

# **Assessment Report & Literature Review - meaningful civil society involvement in the area of drug policy in Europe**

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# COLOPHON

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# 1. INTRODUCTION

This report is produced on behalf of the Civil Society Forum on Drugs (CSFD), an expert group of the European Commission, created in 2007 on the basis of the Commission Green Paper on the role of civil society in drugs policy in the EU. The CSFD membership comprises 45 civil society organisations (CSOs) from across Europe and representing a variety of fields of drug policy, and a variety of stances within those fields.

Civil society is considered an essential part of sustainable and inclusive development, good governance and responsible citizenship. The importance of civil society involvement in policy making, including the development and implementation of drug policies, is widely recognized. Many efforts are put into strengthening the capacity of civil society organisations (CSOs) to reach out to their constituencies, to collect evidence and to advocate for their causes. Similarly, mechanisms are established to facilitate dialogue between civil society organisations and policy makers at the local, national and international levels.

In 2018, the Civil Society Involvement in Drug Policy Project (CSIDP)<sup>1</sup> conducted an assessment on existing civil society involvement structures in EU Member States. The assessment gives a better insight and understanding of the nature and extent of civil society involvement in drug policy at the national level. The CSIDP Road Map Report (2018) provides guidance for the development and implementation of effective and sustainable civil society structures in drug policy on the local, regional and national levels and provides practical examples for policy makers and civil society organisations. Both reports provide relevant information on what kind of resources, capacities and mechanisms are needed to ensure meaningful civil society involvement, including an overview of critical factors and processes which can facilitate or jeopardise the quality of participation and involvement. Understanding these issues can be an important step towards a more meaningful involvement process. However, can it also support the development of quality standards that can be used for monitoring and evaluation and thus improve civil society involvement?

To answer this question, a desk research was conducted to collect and assess relevant information about meaningful civil society involvement. The authors of this report identified and reviewed reports from a variety of international agencies, such as the European Commission, the United Nations, the Global Fund to fight AIDS, Tuberculosis and Malaria, and international networks of civil society organisations (CSOs) working in the areas of drug policy, harm reduction and health. Some national information from networks and national governments was also collated.

We conducted a systematic online search to identify scholarly articles and reports published by governmental and non-governmental organisations on why and how civil society should be involved in policy making processes. Our research aimed to identify and describe:

- 1) competing definitions of civil society;
- 2) the purpose and benefits of civil society involvement;
- 3) forms of, and steps in, civil society involvement;
- 4) principles, tools and recommendations on civil society involvement;
- 5) facilitators and barriers for the meaningful involvement of civil society;
- 6) positive examples of cooperation between government and civil society;
- 7) barriers and challenges in civil society involvement;
- 8) the risks and opportunities of funding.

<sup>1</sup> [www.csidp.eu](http://www.csidp.eu)

This report reflects the wealth of information on definitions and forms of civil society, on levels of involvement, best practices and lessons learnt. Furthermore, the report identifies gaps in information and knowledge and provides recommendations for future action.

## 2. DEFINITIONS OF CIVIL SOCIETY

There are several competing concepts and definitions of civil society. In the more general sense, civil society is the associational life (“third sector”) between government and private sector, independent from both. The definition suggested by the Council’s **Horizontal Drugs Group** in its thematic debate on the subject in September 2005 was “the associational life operating in the space between the state and market, including individual participation, and the activities of non-governmental, voluntary and community organisations.” (Cordroque 80, 30.11.20) As such, it is considered a vital element of a democratic society. It comprises the space in which people express their freedom of association and expression. In a narrower sense, civil society includes organisations (CSOs = civil society organisations, often referred to as NGOs = non-governmental organisations) that work independent of governments, private corporations and political parties.

While some stakeholders only consider formally registered organisations as part of civil society, others expand the definition to encompass all interested individuals, informal groups and representatives of affected communities. CSOs offer channels for participation in activities of society, and these can enhance citizens’ opportunities to influence their own situation in life.

According to the narrower, organisational definition of the **World Bank**, “civil society ... refers to a wide array of organizations: community groups, non-governmental organizations [CSOs], labour unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations.” (World Bank 2007.) The **European Commission** defines civil society as “all non-State, not-for-profit structures, non-partisan and non-violent, through which people organize to pursue shared objectives and ideals, whether political, cultural, social or economic ... they include membership-based, cause-based and service-oriented CSOs. Among them, community-based organizations, non-governmental organizations, faith-based organizations, foundations, research institutions, gender and LGBT organizations, cooperatives, professional and business associations, and the not-for-profit media. Trade unions and employers’ organizations, the so-called social partners, constitute a specific category of CSOs.” (EUISS 2010)

According to a broader definition used by the **African Development Bank**, “Civil society encompasses a constellation of human and associational activities operating in the public sphere outside the market and the state. It is a voluntary expression of the interests and aspirations of citizens organized and united by common interests, goals, values or traditions, and mobilized into collective action either as beneficiaries or stakeholders of the development process. Though civil society stands apart from state and market forces, it is not necessarily in basic contradiction to them, and it ultimately influences and is influenced by both.” (ADBG 2012)

The membership of the EU **Civil Society Forum on Drugs** is based on the narrow definition of civil society, including only registered organisations, rather than individuals, informal communities and movements (EC 2007). However, we do not reject the legitimacy of a broader definition of civil society as it can work better in specific environments and contexts. Civil society can include a wide range of actors with different backgrounds, missions, agendas and methods. According to the classification of the **Pompidou Group** (2016), there are six types of actors in the field of drug policy:

## OVERVIEW OF DIFFERENT TYPES OF CSOs

### Non-governmental service providers

**Status:** formal

**Perspective:** long-term

**Goals:** providing a specifically defined service for the community of specific target groups, mostly no political orientation

### Charities

**Status:** formal

**Perspective:** long-term

**Goals:** promoting ethical causes by providing charitable services, may include political or religious orientations

### Single issue initiatives (informal + short term)

**Status:** informal

**Perspective:** short-term

**Goals:** promoting a clearly defined programmatic issue

### Advocacy groups

**Status:** semi-formal/formal

**Perspective:** medium/long-term

**Goals:** promoting a clearly defined cause, supporting specific constituencies

### Lobby groups

**Status:** informal/semi-formal

**Perspective:** medium

**Goals:** promoting a clearly defined cause, supporting specific interest groups

### Government initiated organisations (GONGOs)

**Status:** formal

**Perspective:** long-term

**Goals:** promoting government policies in a civil society context

**Figure 1: Types of civil society actors in drug policy (Pompidou Group 2016)**

## 3. PURPOSE AND BENEFITS OF CIVIL SOCIETY INVOLVEMENT

There is an increasing recognition of the vital role civil society plays in political decision making in a democratic society. The Treaty on European Union, Article 11(1), states that the EU shall “*by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.*” The Council of Europe has recognised in CM/Recommendation (2007)14 of October 2007 the essential contribution made by CSOs to the development and realisation of democracy and human rights, in particular through the promotion of public awareness, participation in public life and securing the transparency and accountability of public authorities.

**Larry Diamond** (Diamond 2004) described the functions of civil society in the following manner:

- 1) Limit and control the power of the state.
- 2) Monitor how state officials use their powers, raising public awareness of any abuses of power.
- 3) Help to develop the other values associated with a democratic life including tolerance, moderation, compromise and respect for opposing points of view.
- 4) Help to develop programmes for democratic civic education in schools.
- 5) Express and represents diverse interests of various groups of the population.
- 6) Strengthen democracy by providing new forms of interest and solidarity that cut through historic tribal, linguistic, religious and other identity barriers.
- 7) Help to inform the public about important issues.

According to the **Minister for Foreign Affairs of Finland** (2010), CSOs have a number of different roles and tasks:

- 1) promotion of human rights, democracy and good governance: civic education
- 2) knowledge of rights, learning about local democracy practices, etc.
- 3) production of basic and welfare services
- 4) monitoring of the State and other public-sector actors (democratic control)
- 5) defending the rights of special groups
- 6) increasing grassroots participation
- 7) promotion of a pluralistic and multifarious civil dialogue and participation in such civil dialogue
- 8) mobilisation of local resources (including volunteer activities)
- 9) testing and development of innovative operational models

In a report published by **WHO Europe**, Greer, Wismar and Kosinska (2017) provides six benefits of civil society engagement in the field of public health: (1) empowerment, (2) service delivery, (3) commitment, (4) flexibility, (5) participation in policy (bringing new information and ideas) and (6) credibility. The **OECD Handbook on Information, Consultation and Public Participation in Policy-Making** (2001) lists three main benefits of civil society involvement, these being (1) better public policy (better basis for policy making), (2) greater trust in government (improving openness, legitimacy) and (3) stronger democracy (active citizenship).

