

Assessment of the Nairobi Outcome Document: Opportunities and challenges

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The following reflections on opportunities and challenges are not intended to be exhaustive, but relate to areas that I was following in the Nairobi Outcome Document.

1. Linkages with a universal Agenda 2030 and the commitment to “leave no one behind”

The Nairobi Outcome Document (NOD) strongly links the Paris/Busan commitments to effective development cooperation to the essential role of development cooperation in achieving the SDGs, particularly for the goal of “leaving no one behind.” In doing so it directly challenges the hierarchical donor-recipient charitable model for development cooperation: “The universality of the 2030 Agenda for Sustainable Development means that the donor-recipient relationships of the past have been replaced by approaches that view all as equal and inter-dependent partners in development [§3 and §7 - §11].”

While some in civil society were concerned that focusing on the SDGs in the NOD limited the importance of the GPEDC commitments in themselves (which may be true to some extent), I believe that these linkages to Agenda 2030 are very important, when we take account of the current political context for the GPEDC. It was more than evident that there is significant declining political interest at the highest level among providers in the Global Partnership (as witnessed by the low attendance and significantly reduced funding for HLM2), compared to Mexico and Busan. While much more strategic thought is needed on the ways forward, it may be possible to revitalize greater political interest in the GPEDC through emphasizing the importance of effective development cooperation for achieving the SDGs, and reflecting its importance in the preparations and occasion of the annual UN High Level Political Forum (HLPF) for assessing progress for the SDG.

2. Acknowledging shrinking space for CSOs

The main Accra/Busan commitments were reaffirmed for CSOs as development actors in the own right [§65 and §18] and to an enabling environment consistent with internationally agreed rights [§18]. However, paragraph 68 calls for an enabling environment “consistent with agreed international commitments,” which is very unclear and makes no sense in the context of basic human rights to freedom of association and freedom of speech. But there was also an important new acknowledgement and commitment “to reverse the trend of shrinking civic space wherever it is taking place and to build a positive environment for sustainable development, peaceful societies, accountable governance, and achievement of the SDGs and the 2030 Agenda.” [§18] While welcome, it is nevertheless a weak commitment, given that partner countries and providers did not spell out what initiative they might undertake to reverse this trend.

Developing country governments also agreed to “promote civil society space to participate in, and monitor, development policies and programmes, and to evaluate development progress by the government and other stakeholders.” [§41f] There was however a last minute push back by Egypt on recognizing the accountability role of CSOs, resulting in changed wording in §18 whereby CSOs are “engaging with governments to uphold their commitments,” rather than holding governments to account. But in §64 CSOs’ role in “advocacy and communication” and in “monitoring” is affirmed.

While overall there seemed to be no lost ground on the Busan normative commitments to CSOs, and CSOs achieved recognition that its space has been shrinking, despite commitments made in Busan, the text relating to these commitments is scattered throughout the NOD and is confusing in places.

Over the months leading up to the finalization of the NOD, several developing country governments have been pushing more restrictive language for CSOs. There had been a strong push in the multi-stakeholder Task Team on CSO Development Effectiveness and Enabling Environment to require CSOs “to be guided by national results frameworks in the execution of their work,” [§57] i.e. CSOs were to work within government defined country priorities. Some argued that funding should be exclusively through government. Through the Task Team, we were able to amend and qualify this commitment with additional language to §57, “as relevant to their role as independent development partners in their own right.” This latter language was retained in the final NOD, but the push back from developing countries in the Task Team and in Nairobi is consistent with the range of measures that many developing country governments are seeking in order to rein in critical civil society actors in their countries. As is well known, they do so through restrictive application of regulations, restrictions on foreign funding, etc. as documented in CPDE’s evidence on indicator two in the second monitoring round).

