

### **2.1 Key political and governance issues**

Ethiopia has a distinctive constitutional, political governance and economic model, guided by the developmental state principles, and revolutionary democracy ideology. Government has now committed to undertake reform of this system, which has evolved through different phases since it was established by the 1995 Constitution. It has identified key features which have shaped the context for civic engagement.

Firstly, while the constitution establishes a decentralized system, which nominally conveys power and decision-making to regional and sub-regional levels, the federal state has a strong administrative and political presence in the regions. Parallel to processes of decentralization, Government developed structures of central control and top-down rule, which have tended to overshadow local initiatives and autonomy.

Secondly, political space, and the dynamic political competition which characterizes genuine democracy have until recently been quite restricted in Ethiopia. The EPDRF, as a coalition of four ethnic parties has been in power since 1991, winning all five elections held since that date.<sup>3</sup> Prior to opening of the political space in 2018, the government engaged in measures to restrict political space, including at the local level. These intensified following 2005 elections, and the

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<sup>1</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>2</sup> House of People's Representatives - Lower House 547 members, and the House of the Federation, Upper House, 153 members. The House of the Federation has powers to interpret the constitution, settle disputes between regions, and determine the division of federal and shared revenues among regions. The HoPR has legislative, oversight and representation functions.

<sup>3</sup> Tigray People's Liberation Front (TPLF), the Amhara Democratic Party (ADP) Oromo Democratic Party (ODP) Southern Ethiopian People's Democratic Movement (SEPDM). There are also EPRDF-affiliated parties, including the Afar National Democratic Party (ANDP), the Somali People's Democratic Party (SPDP), the Harari National League (HNL), the Benishangul Gumuz Peoples Democratic Unity Front (BGPDUF), and the GPDP (Gambella Peoples Democratic Party).

political opposition remained weak and fragmented, with the ruling party winning all seats in the 2015 elections. The political culture of party centralism compounded this situation, with central decision making binding party members.

Thirdly, accountability and transparency has been subject to limitations, as a consequence of top-down governance processes and party centralism, and since parliament has not been able to play its oversight role fully. Lack of access to adequate information on political and governance matters also limits transparency and accountability. In the context of scarce resources, increasing accountability is important for tackling corruption.

Democratic institutions have been established in Ethiopia. These are the Federal Ethics and Anti-Corruption Commission (FEAC), Ethiopian Human Rights Commission (EHRC), Ethiopian Institution of Ombudsman (EIO), and the National Electoral Board of Ethiopia (NEBE). As reform progresses, these institutions will have key roles in increasing accountability, providing redress and supporting civic engagement processes. Reform and capacity building is needed to ensure they effectively deliver on their mandates.

**Past legacy of restrictions of civic space and freedom of the media:** Prior to the reform process initiated in 2018, civic space and freedom of association were subject to restrictions in Ethiopia. To date, the legal and institutional basis for the operation of CSOs in Ethiopia has been provided by the CSP, which minimised civil society work on human rights and advocacy and impacted on CSO capacity, undermining the growth in CSO work in these sectors begun in the 90s. Legal restrictions to freedom of association have been compounded by underlying factors affecting the civic culture. The political model shaped the state-society relationship which underpins civic engagement.<sup>4</sup> Government tended to see itself as the sole, or main source of authority and to largely reject CSOs as legitimate actors in policy and decision making processes. Research suggests people have tended to see the state as all powerful,<sup>5</sup> and the culture of engagement on political issues remained limited. Associational life includes grass roots forms of civic organisation, but their primary purpose is to provide self-reliance for their members rather than engagement on governance or political processes.<sup>6</sup>

Prior to 2018, the Government restricted freedom of the media. National electronic media were solely owned by the government. Although private media is in a relatively better position in terms of serving as a source of information for the public, overall the media lacks capacity in stimulating public debate on political, social and economic issues and access to public information and has limitations in maintaining independence and ethical practices. Distribution of print media is largely confined to the capital and few regional towns.

Current participation and civic engagement processes: Civic engagement on an inclusive and properly institutionalized basis is currently limited, validating the need for an enabling policy framework. There are a range of existing processes provided within legislative and executive branches on a routine basis. These include consultation by Federal and Regional Planning Commissions, sectoral opportunities to engage in policy making through line ministry public

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<sup>4</sup> Understood as the “overall power relations and interactions between the state and local society regarding access to resources, exercise to political power and control over the means of violence”, which underpins civic engagement. See *State-Society relations in Ethiopia: a Political Economy Perspective of the Post -1991 Order*, Yeshtila Wondemeneh Bekele, Darley Jose Kjosavik and Nadarajah Shanmugaratnam, Department of International Environment and Development Studies, Norwegian University of Life Sciences, 1432 Aas, Norway, pub. 2016

<sup>5</sup> *State-Society Relations* in Ethiopia above highlights a perception of the state as a well embedded presence in rural areas. Local people in one area were found to “see (the) state as king... the power of state is inviolable..”

<sup>6</sup> UNDP Ethiopia Working Paper No 2 Civic Engagement for Effective Service Delivery: tools Opportunities and Challenges.

wings, and legislative hearings. However, such processes show limitations, which are highlighted along with other barriers to civic engagement in the rationale section.

There are a number of innovations and programmes which provide possibilities for more inclusive participation of CSOs and citizens. These include consultations with civil society during the political transition in 2018 over reform of laws related to the civic and media space; social accountability and participatory planning models which have delivered opportunities for citizens to engage in service delivery planning and management, and several dialogue platforms such as the UNDP supported Public Private Dialogue initiative. There is also a positive legacy of CSO engagement on policy and legislation from the pre-CSP era. Such good practice provides lessons and capacities to build on, and proves that community based participatory processes of service provision can work in the Ethiopian context, if addressed progressively, giving time for relationships and trust to develop.

## 2.2 Key socio-economic issues

Ethiopia has made striking progress in economic growth and poverty reduction. Economically, it is one of Africa's most stable and rising economies. With the goal of making Ethiopia a 'lower-middle-income country by 2025', the Government invested in economic and social infrastructure, reforming the public sector, and developing small and medium enterprises. Per capita GDP more than doubled from \$32 billion in 2010/11, to \$81 billion in 2016/17.<sup>7</sup> Progress towards middle income status continues to face challenges, including recurrent droughts and land scarcity.

The Government has prioritized pro-growth and pro-poor development policies, and has succeeded in reducing poverty. The share of population living below the national poverty line decreased from 30% in 2011 to 24% in 2016.<sup>8</sup> There has been significant expansion in access to education, health, water and sanitation services, and to infrastructure including roads, railways, telecom and power generation. Access to universal primary education reached 100%<sup>9</sup>, potable water 65%, and life expectancy has increased to 64.6 years.<sup>10</sup>

However, Ethiopia remains one of the poorest countries in the world, ranking 173 out of 189<sup>11</sup> on the Human Development Index. The literacy rate is 39%<sup>12</sup>, and child malnutrition rate is 38.4%<sup>13</sup>. Poverty is most acute in remote and peripheral locations, while the social divide in urban areas is increasing.<sup>14</sup>

The situation of young people, and their demand for political change and livelihoods is a key issue in the current transition, and a challenge for development planning and policy making. 28% of the Ethiopian population is aged between 15 and 29, and the median age is 18<sup>15</sup>. Youth unemployment is estimated at nearly 27%<sup>16</sup>. Youth sector policy formulation requires the active engagement of young people, channelled through effective CSOs. Young people played a key

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<sup>7</sup> <https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/04/Ethiopia's-Progress-Towards-Eradicating-Poverty.pdf>

<sup>8</sup> <http://www.worldbank.org/en/country/ethiopia/overview#3>

<sup>9</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>10</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>11</sup> <http://hdr.undp.org/en/2018-update>

<sup>12</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>13</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>14</sup> Ethiopia: A Political Economy Analysis, *Jon Harald Sande Lie, Berouk Mesfin*, Norwegian Institute of International Affairs, 2018

<sup>15</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>16</sup> USAID, Developing Ethiopia's Youth



role in popular movements that prompted the current reform processes. However, youth movements and groups are also a source of concern, as they are involved in some of the security issues that have erupted across the country.