Several international organisations acknowledged and emphasised the importance and inherent value of civil society involvement in the area of drug policies. The **European Commission adopted a Green Paper (GP)** on the role of civil society (CS) in drugs policy in the European Union (EU) on 26 June 2006. According to the paper, *“civil society often bears considerable responsibility for implementing at local level the sort of actions that are set out in the EU Action Plan on Drugs, especially in achieving the objectives on drug prevention, treatment and rehabilitation of drug users,”* (p. 7) and *“the development of closer cooperation with civil society is a part of the development of European governance and bringing Europe closer to citizens.”* (p. 5) The Green Paper emphasises that *“there is a great variety amongst civil society actors in any given field. This diversity should be acknowledged when building structures for consulting civil society at the European level but it should be balanced against the need for effective and organised debate.”* (p. 7)

The outcome document adopted by the **General Assembly Special Session on Drugs of the United Nations** on 19 October 2016 emphasised the importance of the civil society as a crucial instrument in solving global problems, as well as the fact that collaboration between CSOs and UN is tremendously valued (UNGASS 2016). The document recognizes that *“civil society, as well as the scientific community and academia, plays an important role in addressing and countering the*

world drug problem, and note that affected populations and representatives of civil society entities, where appropriate, should be enabled to play a participatory role in the formulation, implementation, and the providing of relevant scientific evidence in support of, as appropriate, the evaluation of drug control policies and programmes.” (p. 4)

According to the **Pompidou Group** (2016), civil society provides a wide range of contributions for policy development and implementation in the field of drug policies. It highlights seven contributions: (1) campaigning and advocacy, (2) information and awareness building, (3) expertise and advice, (4) innovation, (5) service and resource provision, (6) monitoring and evaluation and (7) networking.

CSOs play a key role in the field of drug policies in Europe. In several countries, governments outsource vital social and health care services to CSOs that are better positioned to reach out to affected communities, build trust and tailor services to those who are most in need. Many innovative services are introduced by CSOs and their expertise is very important in monitoring trends in drug use, drug markets and treatment demand. In many EU member states, CSOs provide school-based prevention programs, rehabilitation/resocialisation and harm reduction services. This central role as service providers brings CSOs into a formal partnership with governments and public institutions. However, dependence on government funding can be a significant barrier to advocacy (see chapter 8). There is an increasing recognition of the vital role civil society plays in political decision making in a democratic society. The Treaty on European Union, Article 11(1), states that the EU shall “by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action.” The Council of Europe has recognised in CM/ Recommendation (2007)<sup>14</sup> of October 2007 the essential contribution made by CSOs to the development and realisation of democracy and human rights, in particular through the promotion of public awareness, participation in public life and securing the transparency and accountability of public authorities.

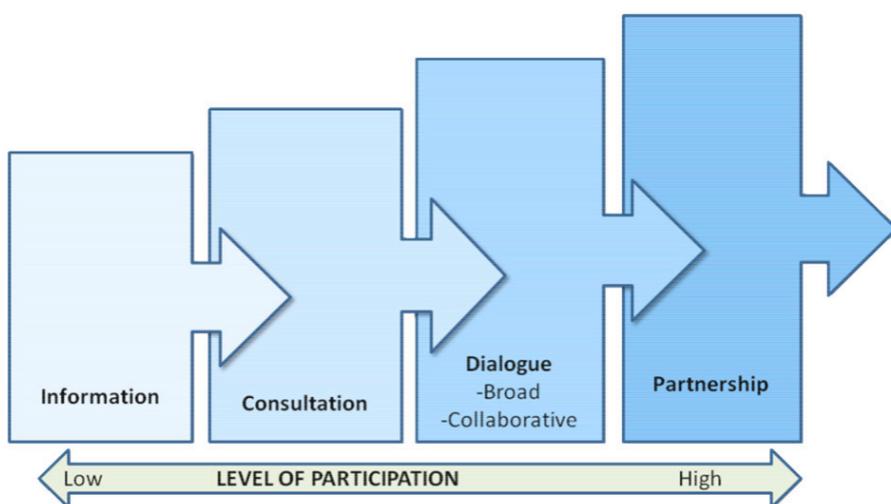
## 4. FORMS AND STEPS OF CIVIL SOCIETY INVOLVEMENT

The **OECD Handbook** (2001) describes three levels of civil society involvement in decision making:

- 1) Information: Government disseminates information on policy-making on its own initiative – or citizens access information upon their demand.
- 2) Consultation: Government asks for and receives citizens’ feedback on policy-making.
- 3) Active participation: Citizens actively engage in decision-making and policy-making.

The **Council of Europe’s code of good practice** (2019) developed this structure further and it distinguishes four levels of civil society involvement in drug policies:

- 1) information (lowest level, one way provision of information),
- 2) consultation (public authorities ask CSOs for their opinion on a specific policy topic or development),
- 3) dialogue (broad and collaborative, two-way flow of information) and
- 4) partnership (highest level, shared responsibilities in each step of political decision making).

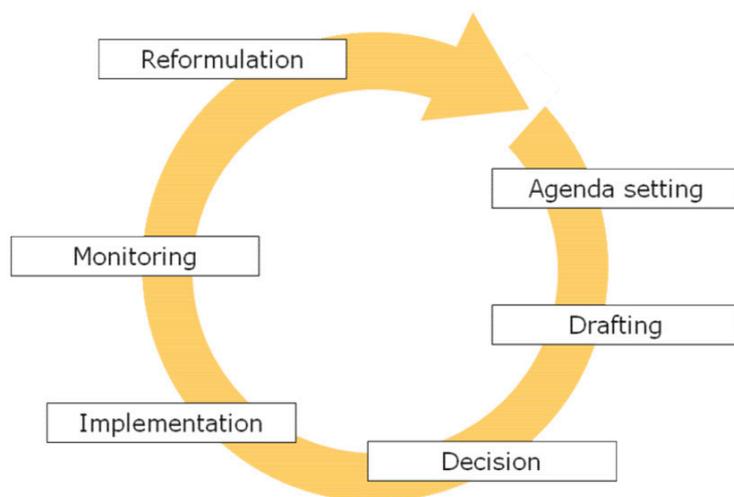


Levels of participation						
<b>PARTNERSHIP</b>	<ul style="list-style-type: none"> <li>Working group or committee</li> </ul>	<ul style="list-style-type: none"> <li>Co-drafting</li> </ul>	<ul style="list-style-type: none"> <li>Joint decision-making</li> <li>Co-decision making</li> </ul>	<ul style="list-style-type: none"> <li>Strategic partnerships</li> </ul>	<ul style="list-style-type: none"> <li>Working groups or committee</li> </ul>	<ul style="list-style-type: none"> <li>Working groups or committee</li> </ul>
<b>DIALOGUE</b>	<ul style="list-style-type: none"> <li>Hearings and public forums</li> <li>Citizens' forums and future councils</li> <li>Key government contact</li> </ul>	<ul style="list-style-type: none"> <li>Hearings and Q&amp;A panels</li> <li>Expert seminars</li> <li>Multi-stakeholder committees and advisory bodies</li> </ul>	<ul style="list-style-type: none"> <li>Open plenary or committee sessions</li> </ul>	<ul style="list-style-type: none"> <li>Capacity-building seminars</li> <li>Training seminars</li> </ul>	<ul style="list-style-type: none"> <li>Working groups or committee</li> </ul>	<ul style="list-style-type: none"> <li>Seminars and deliberative forums</li> </ul>
<b>CONSULTATION</b>	<ul style="list-style-type: none"> <li>Petitioning</li> <li>Consultation online or other techniques</li> </ul>	<ul style="list-style-type: none"> <li>Hearings and Q&amp;A panels</li> <li>Expert seminars</li> <li>Multi-stakeholder committees and advisory bodies</li> </ul>	<ul style="list-style-type: none"> <li>Open plenary or committee sessions</li> </ul>	<ul style="list-style-type: none"> <li>Events</li> <li>Conferences</li> <li>Forums</li> <li>Seminars</li> </ul>	<ul style="list-style-type: none"> <li>Feedback mechanisms</li> </ul>	<ul style="list-style-type: none"> <li>Conferences or meetings</li> <li>Online consultation</li> </ul>
<b>INFORMATION</b>	<ul style="list-style-type: none"> <li>Easy and open information access</li> <li>Research</li> <li>Campaigning and lobbying</li> <li>Website for key documents</li> </ul>	<ul style="list-style-type: none"> <li>Open and free access to policy documents</li> <li>Website for key documents</li> <li>Campaigns and lobbying</li> <li>Web casts</li> <li>Research input</li> </ul>	<ul style="list-style-type: none"> <li>Campaigning and lobbying</li> </ul>	<ul style="list-style-type: none"> <li>Open access to information</li> <li>Website for information access</li> <li>E-mail alerts</li> <li>FAQ</li> <li>Public tendering</li> <li>Procedures</li> </ul>	<ul style="list-style-type: none"> <li>Open access to information</li> <li>Evidence gathering</li> <li>Evaluations</li> <li>Research studies</li> </ul>	<ul style="list-style-type: none"> <li>Open access to information</li> </ul>
Steps in the political decision making process	<b>AGENDA SETTING</b>	<b>DRAFTING</b>	<b>DECISION</b>	<b>IMPLEMENTATION</b>	<b>MONITORING</b>	<b>REFORMULATION</b>

Source: Code of good practice for Civil Participation in the Decision-Making Process (2017)

The **African Development Bank** (2012) created its own matrix of civil society engagement with three levels: (1) outreach and communication the lowest level, (2) dialogue and consultation as medium level and (3) partnership as the highest level engagement.