3. Strengthened CSO commitment to the different dimensions of the Istanbul Principles

CSOs were challenged in the negotiations over the NOD to spell out in greater detail their commitments to improve their effectiveness as development actors. CPDE negotiators responded by elaborating the various Istanbul Principles in the NOD. These are spelled out in various paragraphs throughout the Document (§49, §57, §67, §80 and by implication in §84 on gender equality and women’s empowerment). While these commitments are no different than Busan and Mexico that referenced the Istanbul Principles and the Siem Reap Framework. But references to Istanbul are largely meaningless for most other stakeholders. The fact that Istanbul principles are now spelled out may require greater attention by CPDE in documenting progress in all of these areas in future monitoring rounds, not just on accountability mechanisms, as was the case in round two.

4. Continued attention to country-led monitoring of GPEDC commitments as the main activity of the GPEDC

The NOD recognizes “the unique role of the monitoring framework” as the main instrument for the Global Partnership and its mandate to promote mutual accountability, mutual learning and mutual benefit [§30, §31]. This recognition is important because many providers in the Steering Committee in the lead-up to HLM2 were seeking a revised mandate that significantly underplayed the accountability dimension of the GPEDC. The centrality of the Monitoring Framework for the work of the GPEDC is clearly spelled out in §31 and §32, with reference to the fact that the outcomes of the GPEDC monitoring will contribute directly to the measurement of SDG indicator 17.16 (inclusive partnerships). See point 1 above.

The NOD also recognizes the need to refine the existing Monitoring Framework, “taking account emerging issues and new methods of development cooperation.” In doing so, it also calls for broader coverage beyond development cooperation to include “non-sovereign flows of capital.” [§98] But it does not spell out how such flows can be assessed in terms of the Busan principles. Looking at non-sovereign flow (i.e. private investment) may prove very problematic from a practical point of view. The Monitoring Advisory Group (MAG) discussed this question in its review of new areas. It strongly advised to limit coverage of private flows to mechanisms that combine public and private flows for development cooperation (e.g. Development Finance Institutions).

Also the last version of the NOD dropped a reference in earlier drafts to the work of the MAG as advice that could guide the revision of the Monitoring Framework. With such a reference, it would have been easier for the Joint Support Team (JST) to bring in the work of the MAG in its post-HLM2 revisions of the Framework. While they can still do so informally, it might be useful for the new Steering Committee to re-acknowledge the MAG’s work as it provides a mandate to the JST’s work on a revised Framework in the new year.

5. Uncritical inclusion of the business sector in earlier NOD drafts was tempered in the final NOD, with greater attention to linking their roles in development to the Busan principles as well as to labour and human rights standards.

Almost all the sessions at HLM2 focused a great deal of attention to how the GPEDC might engage the private sector (now referred to as the “business sector”) as an actor in development cooperation and as a key partner for the realization of the SDGs.¹ The NOD reflects this obsession, but the final version at least tempers earlier uncritical praise of the business sector and the incentive of the profit motive for initiatives that will leave no one behind in the achievement of the SDGs. This role is still highlighted with little qualification [§61], but the NOD also references accountability frameworks for the business sector, transparency about its operations, and “giving respect to freedom of association and collective bargaining, and engaging in social dialogue” [§79a and §79b] How the business sector will be held accountable nevertheless remains unclear. It may

¹ Despite this deliberate emphasis on the private sector, particularly on the part of providers, CSOs were much more present in HLM2 sessions and there was repeated attention to CSOs as key actors and the importance of an enabling environment for their contributions to development.

be important for those engaging with the JST in the revisions of the Monitoring Framework to consider how these accountability frameworks for the business sector can be taken on board in subsequent monitoring rounds.

6. Affirmation that women and girls are powerful agents for change

The NOD continues to consider human rights of women and girls in terms of the ways in which these rights promote the realization of equitable economic growth and sustainable development, and not as inherent rights, which all actors are obliged to respect and promote. The NOD nevertheless makes a strong statement on gender equality and empowerment of all women and girls [§83]. This Outcome Document, unlike Busan and Mexico, elaborates several explicit areas of importance to gender equality and empowerment – end violence and discrimination [§84]; reverse underinvestment in women’s empowerment [§86]; take account of women’s unpaid care and domestic work [§87b]; promote gender responsive approaches in financial, economic, social and environmental policies [§87c]; and extend women’s full and productive employment and decent work [§87d].