There has been progress in addressing gender disparities in Ethiopia<sup>17</sup>. Ethiopia has made progress, including in women's health and social and economic status, and access to opportunities and resources. Representation in the HoPR grew from 27.9 % in 2010 to 38.9 % in 2015 elections, and Ethiopia ranks 17 out of 144 countries for numbers of women in parliament<sup>18</sup>. Women hold 50% of cabinet posts, and have been assigned key Federal Government positions including President of the Federal Supreme Court.

Despite significant gains, however, gender disparities persist. Estimated gross national income is \$2136 for men, and \$1304 for women<sup>19</sup>. Sources highlight the prevalence of violence against women, with 28% of women reporting that they have been subject to violence by a partner.<sup>20</sup> Harmful traditional practices continue to damage the lives and well-being of girls<sup>21</sup>. Unequal power relations at the household level are a feature of women's lives.<sup>22</sup> Women often face more economic constraints compared to men, including less access to credit and markets<sup>23</sup>.

### **2.3 Political transition and commitment to democratisation from 2018**

Following widespread unrest which began in 2015, Ethiopia entered a phase of political transition in 2018. Unrest was driven by anger at social injustice including over land use, and lack of political and civic freedoms. Despite an ambitious development agenda, many citizens felt progress had not been equitable. Protests were triggered by announcement of the Addis Ababa Masterplan, and spread across the country. From late 2015, a significant number of deaths and arrests occurred. Declaration of a state of emergency in October 2016, in effect until early August 2017 and reinstated in February 2018 failed to bring stability.

In response to the profound crisis, the Government committed to work towards pluralism, democracy, and the opening of civic and political space, and to undertake profound reform. It has taken steps to deliver on the commitment to democratic transition. These include the release of political prisoners, invitation to all political groups to peruse their agenda in a peaceful manner, and rapprochement with Eritrea. It has initiated legal reforms to create an enabling environment for democratic institutions, the media, civil society organizations and political parties. The Government established the Legal and Justice Affairs Advisory Council (LJAAC), an independent advisory body under the Attorney General's Office, to review and propose changes to laws that restrict democratic freedoms and access to justice.

The LJAAC is reviewing the Media law, the Anti-Terrorism Law, and Electoral law. It has produced a draft Civil Society Organisations Proclamation, with review and inputs from civil society. A new bill has been issued by the Parliament to absolve three prominent opposition parties labelled 'terrorists'. These parties are now allowed to operate freely in the country. A new

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<sup>17</sup> Beyene, Helina 2015. National Assessment: Ethiopia Gender Equality and the Knowledge Society Report, for the Swedish Authority for International Development (SIDA)

<sup>18</sup> According to the 2016 Global Gender Index

<sup>19</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>20</sup> <http://hdr.undp.org/en/countries/profiles/ETH>

<sup>21</sup> <https://www.usaid.gov/ethiopia/gender-equality-and-womens-empowerment>.

<sup>22</sup> Ethiopian Demographic and Health Survey in 2016, cited at <https://www.usaid.gov/ethiopia/gender-equality-and-womens-empowerment>. 30 percent of Ethiopian women are reported to not make decisions on individual and family issues

<sup>23</sup> <https://www.usaid.gov/ethiopia/gender-equality-and-womens-empowerment>

Ministry of Peace has been established, and the Government has set up two new bodies such as the Commission for National Reconciliation and the Identity and Border Affairs Commission.

Such measures have begun to bring positive impacts in broadening the political space and the democratization process more generally. New political parties are emerging, and negotiations for merger are underway among some parties, creating the possibility of more coherent engagement. Civil society activism is growing and public participation in social media is on the rise with some positive and some negative implications. The political space seems non-threatening for citizens, and opposition party politicians who left the country are now returning.

Inevitably, challenges to the transition process are present, including sporadic conflicts in various parts of the country fuelled by ethnic divisions, which have caused significant internal displacement.<sup>24</sup> The EPDRF needs to undergo internal reform, and opposition political parties remain polarized and divided, limiting their contribution to the transition. There are differing views among political parties over the future path, and over the analysis of political economy and ethnic tensions in the country. However, Government remains committed to the crucial reform process, and to free and fair elections in 2020.

### 3. CONSTITUTIONAL AND LEGAL FRAMEWORK

#### 3.1 Constitution

The FDRE Constitution provides a strong foundation for public participation in decision making processes, policy formulation and implementation, development planning and performance evaluation. It enshrines a wide range of 'participation rights' designed to enable meaningful participation in political, social, economic and cultural life. Relevant provisions include ensuring direct democratic participation (A 8), the realization of human and democratic rights (A 10), rights of thought, opinion and expression (A 29), conduct and accountability of Government (A 12), freedom of association (A 31), women's participation rights (A 35), the right to development (A 43), local self-governance and participation of the people (A 50), and participation of the people in planning and implementation of environmental policies and projects.

#### 3.2 Legislation

Ethiopia has in force legislation which makes provision for freedom of the media and for access to information, which is a critical underpinning for meaningful civic engagement. However, the legal framework is also characterized by restrictive legal norms related to civic and media freedoms. Since 2018, the Government has initiated legal reform to end these restrictions and to ensure an appropriate legal basis for freedom of association and expression.

**Charities and Societies Proclamation:** The existing regulatory regime for most CSOs consists of the CSP<sup>25</sup>, the Charities and Societies Council of Ministers Regulation and the directives of the Charities and Societies Agency (CSA). The CSP, which came into effect in 2010 and directives of the CSA had fundamental implications for the engagement of the civil society sector in policy advocacy, human rights, good governance, peace building, access to justice and gender

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<sup>24</sup>Internal Displacement Monitoring Centre <http://www.internal-displacement.org/media-centres/east-africa-worst-hit-by-internal-displacement-in-first-half-of-2018> . An estimated 1.4 million people were newly displaced during the first half of 2018

<sup>25</sup> adopted in 2009 (Proclamation no. 621/2009)

equality. Provisions have the effect of prohibiting any CSO in receipt of foreign funding from engaging in the human rights and advocacy activities. Engagement is restricted to organisations registered as Ethiopian Charities and Societies.<sup>26</sup> Considering the challenges posed by the CSP, the Government has decided to repeal and replace it. The new Civil Society Organisations Proclamation is considered to be in line with international standards, and will apply at Federal level<sup>27</sup>.

**Freedom of the Mass Media and Access to Information Proclamation:** In 2008, the HoPR adopted the Mass Media and Freedom of Information Proclamation No. 590/2008. This recognizes the role of the mass media in development, democratization, human rights protection and good governance and sets out broad protections for freedom of the media, including prohibition of censorship, unlawful restrictions, and the duty of public bodies to have regard to the rights of mass media (A 4) and the right to publish for all citizens (A 5/1). The right of citizens to access information held by public bodies is also established by the Proclamation. However, this law together with some provisions in the Criminal Code<sup>28</sup> poses challenges to the media landscape in the country. Accordingly, the government has committed to review and amend the Proclamation in line with the Constitution and international standards.

### 3.3 Policies relevant to civic engagement

Despite the critical role CSOs can play in development, there is no policy document specific to CSOs or civic engagement in Ethiopia, necessary to facilitate the participation of individuals and groups in political, economic and social affairs. There are several policies related to civic engagement, which are summarized below. However, the policy framework is fragmented, and does not establish sufficiently the institutional responsibilities, mechanisms, norms of practice, mandatory requirements and strategies and actions necessary for influential civic engagement.