In addition to the levels of civil society involvement, the **Council of Europe** report (2019) also defines the six steps of civil society involvement, adjusted to different stages of the decision-making cycle (see the diagram below). The six stages are the (1) agenda setting, (2) drafting, (3) decision, (4) implementation, (5) monitoring and (6) reformulation.



Various frameworks and mechanisms to involve civil society into drug policy related decision making exist at both international and national/local levels. One relevant international example is the **Vienna CSO Committee on Drugs (VCSOC)**. It was established in 1983 to provide a link between non-governmental organisations (CSOs) and the Vienna-based agencies involved in setting drug policy: the UN Commission on Narcotic Drugs (CND), the International Narcotics Control Board (INCB), and the United Nations Office on Drugs and Crime (UNODC). All CSOs can apply for membership (there is a membership fee), the executive officials of the Committee are elected democratically by the members. The VCSOC has a key role in helping CSOs to articulate civil society views in regard to key documents and sessions at the CND and organise civil society hearings with UN officials. An example of an ad hoc mechanism to ensure the meaningful involvement of civil society was the Civil Society Task Force, created in 2018 by the VCSOC and its sister NYGOC. Through this Task Force, 28 civil society representatives have been chosen to represent CSOs from every region of the world at the Ministerial Segment of the 62nd CND in Vienna, in March 2019.

Another relevant international example is the **Civil Society Forum on Drugs (CSFD)**, an expert group of the European Commission (EC), created in 2007. Its membership comprises 45 CSOs from across Europe and representing a variety of fields in drug policy, and a variety of stances within those fields. Membership is renewed every three years. The Forum works through four thematic working groups. Cooperation with the Forum was included in the EU Action Plan on Drugs (2017-20) and its representatives have regular meetings with the Horizontal Working Party on Drugs (HDG), the monthly meetings of member states to discuss drug policy issues. The sustainability of the work of the Forum is not ensured as the EC covers the costs of its annual plenary meetings only. However, consortia of CSFD members successfully applied for EC grants in 2017 and 2019, providing resources to conduct research, organise training events and conferences and otherwise support the work of the CSFD and its working groups.

## 5. PRINCIPLES, TOOLS AND RECOMMENDATIONS FOR MEANINGFUL CIVIL SOCIETY INVOLVEMENT

Several principles, tools and recommendations can be relevant for making civil society involvement in decision making more meaningful for both governmental and non-governmental actors. These apply to the process of CSI and provide practical recommendations to governments on how to shape this process and to maximise benefits.

In its guidelines the **DG Enlargement** of the European Commission (2013) recommends EU Candidate States to (1) create a conducive environment (appropriate legal, judicial and administrative environment, structures and mechanisms) and (2) support CSOs to build capacities (improve their autonomy, representativeness and accountability by strengthening their membership base).

The **OECD Handbook** (2001) makes five recommendations to governments on improving civil society engagement:

- 1) Build a framework
- 2) Plan and act strategically
- 3) Choose and use the tools
- 4) Benefit from new information and communication technology (ICT)
- 5) Put principles into practice

In April 2020 the **United Nations High Commissioner for Human Rights (UNHCHR 2020)** published a report on the progress made in improving civil society engagement with international and regional organizations. This report contains recommendations to UN agencies and national governments about the meaningful involvement of civil society and promotes the 3 Ps (participation, promotion, protection) as interdependent and mutually reinforcing elements for free, safe and enabling civic space. More specifically:

1. Ensure equal and inclusive civil society **participation** in the work of the UN and access to information
  - a. Put in place publicly available policies that spell out clear, impartial and nondiscriminatory rules for civil society participation and access to information
  - b. Make information widely available in multiple languages, in accessible formats, and use communication channels that are relevant and convenient for the target audience
  - c. Proactively reach out to all civil society actors at risk of exclusion, provide funding, and put in place direct, flexible and localized channels (e.g. digital and online forums)
  - d. Assess barriers to civil society participation and adapt operations and practices to strengthen and expand opportunities for partnerships, including the development of common strategies between the UN and different civil society groups and others
  - e. Put in place “feedback loops” for civil society on the implementation of UN programs and activities, and establish avenues for civil society to contest restrictions on participation and access to information

2. **Promote** civic space, including in national decision-making processes

- a. Advocate for institutionalized channels for civil society participation in national decision-making, including through new technologies
- b. Identify obstacles to civic space online and offline, patterns of discrimination and exclusion, and restrictions to freedoms of expression, assembly and association, access to information and funding sources
- c. With civil society and other actors, develop joint strategies to overcome civic space obstacles
- d. Highlight the positive contributions of civil society in sustainable development, peace and security, rule of law, by promoting positive narratives and good examples
- e. Lend political and funding support, develop capacities, and facilitate the work of broader civil society coalitions

3. **Protect** civil society actors at risk and from online and offline attacks.

- a. Put victims at the centre by addressing urgent protection needs of victims when cases occur, and coordinate with other relevant actors on protection responses
- b. Be prepared by analysing legislative, institutional and policy contexts, groups at risk, identifying the key protection-actors, and adopting safe communication channels
- c. Put in place a protection response with clear protocols and follow-up (including documentation) and train staff accordingly

Responses should be based on informed consent, and reflect the principles of confidentiality and do no harm.

In its report the **World Bank** (2007) notes four key principles for governments interested in good civil society engagement: (1) clarify the scope and objectives at the outset (the scope and purpose of the consultation must be clearly stated and agreed upon at the outset); (2) prepare to listen and be influenced (consultations should be balanced and well-facilitated); (3) aim for ownership of all key stakeholders (Consultations concerning national policy issues can only be effective if the government is as fully engaged in the process as the other stakeholders); (4) don't oversell (a single meeting should not be confused with a full-fledged consultation).

According to the **Pompidou Group** (2016), there are four basic principles of co-operation between CSOs and governments: (1) participation (open and accessible, based on agreed parameters), (2) trust (honest interaction between actors and sectors); (3) accountability and transparency, (4) autonomy, interdependence and independence (respect the right to dissent).

In its Guidelines for civil participation in political decision making (2019) the **Council of Europe** established principles for the meaningful involvement of civil society:

- a. mutual respect between all actors as the basis for honest interaction and mutual trust;
- b. respect for the independence of CSOs whether their opinions are consistent with those of the public authorities or not;
- c. respect for the position of public authorities with whom responsibility and accountability for decision making lies;
- d. openness, transparency and accountability;
- e. responsiveness, with all actors providing appropriate feedback;

- f. non-discrimination and inclusiveness so that all voices, including those of the less privileged and most vulnerable, can be heard and taken into account;
- g. gender equality and equal participation of all groups including those with particular interests and needs, such as young people, the elderly, people with disabilities or minorities;
- h. accessibility through the use of clear language and appropriate means of participation, offline or online, and on any device.

The roadmap report of the **CSIDP** (2018b) identifies several actions from both governments and CSOs working in the drug field that makes civil society involvement meaningful. These include capacity building, fundraising, building coalitions, public awareness raising, media advocacy actions, evaluation and monitoring and developing actions and advocacy plans.

The **African Development Bank** (2012) adopted guiding principles to enhance civil society engagement. To broaden the range of CSOs, it recommends (1) to engage with diverse civil society sectors, (2) to adopt a rigorous and prudent approach in the selection of CSOs, (3) to alternate contacts among different CSOs, and (4) to contact locally-based associations, and (5) to work with umbrella or apex bodies.

The **Women's Environment and Development Organisation** (WEDO 2004) recommends four attributes included in civil society engagement: (1) the purpose of the discussion/dialogue has to be clear; (2) the activities should follow agreed upon procedures; (3) civil society intervention must be integrated into the process and (4) reporting from the roundtables / dialogues must include references to civil society proposals, views and recommendations.

The **Bond Foundation** (2019), a UK network for organisations working in international development, in its report distinguished three principles for civil society engagement:

- 1) **Meaningful:** Engagement must be relevant and purposeful. The government should never use CSO participation to reinforce decisions that it has already made. The greater the scope for influence, the more meaningful the engagement process is likely to be.
- 2) **Inclusive:** The best decisions are informed by diverse perspectives and expertise. It is crucial to consider who is in the room and who is not. If you can't invite all the relevant stakeholders, be open and transparent about the criteria for inclusion and exclusion.
- 3) **Deliberative:** Engagement is most valuable when it is rooted in open discussions that encourage participants to work together to identify problems and develop innovative solutions. Deliberation can strengthen the legitimacy of a decision-making process and give people a sense of ownership over the final outcome.