For the first time in the Global Partnership, there is clear recognition by all stakeholders of the “unique and essential role of women’s civil society and human rights organizations, including feminist organizations, in advancing gender equality and the empowerment of all women and girls.” [§85]. This recognition is followed by the commitment to deepen multi-stakeholder partnerships for gender equality and women’s empowerment at country, sub-regional and global levels, including by ensuring the full and meaningful participation of gender equality advocates, women’s organizations and national gender equality mechanisms.” [§87b]

7. A non-executive co-chair for the Global Partnership

The annex to the NOD sets out the revised mandate for the Global Partnership and its governance and working arrangements. A major achievement has been made in identifying a fourth co-chair position for non-executive stakeholders (CSOs, parliamentarians, foundations, trade unions, local government). This fourth position has been a core demand of CPDE for several years. At the last full Steering Committee meeting, the proposal was debated, but was resisted by a number of country members, such as Mexico and Bangladesh. The NOD’s Annex calls for “a proposal for the modalities and functions of this seat [to] be presented by the non-executive members of the Steering Committee at the Committee’s first meeting post-HLM2 for further consideration.” [Box following Annex §22] The Box then sets out some considerations for this fourth co-chair position. Given the opposition by some of the members of the Steering Committee prior to HLM2, it is not entirely clear that the proposal will receive the unanimous support that is required.

The future co-chairs were announced at this HLM – Germany, Bangladesh and Uganda. They will serve for two years. There will no longer be HLMs every two years. The stand-alone HLM will be “held in an extended cycle adapted to the calendar of global conferences and meetings in order to solidify political support for effective development cooperation” in relation to Agenda 2030. [Annex, §31] These HLMs will be interspersed with “high-level segments [Senior Level Meetings],

to take place on the margins of relevant meetings on development finance and co-operation.” [Annex, §31] This language is more flexible than the original proposal to have a HLM only every four years, with a Senior Level Meeting in the second year.

There was an initiative promoted by Kenya at this HLM2 to engage youth organizations more directly in the Global Partnership. A proposal was made by Kenya and supported by the Netherlands in an amphlitheatre session on youth engagement for a youth organization position on the Steering Committee. However, this position is not reflected in the outline of Steering Committee membership in Annex §26.

While an enhanced role for civil society in the governance of the Global Partnership would of course be welcomed and would enhance civil society influence on the directions for the Partnership, it may be a ‘pyric victory’ in terms of the continued relevance of the Global Partnership as a politically meaningful multi-stakeholder forum.

As noted above, only three ministers from provider countries were present in Nairobi (Sweden, Ireland and the Netherlands – who was a co-chair). They appeared repeatedly in plenary and amphlitheatre sessions. Very few provider countries were presented at a high official level. Notably even Germany, the impending co-chair only sent a parliamentary secretary, not a relevant minister. Apparently the parliamentary secretary claimed that he could not make a political argument for the minister to be present! In the lead-up to the HLM2, full funding for the event did not materialize and Kenya had to carry a larger than usual burden in financing the event. These are all very worrying signals in terms of the future political commitment of providers to the NOD and to the ongoing functioning of the Joint Support Team (UNDP/OECD) and future monitoring processes. The latter depend directly on voluntary funding from the providers.

The provider landscape in 2017 may change dramatically, with a new administration in the United States and several governments in Europe, including perhaps Germany. I believe it is urgent that the CPDE not only assess the outcomes of this HLM, which were quite positive overall for CSOs, but undertake a review of its strategies for the Global Partnership as a forum to address critical issues in development cooperation.