With relevance to building democratic systems, the Growth and Transformation Plan II (GTP II) stresses the need for direct and indirect public participation. It identifies building the capacity of public representative councils and other democratic institutions in order effectively deepen the democratization process as a key strategy. It also acknowledges the vital role of direct public participation in equitable development and good governance. However, there are concerns regarding the practical application of GTP II. It lacks a clear strategy and provisions on ensuring genuine participation of the public, and emphasizes strengthening the capacity of Government democratic institutions. GTP II also does not address the negative impact of the CSP, which limits participation in GTP II processes to those CSOs considered pro-government, and to CSOs outside the CSP scope.

The second National Human Rights Action Plan (NHRA, 2017 – 2019) outlines strategies and actions to realize constitutional rights critical for civic engagement. If implemented properly, the NHRA could assist in raising the human rights awareness of the public, a key challenge to ensure effective civic engagement. However, the NHRA does not provide sufficiently clear strategies and actions to support public participation.

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<sup>26</sup> Article 14 Charities and Societies Proclamation

<sup>27</sup> Regions will continue to register organisations which work only in one region. The draft proclamation does not apply to Trade Unions, nor to faith based organisations.

<sup>28</sup> See Arts 41 to 47 of the Criminal Code

The Ethiopian Youth Policy, adopted in 2004, recognizes the importance of active participation of all segments of the society to bring about accelerated political, economic, social and cultural development. The organization of youth is identified as a strategic approach to ensuring their participation and benefit from development processes. The policy aims to enable “the youth to participate, in an organized manner, in the process of building a democratic system, good governance and development”, and was prepared with a view to “creating conducive environment under which the youth will develop a shared vision and national consensus and nurture a sense of ownership on national issues and issues concerning themselves..”.

### **3.4 Parliamentary Rules of Procedure**

The Rules of Procedure of the Federal Parliament contain specific provision for consultation and public hearings. Standing Committees are required to publicize the means for individuals who have not been able to attend the sittings, to give their opinions on the agendas (A 153/6). However, the Rules do not clearly state that it is a constitutional obligation for the House to ensure public participation while enacting laws and adopting policies. Furthermore, the types of law or policy and at which level the participation of the citizen is reasonable and effective is not determined.

### **3.5 International obligations**

Under article 9/4, the Ethiopian Constitution makes all ratified international agreements part of Ethiopian law. Article 13/2 of the Constitution identifies the Universal Declaration of Human Rights (UDHR) and other ratified international human rights instruments as standards of interpretation for the human rights chapter of the constitution. In addition to the UDHR, Ethiopia has ratified all major international and regional human rights instruments including the International Convention on Civil and Political Rights (ICCPR), International Convention on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of All Discrimination Against Women (CEDAW), Child Rights Convention (CRC) and the African Charter on Human and Peoples’ Rights and the African Charter on Democracy, Election and Good Governance. These international instruments guarantee fundamental rights including freedom of association, expression, assembly and access to information, non-discrimination and the right to participation of citizens in public affairs.

## **4. RATIONALE**

The Government has committed to ensuring a holistic civic engagement policy is put in place, setting up a secure foundation and practical means for genuinely participatory governance. The necessity for the policy is established firstly by broad constitutional, political, governance, social, and developmental imperatives. Section 5.2 sets out the conceptual framework for the way in which civic engagement relates generally to democracy, good governance and development. National priorities establish the direct relevance in Ethiopia:

- Politically, active participation of citizens and civil society is a means to address grievances, and in particular to develop policy responses to the needs of young people. Political stability, and building consensus requires that citizens are continuously engaged, and that Government remains in touch with people. With weak citizen participation, policies lose citizen ownership which is crucial to their effective implementation. This is important during a phase of transition, when new political and governance norms need to be discussed and developed.

- In good governance terms, citizen participation supports accountability and efficient allocation of resources, based on understanding of people's needs. Scrutiny of service delivery can lead to better performance of contractors, and so to better infrastructure.
- In terms of equitable development and poverty reduction, national innovations in community driven service provision are beginning to show benefits in sustainability, community ownership, and efficiency of needs identification at Kebele level. This echoes international evidence that pro-poor service delivery is advanced by strong community and civic engagement in planning, resource allocation and service provision. Participation can make sure the specific needs of marginalized groups are identified and met. The policy will support implementation of Sustainable Development Goal 16, "*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective accountable and inclusive institutions at all levels*", and progress towards target 16.7: "*Ensure responsive inclusive participatory and representative governance at all levels*".
- In social terms, Government foresees that cooperation between civil society and Government, and among groups in society can generate social capital and innovation.

Secondly, the rationale for the policy is based on the fact that the current legal and policy framework is inadequate, as outlined above. It lacks legal, policy and regulatory specificity, concreteness and coherence to guide involvement of the public and Non-State Actors in the formulation and implementation of development policies, good governance and democracy.

Thirdly, the context analysis makes clear that there are structural features of the governance system that has been in place which prevent effective civic engagement. The ethnic Federal and developmental state model has benefitted economic growth, infrastructure and development. However, top down processes need to be reformed to build on these gains. This policy provides a means to begin this transformation, aligned with other key policy initiatives.

Fourthly, Government notes a range of specific barriers to effective participation, which need to be addressed by the policy:

- Existing processes of consultation routinely provided by Government, in the executive and legislative branches, for example during the NPC GTP cycle, show limitations. It is important that such structures have been developed, and staff have learnt lessons and heard from the public. However, processes are not sufficiently inclusive nor adequately publicized to ensure full participation. They come too late in the planning cycle, and are not influential on decisions, and response may not be provided to citizen inputs.
- The legacy of the CSP in preventing demand side CSO input in policy advocacy, democratic governance and promotion of human rights needs to be systematically reversed;
- Mistrust and weak partnership between Government and civil society organizations;
- Lack of adequate access to the information necessary for citizens to be enabled to participate, and for civil society and media to discharge their duties in public life;
- Capacity challenges at different levels of government relate to the ability to plan and conduct engagement processes;

- There are multiple barriers experienced by ordinary citizens which need more research. These are different in rural and urban contexts. There are challenges innate to poverty, including lack of time, illiteracy, self-confidence, and in some cases geographic isolation. Lack of awareness of rights, and the perception of the Government as holding authority, leaving limited space for citizen voice, are further important factors.

## 5. DEFINITIONS, CONCEPTUAL FRAMEWORK AND SCOPE

### 5.1 Definitions

*Civic engagement* can be defined as actions freely undertaken by citizens on an individual or collective basis to identify and address matters of public concern. These actions can take many forms – directly addressing an issue, working with others in a community to solve problems, or interacting with the institutions of representative democracy. Accountability and voice mechanisms that foster sustained civic engagement in national policy and budget dialogues are critical to the success of national development and poverty reduction strategies. Participatory governance through civic engagement today focuses on creating inclusive and responsive democratic institutions and increasing opportunities for citizen voice.

*Civic Space* is defined as a space for dialogue and influence, where all stakeholders are tolerant of alternative voices and that they acknowledge that they have both rights and obligations. Civic space includes all formal and informal systems that accommodate the views and interests – freedom of expression in action. Civic space can become part of a government space as non-government actors become part of the public decision-making processes. How inclusive the space is, is dependent on many factors, such as the political system, maturity of the non-state actors to engage, the culture of constructive engagement, etc. the more the open and inclusive the space, the more legitimate the government could be.

*Non-State Actors* is perhaps the broadest term that constitutes all actors outside of the State, including civil society organizations of different type, the market, the media, academia, even individual citizens.

*Civil society*. For the purpose of this assignment, the term ‘civil society’ is understood to mean ‘the arena, outside of the family, the state and the market, which is created by individual and collective actions, organizations and institutions to advance common goods and shared interests’. It is a social sphere separate from both the state and the market. This includes social movements, voluntary organizations, mass-based/membership organizations, non-governmental organizations, community-based organizations, as well as communities and citizens acting collectively.