The **International Council Of Aids Service Organizations** (ICASO) in its report (2013) made key recommendations to the Global Fund to Fight AIDS, Tuberculosis and Malaria about ensuring the meaningful involvement of civil society through the Country Coordination Mechanisms (CCMs). These recommendations can be applied to other fields as well.

- 1) Establish strong accountability mechanisms for the meaningful involvement of civil society and key affected populations in CCMs.
- 2) Check in directly with civil society CCM representatives.
- 3) Support national-level civil society agenda-setting processes.
- 4) Sponsor regional and global civil society exchanges.

- 5) Support civil society and key affected population CCM members in effectively representing and communicating with their constituencies.

A report entitled published by the **Canadian HIV/AIDS Network, the Opens Society Foundations and the International HIV/AIDS Alliance** (2008), stressed the importance of involving the most affected communities and defines what meaningful means in the context of people who use drugs with the following criteria:

- 1) people who use drugs should be invited to participate in all consultations, committees, or fora where policies, interventions, or services concerning them are planned, discussed, researched, determined, or evaluated;
- 2) where organizations or networks of people who use drugs exist, they should be invited to nominate, according to the organizations' processes, appropriate representatives;
- 3) a number of representatives (including women), rather than just one, should be invited, recognizing that people who use drugs, because of their life circumstances, may sometimes not be in a position to participate or to participate continuously or regularly;
- 4) adequate support, training, and financial compensation should be provided.

The **Canadian International Development Agency** (1999) made recommendations to ensure gender equality in the work of civil society organisations:

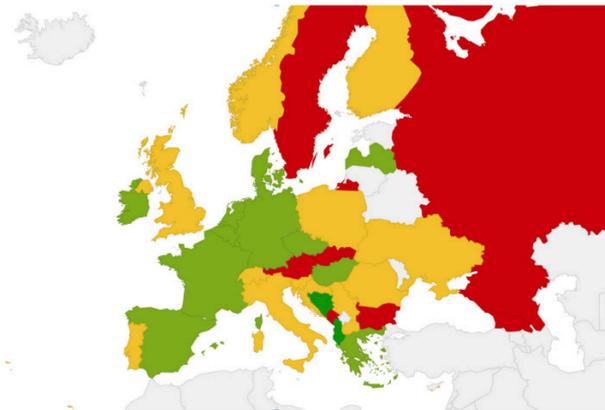
- 1) In order to be truly democratic, civil society organisations should be capable of representing the needs and interests of both their male and female members. A concern for gender equality is part of a broad social agenda, not just the responsibility of women's organisations.
- 2) There is a need to look at the capacities of mainstream organisations to ensure that their activities involve and benefit both women and men, develop women (as well as men) leaders, and (where possible) promote gender equality.
- 3) Although the women's movement in CEE has grown in recent years, organisations are still in need of resources and technical support.
- 4) Additional legitimacy for gender equality and gender equality advocates can be encouraged through the involvement of these organisations in mainstream discussions, coalitions and activities.
- 5) Discussions on gender equality issues should be conducted carefully with a sensitivity to the historical legacy and specific realities (see the column to the right).

## 6. FACILITATORS AND BARRIERS FOR THE MEANINGFUL INVOLVEMENT OF CIVIL SOCIETY

The **Civil Society Involvement in Drug Policy** (CSIDP), a project funded by the European Commission, assessed the involvement of civil society in the drug field in Europe through an online survey and interviews among stakeholders. An assessment report (CSIDP 2018a), a roadmap (CSIDP 2018b), a best practice collection (2018c) and national action plans for civil society (2018d) were published in 2018. According to the assessment report, there are six EU Member States where no form of CSI was reported, information and consultation existed in 22 Member States, while dialogue existed in 19 Member States.

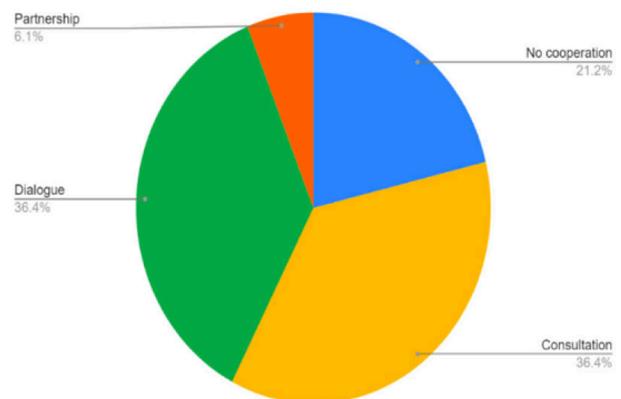
The report concludes that, “in the majority of member states there seems to be a lack of formal structures that allow for a regular – and not just ad hoc – involvement of CSI in the development and implementation of drug policy. Even with regard to harm reduction, which was assessed to be the drug policy field where the CSI mechanisms are the most participative, only about half the EU member states feature regular involvement mechanisms such as dialogue and partnership, as opposed to mere ad hoc consultations, simple information mechanisms or no involvement at all.” The report also highlighted that CSI was more intense in the implementation-phase of policy making, rather than in the development-phase.

In the Civil Society Monitoring of Harm Reduction in Europe Report (2019) the **Correlation-European Harm Reduction Network (C-EHRN)** assessed the level of civil society involvement (see the map below) in 33 European countries. Most participants (more than 80%) reported having structural cooperation between policymakers and CSOs on drug policy issues in their country. Austria, Bulgaria, Georgia, Montenegro, the Russian Federation, Slovakia, and Sweden reported having no cooperation mechanisms. The survey assessed the level of satisfaction of CSOs with CSI in the national level with the help of a five-point scale (1 = very poor, 5 = very good).



Map 1. Level of cooperation between CSOs and policymakers (country level)

- No cooperation
- Consultation
- Dialogue
- Partnership



The CSIDP assessment report (CSIDP 2018a, 45-48.) identified the following facilitators and barriers to the meaningful involvement of civil society in the drug policy field:

- 1) **Structures:** formalised structures which ensure a dialogue between civil society and government representatives facilitate meaningful involvement. If they do not exist, it is a significant barrier.
- 2) **Networking:** the ability of CSOs to make connections and build partnerships and coalitions can be a facilitator, whereas if civil society is fragmented it is a barrier.
- 3) **Relationship to policy makers:** mutual trust and openness between government and civil society facilitates meaningful CSI. When there is mutual distrust and hostility, or civil society players are identified as enemies of the state and people, there are significant barriers to meaningful involvement.

- 4) **Capacities:** both decision makers and CSOs should have certain capacities to be able to participate in decision making in a meaningful way, this includes expertise and competence in drug policies. Having these competencies facilitates involvement, not having them acts as a barrier.
- 5) **Funding:** sustainable and adequate funding is needed to support the work of CSOs, including resources on networking, research and advocacy, hence facilitating CSO involvement in policy processes. When these resources are missing it is a barrier.
- 6) **Competing goals and concepts:** the drug policy field is highly polarised along ideological views and political interests, and this can form a barrier. When policies are informed by evidence, this can be a facilitator.
- 7) **Access to CSI structures:** it is not enough to have formal structures and mechanisms to involve civil society but these structures must be accessible.
- 8) **Public relations:** the mainstream and social media is mostly seen as a facilitator to civil society involvement. However, negative, sensationalist media coverage can be a barrier.

In the following chapters, we will present how these factors shape and influence civil society involvement through some positive and negative examples from the field of drug policy.

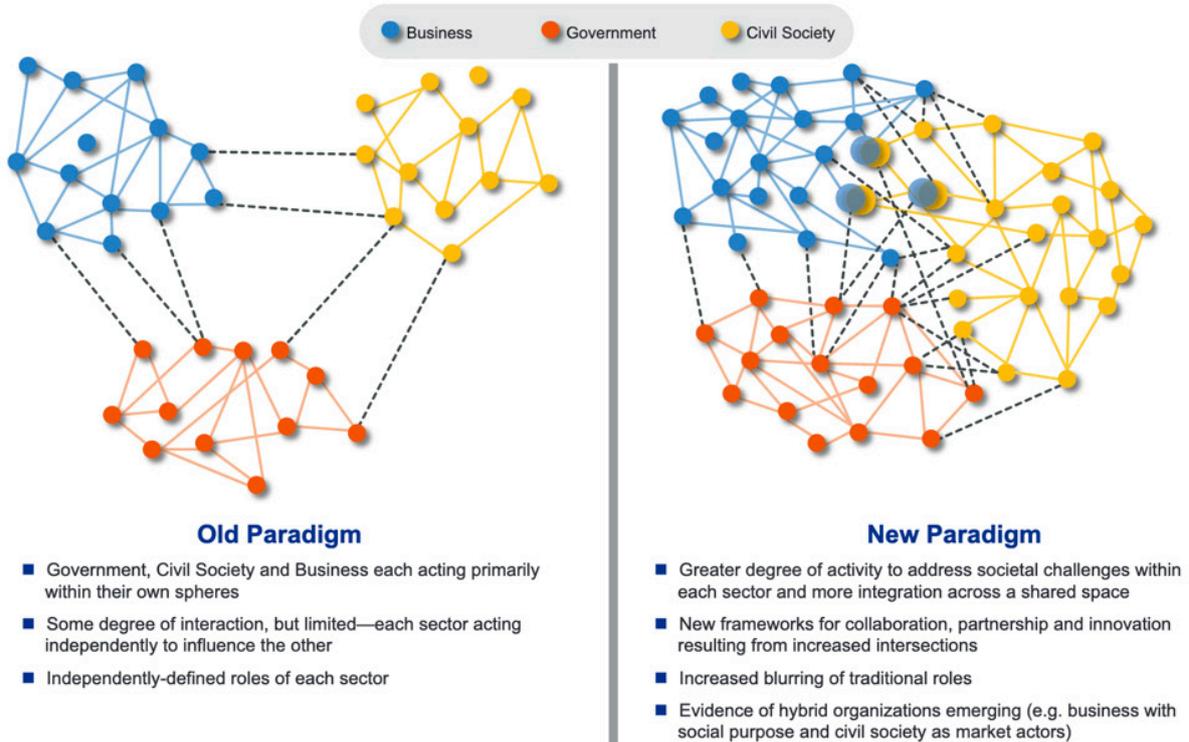
## 7. TOWARDS A PARTICIPATORY SOCIETY: POSITIVE EXAMPLES OF COOPERATION

The Future Role of Civil Society Report, published by the **World Economic Forum** (2013) defines ten roles through which civil society can make a meaningful contribution to policy making: watchdog, advocate, service provider, expert, capacity builder, incubator, representative of marginalised communities, citizenship champion, solidarity supporter and definer of standards.

According to the report, the old paradigm that explained how civil society operates and co-operates with the governmental and private sectors has been challenged by a new paradigm. While in the old paradigm civil society operates in a separate sphere, with limited interaction with the other two, the new paradigm posits that there is more integration through collaboration, partnership and innovation, resulting from increased intersections. Thus, civil society involvement is an integral part of democratic decision making and is as such a step towards a more participatory society.

**Figure 2: Changing paradigms for sector roles**

Source: World Economic Forum/ KPMG



A positive example for good cooperation between civil society and government comes from The Netherlands. Since the Dutch government first engaged in international development cooperation, the relationship between the **Dutch Ministry of Foreign Affairs (MFA)** and civil society organisations (CSO) has taken on many different forms (Ministry of Foreign Affairs 2019). From 2013 onwards, the MFA envisaged a more political role for CSOs, in reinforcing civil society dialogues between citizens, government and the private sector. To this end, the MFA introduced the so-called ‘Strategic Partnerships’ (SP) with CSOs.

Compared to the previous development cooperation programme, these partnerships should bring more flexibility, more trust, a strengthened advocacy role, and a smaller regulatory burden. Furthermore, a ‘Partnership’ is perceived as the highest level of civil society involvement. Two of the current SP programs, ‘Dialogue and Dissent’ and the ‘SRHR Partnership Fund’, will expire at the end of 2020.

An evaluation was drawn on a limited document review and a large number of interviews with stakeholders in The Netherlands (>65) and in Nepal, Mali, Sudan and Uganda (>160), amounting to a sample of 26 strategic partnerships. The conclusions were, that expectations of SP’s were high, but not always clearly articulated. There are good examples where the MFA and the CSOs played complementary roles within an SP, jointly contributing to results that the MFA or the CSOs individually would not have achieved. Generally, CSOs felt that their autonomy is respected. However, there are a number of constraints that have limited the functioning of SPs. These include: (i) late involvement of thematic departments and embassies in project development;

(ii) misunderstanding on how the SPs contribute to the objectives and results of MFA thematic departments; (iii) tensions between aiming for complementarity and for CSOs autonomy; (iv) insufficient MFA staff capacity, especially at embassies; and (v) the long-term commitment and flexibility for CSOs from the Global North often not being transferred to CSOs from the Global South.

## 8. THE POWER OF NETWORKING: CIVIL SOCIETY MOVEMENTS AND CAMPAIGNS

Case studies have shown that social movements can function as a first step towards developing a sense of self-identity and citizenship, which does not necessarily emerge initially through engagement with the state. They allow individuals to turn grievances into a sense of collective injustice, and then action (Development Research Center 2006).

In the last two decades civil society movements started using social media to advance their advocacy goals. In this network culture, social media has become more than just another network in cyberspace, being a shared and live-in global space which spans most of the world and influences any aspects of our lives.

Social media platforms have become tangible and real places where these movements have become very powerful in raising awareness on social injustices and a call for change. Well-known examples are the **#MeToo** movement that started in 2006 to raise awareness and stand with victims of sexual abuse. Another example is the **#BlackLivesMatter** movement, founded in 2013 in response to the acquittal of Trayvon Martin's killer. While some of these campaigns are initiated by individuals and do not have any organisational background, other campaigns are coordinated by one or more CSOs to fight for a cause. The **1 for 7 Billion campaign** was initiated by 750 civil society organizations for the selection and appointment process of the UN Secretary-General to be reformed. It had a reach of almost 200 million people worldwide.

In the field of drug policy, several CSOs have launched campaigns using social media platforms to reach out and mobilise people for a cause. The video advocacy team of Drugreporter, the drug policy website operated by the Rights Reporter Foundation, have been using online videos since 2007. An early example is their **Dare to Act** Campaign in 2009, in which they mobilised hundreds of people to send letters to the UN Office on Drugs and Crime and question its director about the criminalisation of people who use drugs.

The International Drug Policy Consortium initiated the **Support. Don't Punish.** in 2013. This is a global grassroots-centred initiative in support of harm reduction and drug policies that prioritise public health and human rights. The campaign's yearly high point is the Global Day of Action, which takes place on, or around, 26th June (the International Day Against Drug Abuse and Illicit Trafficking). Thousands of campaigners participated in these actions in 2019 in over 190 cities of 85 countries across the globe. Another example is the **Anyone's Child** campaign launched by the UK-based Transform Drug Policy Foundation to create a network of families to reform drug laws. While these initiatives aim to reform the current approach based on the three UN drug conventions, there are campaigns to support the status quo as well. Approximately 300 CSOs launched an alternative campaign under the slogan **Prevent Don't Promote** support the UN international drug conventions and want to see a public health and safety-based policy centred on the prevention of drug use and drug problems.

In her book, *Twitter and Tear Gas: The Power and Fragility of Networked Protest* (2017), **Zeynep Tufekci** describes factors that make social media a powerful platform for advocating social change – but she also highlights its limitations. Critics point out (Vaidhyathan 2018, Lanier 2018) that social media companies have created monopolies over personal data and thus, over human behaviour, which they converted into commercial products. These companies decide with no transparency and no accountability what messages can be delivered to the most people, based on profit maximization. This can be a significant challenge to movements for social change seeking to reach out their audiences.

## 9. SHRINKING SPACE FOR CIVIL SOCIETY: NEGATIVE EXAMPLES OF OPPRESSION

Although there has been a significant progress towards a more participatory society, there are also negative developments, which hinder meaningful civil society involvement. In the past ten years, there has been a tendency among governments to exercise more control over civil society (International Centre on Non-Profit Law 2020). A new populist paradigm of governance is prevailing in many countries, identifying CSOs as a threat to national sovereignty and democracy.

According to a survey conducted among CSOs and networks in the EU, the “rise of populism” was mentioned as the most significant threat to the future of civil society (European Economic and Social Committee 2017). The space for civil society is shrinking fast and its countervailing power is increasingly under threat. This happens in many countries across the world, even in developed and democratic countries, where civil society activism is increasingly side-lined. Human rights organisations, pro-democracy actors and wider civil society movements are facing restrictions. Governments are erecting legal and administrative barriers, making it more difficult for CSOs to receive foreign support and funding for their work. In many countries, human rights are violated to frustrate CSOs and prevent them to organise public gatherings, express their views or set up new civil society organisations. In addition, individual human rights defenders are often subjected to intimidation and harassment.

A democratic state cannot be stable unless it is effective and legitimate, as well as respected and supported by its citizens (AFEW 2018). Civil society represents a check and a monitor, but is also a vital partner in the quest for a positive relationship between the democratic state and its citizens. When leaders with authoritarian tendencies remove the support of the state for any CSOs that criticising them, activists become increasingly exposed to harassment, intimidation and violence. As a result, society becomes less stable and communities suffer.

Governments often justify their restrictive policy towards civil society, by referring to safety and security concerns. Other important reasons include the arguments, such as:

- ‘Foreign agents’, national sovereignty arguments and defending national ‘morals and values’
- A fear of Western political values and a lack of grassroots support for civil society groups.

Unofficially, it seems that the regulation of CSO is often misused for various reasons:

- Targeting organisations, which are critical and undertake advocacy, litigation and mobilise people to hold governments accountable.

- Targeting activists, who scrutinise public policies and, especially, counter-terrorism policies.
- Harassing business and human rights activists that challenge the economic interests of states and corporations.
- In some cases, targeting organisations which address marginalised target groups and unpopular topics, including people who use drugs, women, LGBTQ communities, migrants and the environment.