### 5.2 Conceptual Framework

Government views this policy as cross cutting and as having several dimensions. It relates to conceptual paradigms and standards established under the constitution, international human rights law, and in the fields of good governance, democracy and development.

This policy has two interlinked pillars: (i) Linked to the repeal of the CSP, it addresses the enabling environment for civil society organisations through measures that will reinforce the regulatory framework established by the new CSO law (ii) In context of reform and transition, it



sets out a more participatory approach to governance, political life and development through measures to concretely enable inclusive participation and active civic engagement.

### ***The enabling environment for civil society***

Government considers the enabling environment for civil society as the necessary conditions for the full range of CSOs to be able to form and operate freely and independently, and to carry out their mandates. This requires the protection of a civic space where public debate and dialogue takes place freely within limits of law. It requires an enabling legal and institutional environment but also a shift in attitude and practice towards non-state actors.

International sources establish that a safe enabling environment for civil society requires protection of a range of fundamental rights. These include rights to freedom of association, assembly, expression, and the rights to the life, liberty and privacy and freedom from arbitrary detention of CSO members and human rights defenders.

While prioritizing response to national needs, Government also takes note of UNOHCHR guidance which has been distilled from the experience of many countries. This establishes that the necessary elements of a safe enabling environment for CSOs are: i) *A robust legal framework, compliant with international standards and a strong national human rights protection system that safeguards public freedoms and effective access to justice* ii) *a political environment conducive to civil society work* iii) *access to public information* iv) *avenues for predictable/institutionalized participation of civil society in policy making and decision-making processes* v) *long term support and resources for civil society.*

Ensuring the conditions for CSOs to operate safely and independently is necessary for realisation of rights in society at large and for democracy, good governance and development, in view of the vital role played by independent CSOs in these domains.

### ***Participation and civic engagement***

With regard to the Pillar Two conceptual framework, Government defines civic engagement as actions freely undertaken by citizens on an individual or collective basis to identify and address matters of public concern. Civic engagement is therefore the activity of citizens and their organisations, rather than a Government activity per se. It is the role of Government to make civic engagement possible, through protection of the fundamental rights referenced above, and through the appropriate norms, channels and capacities of the state.

Related to the governance norm of civic engagement, the Government is, with this policy creating the means to implement the right to participation. This right is enshrined in the constitution, and international law, specifically ICCPR article 25. Participation and civic engagement are necessary for, and innate to good governance, democracy and development.

With regard to *democracy*, Government considers that participation and civic engagement are essential for the legitimate exercise of power by the state in a democratic system. Legitimacy, in a democracy lies in the fact that power rests in the will of people. It must therefore involve the voice of the people through direct participation, and the means for citizens to have appropriate power to influence the behaviour of the government and the function of public systems. Legitimacy requires trust, which is built when decision makers and citizens have two way conversations.

Representative democracy establishes the need for electoral participation. But direct participation in non-electoral contexts is equally essential. To participate is the basis of democratic citizenship. It enhances human agency, and realizes an innate human need for voice, and the dignity of being heard by those who hold power.

Globally, Government notes that democracies differ in the extent to which representative democracy is combined with deliberative and direct democracy. Direct democracy, or direct participation can be understood as taking place when rights holders choose or change a constitution, or decide matters through a referendum. Deliberative democracy and participatory democracy concerns the involvement of citizens in discussion and engagement outside elections.

Government also believes that participation brings conflict management and peace-building benefits. Broad participation if properly conducted, makes possible the acceptance of decision making outcomes, as people know different options have been given a hearing. It mediates competing demands and is conducive to political stability and social cohesion.

Civic engagement is also a fundamental feature of *good governance*. Government understands governance as requiring both *supply* – institutional – and *demand* side activities, which combine to deliver well-functioning decision making and administrative processes. Innate to civic engagement, is the idea that public policy initiatives can be brought forward and demanded by citizens and their associations, and that such initiatives can shape and set the agenda. Well-founded criticism is a CSO and citizen role, and a necessary driver of sound policy and reforms.

Participation is necessary for accountability and transparency and tackling corruption. Monitoring of violations, corruption and the spending of public money is the legitimate role of citizens, and essential for public administration to function with efficient use of scarce public resources. This establishes the validity of participation in budget and resource allocation processes, and spending decisions.

With regard to *development*, the necessity of participation follows from the fact that the Government is committed to pro poor policies, and to poverty reduction, and to improving public welfare. That is innately a people focused aim, and people should be part of the decisions. Their involvement means decisions can be rooted in the reality of people's lives.

Paradigms such as community engagement, community driven and owned service delivery, and participatory budgeting draw on the idea that demand and social mobilisation should set the agenda, reflecting both pro poor development and good governance imperatives. Participation also creates social capital, as people contribute their ideas, and multiply their efforts through working together.

Government notes an *economic and value for money* dimension to participation. There are significant anticipated costs to making participation work effectively. Over time however, it is anticipated that these costs would bring in effectiveness, quality and sustainability. These flow from services, for example, being better maintained and getting set up in a way that works for communities; and from scrutiny of procurement processes reducing costs. Long term economic gains also flow from citizens who are more empowered, claim rights to education and healthcare, and are more productive. Citizens are not economic units, but as tax payers, they must see direct returns in their lives from participation.



**Nature and extent of participation as typical mechanism of civic engagement:** With regard to the *nature and extent* of participation, Government notes that there is an extremely wide variation in the extent to, and the ways in which other countries enable participation. However, equality of participation, and inclusivity of all groups is necessary. Participation can be considered to have several *stages*, all of which are vital. Participation is necessary in setting the agenda, before, during and after decision making, and during evaluation.

Likewise, there are different *levels* of participation, with a spectrum from people being informed, and seen as passive recipients, through opportunistic consultation by Government bodies, through to active and empowered participation, with different levels possible in different fields and institutions.

Government also notes that the right to participation is not absolute, and that there is a trade-off between the better decisions which come from consulting and people's participation, and the time taken with processes of participation. Views of participating citizens are not the only basis for a Government to make decisions. Not all outcomes can be accepted, but consideration of them by different stakeholders leads to better choices.

**Cross sectoral, integrated and multi stakeholder nature of enabling civic engagement:** Participation, and civic engagement is cross cutting, and multi-stakeholder in design and implementation. It applies across branches of government, and across strategic priorities of public life – welfare, basic services, planning and budgeting justice, democracy. It requires integrated approaches, and integrated work across all stages planning cycles. By its nature, work to enable participation is linked to other strategic policy frameworks such as decentralisation and public administration reform.

### 5.3 Scope of the Civic Engagement Policy Framework

- The policy framework applies to the full range of citizen and civic organizations (CSOs, CBOs, informal groups, networks, professional, labour unions, media and the business community);
- The policy concerns the manner in which the state interacts with citizens e.g. the state society relationship;
- The policy concerns democratic practices, in the sense of non-electoral participation. It is concerned with deliberative democracy, and supporting a culture of open debate and dialogue on issues of public concern;
- The policy concerns all areas of executive decision making and public life and welfare – including policy, law making, resource allocation, planning; and all stages of the decision making process; it is concerned with the levels, extent and nature of participation;
- The policy applies at the **National** level, and is intended for adaptation by regional states according to prioritization and context;
- This policy does not concern or address decentralisation, public administration reform or the issues of the respective powers of federal and regional entities.

## 6. GUIDING PRINCIPLES AND VALUES

*The policy promotes the following values:*

- **Dignity:** The inherent dignity and worth of all individuals, **nations and nationalities**
- **Empowerment:** People are agents of their own development and should be empowered and supported by government to realize their potential.
- **Democratic citizenship:** Citizens are the owners of development and democratisation processes, which should enlarge their freedom, dignity and prosperity.