The shrinking space for civil society is closely linked to the increasing power of harmful political parties and leaders, which refuse to respect human rights and protect affected key populations. This endangers the political will and commitment, which is needed to support vulnerable and marginalised groups, and ensure access to health and social services.

In **Poland**, where civil society was historically well established, the relationship between government and civil society deteriorated after the 2015 parliamentary elections. Hostile government attitudes and policies affect CSOs working with vulnerable groups have a chilling effect on civil society activities and make it less likely that CSOs feel comfortable and safe in challenging and criticising the government. Poland is an example of a country that has fundamentally changed its attitude towards civil society: from a civil society-friendly climate to a more hostile one. Therefore, Polish CSOs need to adapt their strategies to this new and unpredictable reality (AFEW 2017).

In Eastern Europe and Central Asia, we can also observe the shrinking space for civil society, primarily due to the influence of the **Russian Federation** and the national leaders. The *'Foreign Agent Law'*, as implemented in the Russian Federation places a heavy and often unclear administrative burden on CSOs which they must comply with or face being fined. Russia's *'Law on Undesirable Organisations'* forced a number of international CSOs to leave the country. Similar laws have been enacted or introduced as well in other countries in the region (AFEW 2017).

In **Hungary**, the government has attacked CSOs receiving funding from international donors, such as the Norway CSO Fund and the Open Society Foundation (Sárosi 2014), claiming that these CSOs are foreign agents and that the grants violate the national sovereignty of Hungary. The parliament adopted a law in 2017 modeled after the "foreign agent" law in Russia, Israel and other countries (Sárosi 2017). The law is targeting CSOs that receive more than 7.2 million HUF (approximately 24,000 USD) in foreign donations per year and declares them as a threat to national security and sovereignty. CSOs receiving funding from abroad need to register as civil society organizations within 15 days. In its 2020 decision the European Court of Human Rights ruled that Hungary should withdraw the law, as it violates the right to freedom of assembly.

In **Ireland**, the Electoral Act 1997 ('the 1997 Act') includes provisions directed at preventing extra-territorial funding for 'political purposes', which is very broadly defined. The powers of oversight under the 1997 act are delegated to the Standards in Public Office Commission (SIPO), and there have been numerous examples of CSOs being targeted under the legislation. For example, Education Equality, a voluntary group working to reform education policy, was made to return funds supporting its work as its aim of ending of the "baptism barrier" <sup>2</sup> to entry to primary schools was deemed to be a "political purpose" <sup>3</sup> under the Electoral Act. SIPO also pursued Amnesty Ireland for a grant it had received in relation to work on the Eighth Amendment to the Irish Constitution. Amnesty sought judicial review of the decision of SIPO to seek the repayment of the grant, with the case being settled out of court with an acknowledgement from SIPO that their process in seeking to get Amnesty to return the funds had been flawed, and that the matter would not be pursued further.

There are also numerous examples which substantiate the shrinking space for civil society at international level. This applies for example to the participation of civil society at the UN General Assembly Special Session (UNGASS) on drugs (April 2016). CSOs faced significant challenges in participating, due to continued push back from governments that are firmly opposed to the engagement of civil society and affected communities in debates related to the drug policy reform.

<sup>2</sup> It used to be the case in Ireland that if a primary school was oversubscribed, it could discriminate between children seeking admission on the basis of religion. This was a legacy issue arising from the fact that in the early years of the Irish State the Catholic Church had a significant role in the funding and delivery of education, particularly at school level. Even today, many public educational institutions are on premises owned by the Church. Discrimination on the basis of religion in the schools admissions context is now no longer permitted in Ireland, following the passage of the Election (Admission to Schools) Act 2018

<sup>3</sup> See, for example, <https://civicspacewatch.eu/outcome-on-amnesty-case-highlights-flaws-in-electoral-act/>

The UNGASS Outcome Document was negotiated in Vienna in a rushed series of closed meetings, which excluded civil society observers (IDPC 2016). Hundreds of civil society delegates were unable to attend, as the UN security office only issued a limited number of entrance passes, due to the accreditation system. Some delegates were denied access to side events, which they had either helped to organise or should have joined as speaker (Drug Policy Alliance 2016). Civil society also faced restrictions and censorship - reports or materials being arbitrarily confiscated and some delegates were denied access to the UN Building due to advocacy messages on their t-shirts (such as 'Marijuana is Safer than Alcohol', or anything with a cannabis leaf on it). Only a small number of UN Member States (Bolivia, Costa Rica, Ghana, Japan, Mexico, New Zealand, Norway, Sweden, Switzerland and Ukraine) included civil society representatives in their official UNGASS delegation, (IDPC 2017).

The Sustainable Development Goals (SDG) commitments to end AIDS by 2030 and to leave no one behind, and related frameworks adopted by international and regional organisations, call for efficient and inclusive governance based on participatory approaches, transparency, accountability and engagement of all parts of society, particularly communities most affected by the disease. However, as highlighted recently by the Human Rights Council, civil society is increasingly encountering obstacles to meaningful engagement. These includes:

- a) The lack of access to timely and clear information about channels of engagement and about specific themes and topics to be addressed
- b) Opaque and cumbersome accreditation processes without impartial review mechanisms in cases where accreditation is denied
- c) Complex and inconsistent rules governing attendance and speaking rights at meetings and forums
- d) Prohibitive costs and visa barriers in gaining access to certain locations
- e) A lack of accountability for decisions that restrict access
- f) Under-representation of some segments of civil society. Particularly disturbing are reprisals against civil society for cooperation with international and regional organisations, not only because of the individual human rights violations they generally constitute, but also because they risk undermining the effectiveness of the system as a whole. (UNHCHR 2018)

The experiences of CSOs at the UN High-Level Meeting on HIV and AIDS in June 2016 and the UNGASS on drugs in April 2016 confirm the findings above. Although there are no reported cases of direct threats and reprisals at these meetings, the Report of the UN Secretary General to the Human Rights Council named 29 countries that had committed such acts, noting that some states pursue strategies to prevent people from cooperating with the UN (UNHCHR 2018).

## 10. FUNDING: OPPORTUNITIES AND RISKS

Austerity policies were introduced after the economic crisis and resulted in a significant decrease in government funding for social and health care, which affected in first instance services operated by CSOs. A recent report published by Harm Reduction International on funding for harm reduction in Europe (Harm Reduction International 2017) pointed out the gap between the demand for harm reduction services and the available funding. This applies in particular to the Eastern Member States of the EU, where chronic underfunding for programs is a key barrier to access. In addition to the overall lack of funding, the report also refers to the lack of transparency in funding. With CSOs forced to struggle for scarce financial resources to survive, there are no capacities left for participating meaningful in decision making processes. In Central Eastern Europe, including EU candidate countries, harm reduction programs still depend on big international donors, such as the Global Fund to Fight AIDS, Tuberculosis and Malaria (GF). In many countries GF grants were terminated without ensuring transition to government funding, and programs were interrupted (Open Society Foundation 2017).

Funding does not only provide opportunities, but can also be connected to certain risks. The lack of diversity of funding sources and the dependence on big donors can be a barrier to meaningful civil society involvement. Many CSOs depend on government funding and this dependence has even increased in recent decades, as many social services are delivered by CSOs through grants and tendering contracts.

The problem of state funding is not only related to potential shortfall, but can impact as well the way in which CSOs operate. The capacity of CSOs to contribute to social capital or public policy can fade away, impacting the cooperation with other CSOs and make organisations more fragile. The contractual and competitive funding model puts CSOs on the same level as commercial companies, by using similar performance indicators and expecting quick and measurable results and improvements. This disregards the complex situation in which CSOs operate: the vulnerable and marginalised position of the target group, the diversity of problems and needs and the link to other health and socio-economic inequalities (Spooner & Dadich, 2010). In other words: government funding may provide financial stability to CSOs, but can also lead to reduced autonomy and programmatic inflexibility (Mitchell, 2014).

CSOs, engaging in contractual and partnership relationships, face different expectations in the area of measurement and accountability, both 'upward' to the government and 'downward' to their members, clients and communities. The four principles of accountability demand that responsibility and authority is clearly specified, guidance and support is provided at all stages to everyone involved, exercise of responsibility and authority is monitored and assessed, and appropriate action is taken. (Hari 2020) There is an ongoing debate on the question if and how CSOs can be hold accountable. Influential authors argue that 'upward accountability' has over-shadowed 'downward accountability', and that CSOs tend to have difficulties putting downward accountability into practice.

(Source: Cordery, Belal & Thomson 2019)

Demands associated with NGO accounting and accountability practices	Definitional characteristics of NGOs					
	Regulations	Financing	Governance structure	Purpose	Stakeholders	Activities
External Regulatory Compliance	Financial report, Audit, standard setting	Financial report, Audit, standard setting	Financial report, Audit, standard setting	Voluntary disclosures	Voluntary disclosures	Voluntary disclosures
Organisational governance and management	Financial report, Audit, standard setting	Management Accounting, Budgets, scorecards targets	Management Accounting, Budgets, scorecards targets	Management Accounting, Budgets, scorecards targets	Financial report, Audit, Management Accounting, Budgets, scorecards targets	Management Accounting, Budgets, scorecards targets
Stakeholder engagement	Financial report, Audit, standard setting	Customised funder reporting, Beneficiary reporting,	Customised funder reporting, Beneficiary reporting,	Customised funder reporting, Beneficiary reporting,	Customised funder reporting, Beneficiary reporting,	Customised funder reporting, Beneficiary reporting,
Demonstrate delivery of purpose	Financial report, Audit, standard setting	Responsibility Reporting, web & social media, Narrative disclosure,	Beneficiary reporting, Responsibility Reporting, web & social media, Narrative disclosure,	Voluntary Responsibility Reporting, web & social media, Narrative disclosure, Beneficiary reporting	Voluntary Responsibility Report, Narrative disclosure, web & social media, Beneficiary reporting	Counter accounting Narrative disclosure, web & social media, Beneficiary reporting

Existing research suggests that CSOs are too preoccupied with meeting the expectations and requirements of powerful stakeholders – sometimes to an extent that neglects the core ‘business’ and social purpose for which they were established in the first place. This phenomenon has resulted in what the literature has labelled as “mission drift” (Epstein & Yuthas, 2010).

In the pursuit of desired social and environmental change, some CSOs have started to engage in partnerships with commercial businesses around the world. However, our research has not uncovered any studies that have specifically examined the accountability and transparency in Business-CSO partnerships.

Given the nature of CSOs’ engagement with various social and environmental challenges, they are well prepared to respond to the global challenges articulated in the United Nations’ Sustainable Development Goals (SDGs). Some CSOs have been working on addressing similar challenges since before the declaration of the SDGs. (Cordery, Rahman and Thomson 2019)

## 11. CONCLUSIONS

This report provided a desk review of literature on meaningful civil society involvement, by specifically addressing the area of drug policy. It described the competing definitions of civil society, from a narrow definition of registered non-governmental organisations to a broad definition of the associational life between the government and business sectors.

We demonstrated that civil society plays a crucial role in democratic decision making processes, and provides essential social and health services, outsourced by the government. Different levels of civil society involvement (information, consultation, dialogue, partnership), efforts to monitor and evaluate civil society involvement and international examples for civil society involvement were highlighted. In addition to formal mechanisms for civil society involvement, there are several recommendations and principles proposed by international organisations to make involvement more meaningful.

Based on the finding of the literature review, we propose the following set of criteria and principles for meaningful civil society involvement

- 1) **Transparency/accountability of CSI:** The whole process of CSI – selection of CSOs, agenda setting, consultation, monitoring and evaluation – should be transparent and accountable. All participants in CSI processes should be responsible for their actions and should proactively seek transparency.
- 2) **Balanced, open, accessible participation of CSOs:** Formal mechanisms to involve civil society should be diverse in terms of approach, geography, gender, age, ideology and various vulnerabilities. They should be designed such that CSOs – who often have limited resources - have access to these mechanisms.
- 3) **Mutual trust, openness:** Both governments and CSOs should build partnerships where they acknowledge that mutual cooperation is important in policy development, and that conflicting viewpoints are healthy and create opportunities for new solutions. All participants in policy processes should recognise the good intentions of the other participants and all sides should seek to avoid unnecessary conflicts, and work towards policy solutions that are supported by the best available evidence.
- 4) **Respect for the autonomy of CSOs:** Governments serve their citizens. CSOs are a necessary independent check on government activities, and it is part of the role of CSOs to criticise these activities where necessary. Policy makers should recognise this aspect of CSO activity and both CSOs and policy makers should view reasonable criticism as a starting point for intensified cooperation, rather than a reason to disengage.
- 5) **Adequate funding from the government on CSI:** the government should provide adequate funding to cover the costs and working time of CSOs participating in the consultation process.
- 6) **Adequate capacities and competence of CSOs:** if CSOs would like their voice to be heard they should have adequate expertise, diplomatic and communication skills.
- 7) **Monitoring and evaluation of CSI:** there is a need to assess the impact of CSOs on the policy making process by constantly monitoring the consultation process and evaluating CSOs contribution to decisions.

In the second part of the report, we presented and analysed facilitating factors and barriers through concrete positive and negative examples of cooperation between civil society and governments. It was pointed out that significant progress has been made in many countries towards a new paradigm of cooperation between civil society and governments, serving as a basis of a more participatory approach. This was exemplified with the good cooperation practice of the Dutch Ministry of Foreign Affairs and CSOs working in developing countries to promote public health, including drug treatment and harm reduction. This progress has been jeopardised in the past decade by some negative trends that can be observed across borders in Europe. One of these trends is the shrinking space for civil society at national level. Repressive measures against CSOs have a chilling effect on civil society involvement and is documented in many countries, including EU Member States. Another worrying trend is the structural underfunding of civil society initiatives in the area of drug policy, due to the austerity measures implemented throughout Europe. Although the lack of funding is a big barrier to meaningful CSI, dependence on big donors and especially on state funding can pose a risk and lead to loss of autonomy, mission drift and bureaucratisation of CSOs.

The current review has significant limitations. Although there is abundant literature on CSI in general, literature on CSI in the field of drug policy is scarce. Even if CSOs now play a central role in the provision of life-saving services to people who use drugs, additional studies are needed to systematically assess their impact at European level. There are only a few studies assessing the CSO-specific needs, opportunities and barriers in the field of demand and harm reduction. There have been some studies on CSI in drug policy in recent years and significant facilitating factors and barriers have been identified. What is missing is a coherent set of criteria that can be used as a blueprint to design, build, implement, monitor and evaluate civil society involvement. We are hopeful that this paper goes some way to identifying such criteria in a structured way, informed by the best available evidence.

## REFERENCES

Africa News, (30 May 2016), Freedom of NGOs and CSOs under threat even at the UN - Ban Ki-moon. Accessed on 4 March 2019 at: <http://www.africanews.com/2016/05/30/freedom-of-ngos-csos-under-threateven-at-the-un-ban-ki-moon//>

African Development Bank, Framework for Enhanced Engagement with Civil Society. 2012.  
[https://www.iss.europa.eu/sites/default/files/EUISSFiles/Civil-Society\\_Report.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Civil-Society_Report.pdf)

AFEW (2017). We Fight, We Hide or We Unite: Within the 'Bridging the Gaps: Health and Rights for Key Populations' phase 2 project 2017 Coping strategies amongst resilient harm reduction organisations and community networks in the context of shrinking space for civil society in Eastern Europe and Central Asia.  
[http://www.afew.org/wp-content/uploads/2018/07/CSOreport\\_Completed\\_EN\\_Corrected.pdf](http://www.afew.org/wp-content/uploads/2018/07/CSOreport_Completed_EN_Corrected.pdf)

Bond Foundation (2019). Ensuring civil society is heard: Principles and practices to improve government engagement with civil society.  
[https://www.bond.org.uk/sites/default/files/resource-documents/bond\\_ensuring\\_civil\\_societys\\_voice\\_is\\_heard-online\\_april\\_2019\\_update.pdf](https://www.bond.org.uk/sites/default/files/resource-documents/bond_ensuring_civil_societys_voice_is_heard-online_april_2019_update.pdf)

Canadian International Development Agency (1999). Gender Equality & Support for Civil Society: Brief.  
<http://www.oecd.org/dac/gender-development/44896358.pdf>

Canadian HIV/AIDS Network, the Opens Society Foundations and the International HIV/AIDS Alliance (2008). "Nothing about us without us": Greater, meaningful involvement of people who use illegal drugs: A public health, ethical, and human rights imperative.  
[https://pacificaidnetwork.org/files/2019/08/NAUWU\\_report\\_2008.pdf](https://pacificaidnetwork.org/files/2019/08/NAUWU_report_2008.pdf)

Carolyn Cordery, Aatur Rahman Belal & Ian Thomson (2019). NGO accounting and accountability: past, present and future, Accounting Forum, 43:1, 1-15, DOI: 10.1080/01559982.2019.1593577

International Center on Non-Profit Law (2020). Civic Freedom Monitor, Laws, Drug Policies and Civil Society. <https://www.icnl.org/>

Correlation- European Harm Reduction Network (2019). Civil Society Monitoring of Harm Reduction in Europe.  
[https://www.correlation-net.org/wp-content/uploads/2020/02/C-EHRN\\_monitoring\\_web.pdf](https://www.correlation-net.org/wp-content/uploads/2020/02/C-EHRN_monitoring_web.pdf)

Correlation- European Harm Reduction Network (2018): Assessment Report – Civil Society Involvement in Drug Policy  
[https://csidp.eu/wp-content/uploads/2018/11/assessment\\_report\\_web.pdf](https://csidp.eu/wp-content/uploads/2018/11/assessment_report_web.pdf)