*The policy is underpinned by the following principles:*

- **Protection of rights:** A safe and enabling environment for civil society and civic engagement requires protection and promotion of fundamental rights. This includes freedom of association, expression, peaceful assembly, non-discrimination and equality, and protection of the lives, liberty and physical integrity of civil society actors and human rights defenders from arbitrary interference;
- **Freedom of association:** Individuals are free to associate and join associations of their choice, and individuals and associations are free to engage, take initiative, advocate and speak publicly, on all matters of public interest;
- **Access to information:** Timely, clear, accurate, accessible and adequate information, is essential to participation, democracy and good governance;
- **Two-way communications:** Governance should be participatory and responsive with two way communication where duty bearers listen to the views of duty holders - citizens and associations;
- **Exerting influence:** Active participation of citizens and CSOs should be able to influence decision making processes; it is not an end in itself;
- **Inclusion:** All sectors of society including women, youth, elderly, pastoralist, persons with special needs and marginalized groups should be enabled to take part in public life;
- **Public benefit:** In view of human development challenges, at the end of the day the purpose of civic engagement should be to improve public welfare;
- **Partnership:** CSOs, media, and citizens are partners and stakeholders in governance, development and service provision. Government and civil society should cooperate with mutual respect and on an equal footing;
- **Peace culture:** Constructive engagement and peaceful resolution of disputes and conflict through negotiation and dialogue.

## **7. VISION AND OBJECTIVES**

### **7.1 Vision**

*People of Ethiopia freely exercise their democratic rights and take part routinely and actively in deliberation with Government, shaping decisions, driving equitable sustainable development, enlarging their freedom and dignity and improving their welfare.*

### **7.2 Objectives**

- Ensure a safe and enabling environment for active civic engagement and independent civil society, which would inform regulatory frameworks and other instruments enabling active and inclusive participation at all levels of governance;
- Initiate development of participatory governance processes, and the inclusive, active, institutionalized role of citizens and NSAs, through concrete mechanisms, in public life and decision-making, (including policy making, law making, development

planning, human rights monitoring, combating corruption and abuse of public authority, holding to account of state institutions and expenditure, democracy promotion and civic and voter education), such as to effectively influence outcomes;

- Contribute to poverty reduction and inclusive and equitable development, peaceful transition to democracy; social cohesion and increased accountability and transparency.

## 8. ROLE OF KEY STAKEHOLDERS

Government (executive branch)	<ul style="list-style-type: none"> <li>• Provide direction, guidance and leadership;</li> <li>• Overall coordination, driving strategic planning and partnerships and linking stakeholders;</li> <li>• Protecting and enabling the environment for participation;</li> <li>• Maintaining long term relationships with civil society to ensure sustained engagement and delivery on reform and policy priorities;</li> <li>• Support to government stakeholders, capacity and skill development and ensuring Government institutions are able to implement the policy;</li> <li>• Ensuring transparency and accountability;</li> <li>• Enabling the building of technical and financial capacities of CSOs (not direct implementer).</li> </ul>
Government (legislative branch)	<ul style="list-style-type: none"> <li>• Oversight and holding the executive to account for participatory policy development (process) and subsequently for policy implementation;</li> <li>• Enabling public participation in legislative processes;</li> <li>• Conveying citizen needs, aspirations and concerns.</li> </ul>
Government (judicial branch)	<ul style="list-style-type: none"> <li>• Dispute resolution and acting as a fair regulator and providing redress;</li> <li>• Protecting and upholding fundamental rights;</li> <li>• Constitutional and legal interpretation.</li> </ul>
Government – Charities and Societies Agency	<ul style="list-style-type: none"> <li>• Ensure a safe enabling environment for CSOs and uphold freedom of association;</li> <li>• Track international good practice on CSO regulation.</li> </ul>
Democratic institutions	<ul style="list-style-type: none"> <li>• Investigation of complaints and case handling;</li> <li>• Awareness raising;</li> <li>• Protecting and upholding fundamental rights;</li> <li>• Engaging and facilitating partnerships with civil society.</li> </ul>
Citizens	<ul style="list-style-type: none"> <li>• Proactively engage with decision makers at different levels within limits of their circumstances and convey their critical needs, concerns and opinions;</li> <li>• Actively contribute to policy design, budget and service planning, and community owned service provision;</li> <li>• Monitor public spending and human rights violations.</li> </ul>
Civil society – national CSOs and platforms	<ul style="list-style-type: none"> <li>• Based on consultation with citizen and CBOs, cooperate on policy design and implementation;</li> </ul>

	<ul style="list-style-type: none"> <li>• Strategic leadership on citizen human rights education and mobilisation;</li> <li>• Maintaining long term relationships with Government to ensure delivery on reform and policy priorities;</li> <li>• Contribute to set the policy discourse, and ensure a response to priority issues emerging from citizen consultation;</li> <li>• Provide specific sectoral expertise;</li> <li>• Enable/empower, support, train and partner with CBOs, grass roots organisations and citizens groups to actively engage in issues affect them;</li> <li>• In particular with regard to poorest and most marginalized communities ensure citizens' representation and enable citizen participation to - channel citizen needs, act as bridge from grass roots to national level;</li> <li>• Mediate and facilitate community dialogue;</li> <li>• Support participatory monitoring and budgeting;</li> <li>• Act as check and balance, informed constructive critic, watchdog and scrutiny, hold government to account</li> <li>• Engage internationally and regionally with CSO networks, collate and input lessons.</li> </ul>
Civil society – youth	<ul style="list-style-type: none"> <li>• Channel and convey the needs of young people in regard to issues such as livelihoods, economic empowerment into structures set up by the policy;</li> <li>• Enable the participation of young people on equitable basis with regard to gender, social-economic status;</li> <li>• Identify the capacity development needs of young people's grass roots organisations;</li> <li>• Support youth appropriate means of awareness raising, and channel the dynamism and creativity of young people;</li> <li>• Support social media innovation across policy processes in keeping with urban and rural patterns of communication.</li> </ul>
Civil society – women's rights	<ul style="list-style-type: none"> <li>• Gender mainstreaming of the policy and its implementation and evaluation, including structures for women's grass roots participation;</li> <li>• Support the networking of women CSO and Government stakeholders to channel their contribution into policy implementation;</li> <li>• In cooperation with Government, identify policy agendas during civic engagement processes to promote gender equality, women's rights protection and political representation, combatting all forms of violence against women and girls.</li> </ul>
Civil society - grass roots and community based organisations	<ul style="list-style-type: none"> <li>• Social mobilisation and building social capital;</li> <li>• Identifying citizen needs;</li> <li>• Enabling participation in peripheral and remote regions, and of poor and marginalized groups.</li> </ul>

Professional associations	<ul style="list-style-type: none"> <li>• Support members to identify needs and to participate;</li> <li>• Contribute to sectoral policies</li> </ul>
Think tanks and academia	<ul style="list-style-type: none"> <li>• Lead the research agenda and evidence gathering, and set up relevant research partnerships;</li> <li>• Conduct monitoring and evaluation, validation of participation methods and their results and provide relevant M&amp;E expertise to Government and CSOs;</li> <li>• Design planning and support of participation processes;</li> <li>• Direct facilitation of participation sessions;</li> <li>• Opinion polling and perception surveys.</li> </ul>
Media	<ul style="list-style-type: none"> <li>• Support the cultural and attitudinal shift required for constructive engagement and participatory processes;</li> <li>• Convey citizen views and concerns to decision makers and convey government positions and responses to public;</li> <li>• Cover relevant deliberative processes appropriately;</li> <li>• Investigate and report on corruption, abuse of public offices, human rights violations as a basis for transparency, accountability, redress and reform.</li> </ul>
Multilaterals and bilateral development partners	<ul style="list-style-type: none"> <li>• Technical support and advice;</li> <li>• Identify, collate and facilitate cross-fertilization of international good practices;</li> <li>• Linking to key stakeholders with relevant expertise internationally;</li> <li>• Support the building of the technical and financial capacities of CSOs.</li> </ul>
Business and private sector	<ul style="list-style-type: none"> <li>• Support technological innovations that promote civic participation;</li> <li>• Contribute to policy on issues including economic governance, tax, economic justice and empowerment, rural transformation, growth and productivity;</li> <li>• Funding NSAs and civil society led initiatives.</li> </ul>

## 9. POLICY PRIORITIES AND ACTIONS

### 9.1 Ensuring a safe and enabling environment for civil society

The Government has acted decisively in improving the enabling environment for civil society. The new draft Civil Society Organisations Proclamation establishes a regulatory regime for CSOs which respects fundamental rights including the right to freedom of association. If enacted in its current shape, the Law ends prohibition of CSO work on human rights, and of foreign funding for CSOs. It is intended to ensure that CSOs operate with transparency and accountability, and in the public interest.

Government recognizes and will protect the role of CSOs and the media in promoting accountability and transparency of government and private institutions. The Government accepts

civil society organizations and the media as partners in development. It acknowledges the service provision role of CSOs, and will ensure data collected by NPC reflects CSO contributions.

Government notes that the right to freedom of association protects associations that are not registered, and that allowing unregistered associations is part of a good enabling environment for civil society. Individuals involved in unregistered associations will be free to carry out activities and should not be subject to criminal sanction.

In consultation with CSOs, Government, including through the CSA, will further develop the enabling environment for civil society, and the regulatory framework that will sustain the independence of CSOs, and thus the potential for CSO contribution to public life. It will prioritize approaches relevant to the Ethiopian context, while noting the five essential ingredients for a safe and enabling environment for civil society outlined by UNOHCHR referenced in the conceptual framework section. Mass based organisations, including youth organisations, will need to reform their governance, policies and practice to ensure their independence from political forces.

**Functional review of Charities and Societies Agency (CSA):** The Government will conduct a review of the CSA as a basis to transform policies and working practices. Reform of the CSA will ensure respect for freedom of association, and effective regulation of CSOs. The Government will task the CSA to track good practice ideas for regulation and registration of CSOs.

**Ensuring CSO freedom to seek, receive and use resources, and access capacity development support:** Under the new Civil Society Proclamation, CSOs will be able to seek and receive funding from foreign donors, which is essential to associations of all sizes and types, and integral to freedom of association. The Government will facilitate access to funding and capacity development resources and encourage development partners to fund civil society in a coordinated manner, in keeping with good practice.

**Ensuring a political environment conducive to the work of Non-State Actors including civil society:** Government will maintain high level public endorsement for the role of independent CSOs and other NSAs. To mark the adoption of the new civil society proclamation, and to promote trust and a political culture supportive of civic engagement, the Government will hold a civil society summit. It will initiate and welcome regular dialogue with civil society, and invite independent civil society, national and grass roots, to high level decision making processes.

**Access to information:** Access to timely, clear, accurate, appropriate and sufficient information for citizens, civil society organisations and the media must underpin participation. To improve citizen, CSO and media access to information, the Government will (i) Ensure the right to access to information under a reformed Mass Media and Freedom of Information Proclamation is realized in practice; (ii) Increase the availability and accessibility of public information, through outreach and public information services; (iii) Create a conducive enabling environment for the growth and operation of a vibrant media sector that is capable of availing timely, independent and quality information to the public.

Protection of the right of access to information will be addressed by relevant legal reforms, and, based on further consultation with media and civil society actors, by specific guidance and training for Government employees on responding to information requests, and senior level accountability for ensuring such requests are responded to in a timely and comprehensive manner.

Government will produce and disseminate online, social media and hard copy information resources to help people understand laws, policies, budgets and practices that affect their lives and communities. Materials will be reviewed by citizen groups during design to make sure they are useable and appropriate, with particular attention to needs of excluded groups. Community radios as well CSOs will be encouraged to create and provide innovative and simple information dissemination outlets for people.

**Access to justice and a fair regulator:** Access to justice, through an independent judiciary is integral to a supportive legal framework for civil society. Courts must be able to review in timely manner sanctions by state authorities against civil society to assess their legitimacy, necessity, proportionality.

**Human rights protection framework:** Government encourages independent democratic institutions to work in partnership with CSOs and the media in promoting and upholding rights critical to a safe enabling environment for CSOs. In line with the NHRA action plan, Government will take steps to strengthen understanding, and protection of these rights across executive and judicial branches.

## **9.2 Mainstreaming participation and consultation and establishing mechanisms**

The Government will develop formal, institutionalized, regularized and meaningful, citizen and CSO participation processes and mechanisms at different levels. This will ensure that citizen voices are heard and included in decisions affecting their lives.

This is a significant, challenging undertaking that needs new institutional cultures and behaviour. There needs to be strong, sustained Government leadership, and designated accountability and responsibility mechanisms for implementation. Mechanisms will be piloted and monitored, and a careful, iterative approach will be taken. Participation processes will be developed from grass roots up, involving citizens and CSOs in design, piloting and testing, with the intention of being driven by citizen needs and demands.

Key elements of the mainstreaming process are outlined below:

*Process design:* Civic engagement needs to take place throughout planning cycles and decision-making processes, at the point of needs identification, prioritization and agenda setting, before, during and following decision making, requiring long term strategic planning. Vertical and horizontal linkages between levels and processes of engagement, and pathways to make sure citizen input is used will be needed. Entry points across government bodies where dialogue, participation and consultation will take place need to be identified. Government will therefore ensure that institutional process maps are designed, or re-designed to fully integrate opportunities for engagement as part of core organisational processes.

*Defining the level and scope of participation and mandatory consultation:* In terms of the level of engagement – whether this will involve CSO and citizen representatives actively participating in decisions, or whether Government will consult - the preference is for active participation where possible. Government will actively seek the views of stakeholders and accept that there will be critical points of view.



Further discussion will be needed to define the extent to which CSO and citizen input will form the basis of decisions, depending on the issues at hand. Civic input is envisaged as a significant, but not sole basis for planning prioritizing needs identification. Mandatory requirements for institutions of the executive to consult with citizens, and for institutions to respond to queries and requests will be established.

*Creation of mechanisms:* Some proposed mechanisms and processes for specific areas, such as policy development and law-making and development planning are in subsections below. The approach will include creation of some new formal mechanisms, such as committee structures involving CSO and citizen representatives. Where possible these will build up from existing good practice. There will be adaptation of some existing structures and possibly reactivation and updating of some forums used prior to CSP introduction in 2010.

Mechanisms are to be developed at Kebele, Woreda, regional and national levels. Members of the administration will be expected to engage in routine discussion where citizens are free to raise issues of concern, and where specific issues (youth employment, land etc) can be discussed. Those involved in implementing consultation and participation processes will be equipped and trained to use different modalities and formats for capturing citizen views.

Evidence gathering will be needed at all levels, and in particular at community and Kebele level, as a basis to design and test engagement platforms. At regional level, institutionalized regular forums where CSOs and community representatives can meet decision makers, will be needed, building on existing structures and lessons where possible.

*Regulatory and practice guidance:* Government will test and develop clear and simple norms, practice guidance and procedures for executive bodies carrying out public consultation and participation processes. These may include:

- adequately publicizing processes of participation and giving clear simple information and realistic goals for processes in advance so people and communities can get their ideas ready;
- stakeholder identification with due care to identify those rights holders who need to be involved in specific processes, and inviting community representatives on a fair inclusive basis;
- requiring free expression of views, including critical opinions, including at grass roots level;
- ensuring all relevant independent CSOs are invited and included and given necessary documents;
- disseminating outcomes and giving feedback on whether community inputs have been accepted and acted on, or not and the reason for this;
- requiring that there is a response given to citizen and CSO inputs and requests.

*Pro poor and inclusive approaches:* Government hopes for pro poor and equitable outcomes by ensuring inputs of all groups, including poor and marginalized people including, women, children, people with disability and the aged.