Correlation- European Harm Reduction Network (2018): Civil Society Involvement in Drug Policy - A Road Map  
[https://csidp.eu/wp-content/uploads/2018/11/Roadmap\\_web.pdf](https://csidp.eu/wp-content/uploads/2018/11/Roadmap_web.pdf)

Correlation- European Harm Reduction Network (2018): Good practice Collection – Civil Society Involvement in Drug Policy  
[https://www.correlation-net.org/wp-content/uploads/2020/01/good\\_practice\\_collection.pdf](https://www.correlation-net.org/wp-content/uploads/2020/01/good_practice_collection.pdf)

Council of Europe (2019). Civil participation in the decision-making process. The code of good practice.  
[rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016802eede1](http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016802eede1)

- Development Research Center (2006). Building effective states: Taking a citizen's perspective  
<https://assets.publishing.service.gov.uk/media/57a08c2f40f0b652dd00117a/drccitizensperspective.pdf>
- Diamond, L. (2004). What Civil Society Can Do to Develop Democracy. Presentation to NGO Leaders, February 10, 2004, Convention Center, Baghdad.  
<https://diamond-democracy.stanford.edu/speaking/speeches/what-civil-society-can-do-develop-democracy>
- Drug Policy Alliance (2016). United Nations orders security to confiscate copies of open letter to Ban Ki-moon calling for end to global drug war.  
<http://www.drugpolicy.org/news/2016/04/united-nationsorders-security-confiscate-copies-open-letter-ban-ki-moon-calling-end-gl>
- EUISS (2010). The Role of Civil Society in Global Governance.  
[https://www.iss.europa.eu/sites/default/files/EUISSFiles/Civil-Society\\_Report.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Civil-Society_Report.pdf)
- Epstein, M. J., & Yuthas, K. (2010). Mission impossible: Diffusion and drift in the microfinance industry. Sustainability Accounting, Management and Policy Journal, 1, 201–221.
- European Commission (2007). The role of civil society in drugs policy in the European Union.  
<https://eur-lex.europa.eu/legal-content/en/LSU/?uri=CELEX%3A52006DC0316>
- European Economic and Social Committee (2017). The future evolution of civil society in the European Union by 2030.  
[https://www.eesc.europa.eu/sites/default/files/files/the\\_future\\_evolution\\_of\\_civil\\_society\\_in\\_the\\_eu\\_by\\_2030.pdf](https://www.eesc.europa.eu/sites/default/files/files/the_future_evolution_of_civil_society_in_the_eu_by_2030.pdf)
- Hari, Srinivas (2020). The Concept of Accountability: Implications for NGOs". GDRC Research Output E-054. Kobe, Japan: Global Development Research Center.  
[https://www.gdrc.org/ngo/accountability/accountability.html\\_on\\_Tuesday,\\_28\\_July\\_2020](https://www.gdrc.org/ngo/accountability/accountability.html_on_Tuesday,_28_July_2020).
- Harm Reduction International (2017). Harm reduction investment in the European Union: Current spending, challenges and successes. [https://www.hri.global/files/2017/04/25/HRWreportApril2017\\_web\\_1.pdf](https://www.hri.global/files/2017/04/25/HRWreportApril2017_web_1.pdf)
- Greer, S., Wismar, M. and Kosinska, M. (2017). "What is civil society and what can it do for health?" In: S. Greer, M. Wismar, G. Pastorino and M. Kosinska, ed., Civil Society and health – contributions and potential. World Health Organisation.  
[http://www.euro.who.int/\\_data/assets/pdf\\_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1](http://www.euro.who.int/_data/assets/pdf_file/0011/349526/Civil-society-web-back-cover-updated.pdf?ua=1)
- ICASO (2013). Effective CCMs and the Meaningful Involvement of Civil Society and Key Affected Populations.  
<http://icaso.org/wp-content/uploads/2015/06/CCMLessonsOct2013FINAL-EN.pdf>
- International Drug Policy Consortium (2016), The UN General Assembly Special Session (UNGASS) on the world drug problem: Report of proceedings.  
<http://idpc.net/publications/2016/09/theungass-on-the-world-drugproblem-report-of-proceedings>
- International Drug Policy Consortium (2017). Lessons learned from NGO participation in government delegations at the UNGASS.  
<https://idpc.net/publications/2017/01/lessons-learned-from-ngo-participation-in-government-delegations-at-the-ungass>
- Lanier, J. (2018). Ten Arguments for Deleting Your Social Media Accounts Right Now. New York, Henry Colt and Company.
- OECD (2001). Handbook on Information, Consultation and Public Participation in Policy-Making.  
[https://csidp.eu/wp-content/uploads/2018/11/assessment\\_report\\_web.pdf](https://csidp.eu/wp-content/uploads/2018/11/assessment_report_web.pdf)

Ministry of Foreign Affairs of Finland (2010). Guidelines for Civil Society in Development Policy. Helsinki. [https://um.fi/documents/35732/48132/guidelines\\_for\\_civil\\_society\\_in\\_development\\_policy/faeed747-0a26-a6a9-8934-5aa0febcd416?t=1525859551239](https://um.fi/documents/35732/48132/guidelines_for_civil_society_in_development_policy/faeed747-0a26-a6a9-8934-5aa0febcd416?t=1525859551239)

Ministry of Foreign Affairs of the Netherlands (2019). Evaluation of the functioning of strategic partnerships between the Ministry of Foreign Affairs and civil society organisations – Strategies for partners: balancing complementarity and autonomy.

<https://english.iob-evaluatie.nl/publications/publications/2019/08/01/431-%E2%80%93-iob-%E2%80%93-evaluation-of-the-functioning-of-strategic-partnerships-between-the-ministry-of-foreign-affairs-and-civil-society-organisations-%E2%80%93-summary-with-recommendations-and-findings-%E2%80%93-strategies-for-partners-balancing-complementarity-and-autonomy>

Mitchell, G. (2014). Collaborative Propensities Among Transnational NGOs Registered in the United States. *The American Review of Public Administration* 44(5). DOI: 10.1177/0275074012474337

MPACT (2019). A high level failure for the United Nations on Key Populations. [http://mpactglobal.org/gay\\_men\\_transgender\\_people\\_and\\_sex\\_workers\\_express\\_outragemsmgf-expressesoutrage-unacceptably-weak-political-declaration-adopted-today-united-nations-high-level-meetingending-aids/](http://mpactglobal.org/gay_men_transgender_people_and_sex_workers_express_outragemsmgf-expressesoutrage-unacceptably-weak-political-declaration-adopted-today-united-nations-high-level-meetingending-aids/)

Open Society Foundation (2017). Lost in Transition - Three Case Studies of Global Fund Withdrawal in South Eastern Europe. New York. <http://eecapplatform.org/wp-content/uploads/2018/05/SEE-Sustainability-Case-Studies-Nov-2017.pdf>

Pompidou Group (2016). Government interaction with Civil Society.

<https://rm.coe.int/government-interaction-with-civil-society-policy-paper-on-government-i/168075b9d9>

Sárosi, P. (2014). Why is the Hungarian Government Waging a War on Civil Society? June 25, 2014.

<https://www.liberties.eu/en/news/hungary-ngo-war/829>

Sárosi, P. (2017). Orban Imports Foreign Agent Law From Russia. April 04, 2017.

<https://www.liberties.eu/en/news/orban-imports-foreign-agent-law-from-russia/11697>

Spooner C. and Dadich, A. M. (2010). Issues for sustainability of non-government organisations in the alcohol and other drugs sector. *Drug And Alcohol Review*, 29(1), 47-52.

UNHCHR (2018). Report of the High Commissioner for Human Rights on procedures and practices in respect of civil society engagement with international and regional organizations.

<https://www.ohchr.org/EN/AboutUs/Pages/CallSubmissions.aspx>

UNHCHR (2020) Civil society space: engagement with international and regional organizations; Report of the United Nations High Commissioner for Human Rights.

<https://undocs.org/A/HRC/44/25>

Vaidhyanathan, S. (2018). *Antisocial Media: How Facebook Disconnects Us and Undermines Democracy*. By Siva. New York: Oxford University Press.

Women's Environment and Development Organisation (2004). Recommendations to Secretary-General's Panel of Eminent Persons on United Nations Relations with Civil Society.

<https://www.globalpolicy.org/empire/32341.html>

World Bank (2007) Consultations with Civil Society: Sourcebook.

[https://www.worldbank.org/content/dam/Worldbank/Civil%20Society/cso\\_documents/ConsultationsSourcebook\\_Feb2007.pdf](https://www.worldbank.org/content/dam/Worldbank/Civil%20Society/cso_documents/ConsultationsSourcebook_Feb2007.pdf)

World Economic Forum (2013) The Future Role of Civil Society. [http://www3.weforum.org/docs/WEF\\_FutureRoleCivilSociety\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf)

[http://www3.weforum.org/docs/WEF\\_FutureRoleCivilSociety\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf)[http://www3.weforum.org/docs/WEF\\_FutureRoleCivilSociety\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_FutureRoleCivilSociety_Report_2013.pdf)



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