Rural and urban areas differ in their challenges. Power dynamics within communities require that space for women and youth to express views exists. Smaller community-based organisations need support to take part.



*Youth and children:* Youth and child participation is a means to better development outcomes. Investing in the capacities and confidence of youth and adolescent girls and boys, and providing opportunities for meaningful participation, can transform their lives and that of their families and communities, city or country. Government envisages measures including:

- Provision of leadership, communication, negotiation skills so youth can be actively engaged and understand their responsibilities;
- Strengthening platforms and mechanisms such as university peace clubs, youth clubs, local institutions, and community-based organizations, which encourage the systematic participation of youth and adolescent girls and boys and through which they can find solutions to address their needs;
- Promoting engagement (including digitally) in processes and accountability mechanisms that allow them to express their views, gather inputs and influence decisions or actions.

*Gender:* Reflecting the increased numbers of women in senior decision-making roles at Federal level, Government will prioritize specific channels for women, and for women – centred CSOs to have access to decision makers, at all levels. The results of the work of women development committees can be assessed as a basis for structures at Kebele and community level.

*Pastoralists:* The government will take into account the particular situation of pastoral peoples in order to ensure participation in policy formulation and decision-making process. The Government will explore methods to effectively and efficiently use indigenous community participation models in pastoral communities. Government will exert efforts to further strengthen the representation of pastoralist in political affairs.

Government will empower pastoral women so that they have greater control over the circumstances of their lives, can make independent choices, and emerge from a subordinate position and make claims for their share of the benefits of development interventions as their right.

*Other marginalized groups:* Inclusive participation needs accessible processes which are appropriate for citizens, including marginalized groups. Barriers to taking part in public life due to poverty and exclusion must be identified and addressed to ensure this happens. Government will take into account the fact that some citizens are illiterate in design of mechanisms.

*IDPs and insecure contexts:* Government notes that people who were excluded in one form or another, and have been victim to conflict related violence and insecurity must be specifically enabled to participate in relevant processes, including reconciliation and justice. Government foresees specific processes for conflict affected areas, as outlined under Theme 5, Peace-building. Regarding mainstream participation processes, it will ensure their adaptation to conflict-affected areas, and inclusion of IDPs and those affected by conflict by specific guidance, training and outreach.

### *Thematic areas considered for civic engagement and participation*

#### **Theme 1: Enabling democratic transition and promoting democratic citizenship**

The Government recognizes that the process of democratic transformation and reforms outlined in the *New Horizon of Hope* document, needs open exchange of opinion and ideas to ensure

legitimacy. Public participation overseas, including in constitution making, has proved that citizens give innovative inputs, and that a national conversation between citizens and decision makers is possible with the right planning. The Government will make a deliberate effort to promote and enable national conversation, public debate and dialogue. This will reinforce measures to ensure political space, deepen trust between the state and citizens and consolidating legitimacy and promote a culture of deliberative democracy and democratic citizenship. Genuine civic engagement on this critical thematic topic could contribute to consensus building on major issues of national concern, including how the country should be governed, and state building more generally.

### ***Proposed interventions***

Government will continue to publicly endorse the need for a culture of public debate, tolerance and diversity of views. It will make sure that its representatives are accessible and available to take part in, and respond to questions at public panels and debates, including youth and university events, and for media interviews, and phone-in programmes.

As the reform agenda moves forward, Government will develop public engagement, dialogue events, and online means to capture the views of citizens. For instance, public debate and CSO and citizen input on electoral reform, on the federal arrangement and on how to prevent conflicts and ensure lasting peace and stability will be sought.

**Civic and human rights education:** The Government appreciates the need for systematic civic and human rights education. Citizens awareness of rights and responsibilities needs to increase. Government will encourage democratic institutions and relevant CS actors to intensify their work in raising the awareness of the public on their human and democratic rights. It will make sure CSOs are free to conduct democracy promotion, civic and voter education; and fund NEBE for systematic civic and voter education in collaboration with CSOs. It envisages that broad based human rights education should be led by stakeholders outside government.

### **Theme 2: Policy making and implementation and development of legislation**

Government recognizes that CSOs contributed in the public interest to policy and legalisation, including to drafting of Family and Criminal Codes. This policy will build ownership of policies by citizens and communities, to be entrenched by public administration reform (PAR).

Government will open up the agenda for legislative and policy priorities to consultation. It will respond to and consider well evidenced demands for new policy and laws, and for amendment of existing laws, from citizen and CSO constituencies.

### ***Proposed interventions***

Government will ensure line ministries and government agencies develop institutionalized processes for open, inclusive consultation on sectoral and cross cutting policy design, implementation and review. It will pilot consultative and participatory policy making and implementation approaches, on issues selected in conjunction with CSO and think tanks. It is envisaged that youth and gender policy priorities will be included. Government will also consider CSOs, private sector actors, think tanks and Government economic governance and policy making forums, to build on previous efforts by the work of MoFEC, Ethiopian Economics Association, FSS and other organisations.

Government will test out structures and models, such as working groups for joint Government, CSO and academic policy making initiatives. These bodies will review existing policies, conduct problem identification and evidence gathering, structured consultation with citizens and other experts, and work together on policy principles, targets, concrete results expected, and implementation structures. International models for systematic and in-depth stakeholder engagement on priority policies, such as PEMANDU in Malaysia can provide ideas.

Subject to the issues selected, regional state level processes to ensure adaptation and contextualisation of national frameworks, involving partnerships across government, CSO, academic and think tanks will be developed.

Government will review current line ministry processes for developing new legislation, and support line ministries in developing standard processes of consultation with citizens, and CSOs. This will involve outreach sessions in different locations to ensure all sectors of society are involved.

### **Theme 3: Development planning and monitoring and budget formulation**

Government initiatives, such as ESAP, have set up community participatory approaches to planning and service provision at Kebele and Woreda levels. These show potential for service provision efficiency and sustainability. The Government will reform development planning and budget and resource allocation processes towards a model that is more participatory, driven from the community level, and socially accountable. This will require systematic efforts, which will be initiated by this policy.

The Government wishes to promote a model for equitable development rooted in the agency, rights, and dignity of citizens, to build on significant achievements in poverty reduction. It will consider whether the higher-level vision for development might change in the next cycle. Subject to consultation, a more citizen and public welfare centric vision might be considered, rather than one defined by GDP gains.

#### ***Proposed interventions***

Government will consider a senior Government leadership committee or steering group to share understanding of community and participatory approaches such as ESAP, and consider how these can be scaled up.

Government will redesign the Federal PC process map for planning and evaluation of GTPII phases to introduce significant, inclusive consultation earlier, and systematically throughout the planning cycle. Independent CSOs, the private sector and academia will be included, along with citizen representatives chosen through open and fair processes, with sufficient time allowed to incorporate views. Specific entry points for marginalized urban and rural communities and pastoralists, and for women and youth will be included.

Government will progressively expand and institutionalize social accountability and community owned and driven development planning processes. It will consider how Phase III of ESAP can support this process and can be integrated with higher levels of the planning process.

Partnership for service provision - Under the leadership of MOFEC, coordination processes will be developed to put service provision cooperation between line ministries and CSOs on a systematic footing. This will build relationships which improve the sustainability, quality and cost

efficiency of service provision, and make sure lessons learnt by CSOs on service provision efficiency are fed back into design.

Budget formulation processes, and existing entry points for public participation, such as parliamentary hearings, will be reviewed. MOFEC will be supported to design a budget formulation process which includes substantial consultation and participation at appropriate points in the resource allocation decision making cycle. As capacity is developed, it will review and consider participatory budgeting approaches used in other countries.

#### **Theme 4: Accountability and transparency**

Government recognizes that participation and exercising rights to freedom of association and expression includes seeking redress, reporting violations of rights, and engaging in watchdog and accountability processes at different levels. Democratic institutions are a key partner, and this policy is linked to work to strengthen EHRC, EOI and FEAC, including in improvements to user-friendly grievance reporting and case handling coordination mechanisms. Limitations to accountability have multiple causes, and require a range of responses, including measures beyond, but linked to, this policy such as PAR and civil service reform.

Government will develop accountability processes where the public and CSOs can play their part in oversight of budgeting, expenditures and service delivery. It will facilitate budget tracking processes with entry points for CSOs. It will consider models such as citizen oversight committees used in other countries as means to review government budget performance, and whether funds have been disbursed according to commitments. Government will develop systematic monitoring and evaluation processes for major development projects which will include contribution from CSO and citizen groups.

Government will consider provision for mandatory public hearings before projects over a certain financial threshold are agreed upon. These should be inclusive, in particular giving a voice to communities likely to be affected.

#### **Theme 5: Peace-building and conflict resolution**

Government, through the Ministry of Peace, is taking the lead in researching the root causes of conflict, and relationships with CSOs are established in this sector. Ethiopian experiences of resolving conflict through negotiation can be built on to respond to inter communal conflict in certain areas of the country.

The Government will consider a multi-stakeholder partnership, led by the Ministry of Peace which leverages national and regional experience in conflict resolution and peace building. This would aim to identify the root causes of conflict; coordinate and combine the efforts of stakeholders; promote resilience and social cohesion and reduce violence.

#### ***Proposed interventions***

Government anticipates the following areas of work subject to further consultation:

- A network linking CSO, think tank and Government, supported by relevant administrative and communications mechanisms. Government encourages CSOs to network regionally and internationally, and to seek funds and capacity support from international partners in the conflict resolution sector.

- High quality, targeted, programme development focused research on drivers and root causes of conflict, and on local culturally appropriate ways to resolve conflict and build peace;
- Grass roots community-led dialogue and mediation processes, linked to development and livelihoods in line with good practice developed in the region, with inclusion of women, youth and pastoralists;
- Development of early warning processes to flag conflict risks;
- Developing the MoP and CSO skill base, including providing opportunities for youth organisations to gain research and mediation skills;
- Mainstreaming conflict sensitivity into Government development planning, service provision and policy making if necessary.

### **Theme 6: Media regulation and strengthening to facilitate citizen engagement**

Government recognizes the need for the media to enable civic engagement and ensure accountability. Through legal regulatory reform which are linked to this policy, it will ensure a regulatory framework which guarantees independence of the media, state and private, facilitates a safe environment for their work, and promotes core infrastructure needed for media distribution and access.

Government considers that capacity strengthening of independent media should be driven by non-state actors. It expects, and will facilitate, independent media, with support from development partners as relevant, to build the core skills and capacities need to support citizen and CSO engagement.

## **10. IMPLEMENTATION STRATEGY**

Detailed arrangements, targets and timelines are given in the action plan for policy implementation. Key elements of the implementation strategy are outlined below.

### **10.1 Proposed legislation**

Government will identify where new legislation, or amendment to existing laws will be necessary to formalize rights to participation and consultation. Legislative measures are expected to include:

- Enacting a specific law with the required institutional arrangement that governs civic engagement and public participation;
- Amendment of the Proclamation that defines the Powers and Duties of the Executive Organs and/or design and issue of executive directives so as to include a specific provision requiring each Ministry to design strategies on how to effectively engage citizens in preparing policies and laws, and preparing development plans and implementation;
- Enact or relax laws and adopt policies and directives that ensure freedom of citizens to associate, mobilize resources to achieve the objective of their associations, access information for their ability to exercise voice and engage in negotiation;

- Legislative and policy frameworks related to schools, health and juvenile justice that institutionalize and regularize the participation of adolescent girls and boys;
- Government will review the legal framework relevant to the enabling environment pillar, including legislation (such as defamation laws), bye-laws, and administrative rules and practices. Contribution from UNOHCHR and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association will be requested as necessary.
- Government will review the legal framework for access to information, and ensure clear laws, regulations and policies to guarantee the proactive disclosure of information held by public bodies. Government will guarantee the right to access information held by private bodies where it is essential to the exercise or protection of human rights.

### ***Subsidiary guidelines and regulations***

- Review the Rules of Procedure of the Parliament to ensure active and effective public participation in the formulation and adoption of laws and policies is the constitutional obligation of the Parliament;

## **10.2 Implementation arrangements**

Government will designate clear roles, leadership, responsibilities and accountability for implementing the policy. This will include lead responsibility at the appropriate level. Line ministries and other government agencies will establish clearly designated responsibility for establishing effective consultation and participation processes in performing their business. Designated individual members of the executive will be expected to make engaging with citizens and CSOs part of their routine work.

Government recognizes the lesson from international practice that effective civic engagement enabling processes need to be driven by, and responsive to citizen demand, and designed together with CSOs and with citizens, and reviewed by citizens. Therefore it will consider a multi-stakeholder policy implementation task force including CSO, think tanks and academia.

High level peer to peer lesson learning within Government will be encouraged. In view of the cross-cutting nature of this policy integrated cross government working and stakeholders and focal points with clearly defined roles will be required.

The team will support line ministries in the creation of appropriate structures, internal policies and skills to enable participation. New structures and posts within Government are foreseen, for example creation of posts for participation coordinators, or facilitators in ministries.

Government will build on national good practice lessons. International experience will be used for useful lessons, evidence, innovations, and potential risks, through measures such as:

- Establishing senior leadership stakeholder relationships with international counterparts and expert bodies, facilitated as necessary by development partners, and encouraging peer to peer lesson learning between Government stakeholders in Ethiopia and in other countries, including at Municipal levels;
- Tracking participation innovation success stories, including countries winning UN Public Administration Awards in public participation;



- Adapting other country models relevant to specific areas, e.g. youth, gender, participatory budgeting;
- Tracking consolidated, and comparative evidence gathered by multilateral bodies on the results of participation.

Government will approach phasing and sequencing with care, in particular in view of the transitional context, and capacity limitations. It anticipates a development and inception phase, piloting of new approaches and review before roll out. Based on lessons from ESAP, iterative development and careful testing out of new processes is suggested. This allows feedback and adjustment, and progress according to capacity and resources available.

Consultation and participation mechanisms need the right design, administrative support, and resources, for example to communication and follow up, and expert facilitation in some cases, for certain dialogue and consultation sessions. Government will make use of think tank expertise developed in this area.

**Capacity building, skills and human resources:** The Government will build the capacity of its institutions, as a new approach to governance will require new skills, and changes in attitudes and institutional culture. Government will support employees with the appropriate training and guidance needed to learn how to conduct consultation, and the options and models available. A facilitating and training organisation with specific expertise may be selected to assist with training, and this will include practical tools. Regional level models and guidance for policy adaptation and implementation will be developed. Skills development may include strategic planning, participation management, transforming participation into substance for policy inputs etc. Training will include awareness raising on the role of independent civil society.

**Partnerships and networking:** Partnerships between civil society and government will be used during design and implementation of participation processes, and promoted as a means to carry out specific policy initiatives developed through consultative processes.

**Research, knowledge management and sharing, and innovation:** Government will support sharing of information among stakeholders and encourage innovation with measures such as a clearing house to gather lessons from national programmes and international good practice; development of research network linked to the policy implementation process. It will ensure openness to innovative thinking from within Government and from CSOs, think tanks and citizens.

**Outreach and public information:** Appropriate use of information and communication technology (ICT) will support policy implementation, and enable online consultation processes. ICT will be used where appropriate to enhance participation, by making information available, and to allow people to exchange ideas on a large scale and express preferences. This will be done keeping in mind the local conditions, and with awareness that internet access is limited, and that some vulnerable groups in particular may lack this.

**Risk assessment:** Government believes that identifying risks and challenges which might prevent successful implementation is important. Therefore, the policy implementation action plan will identify key risks, and a risk log will be maintained and mitigation measures identified. It will

collate risks and conditions for success from international sources to contribute to risk management.

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