

# The CSOs Enabling Task Force efforts for better Enabling Environment

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## Introduction

In the contemporary global order, the Civil Society Organizations (CSOs) have critical as well as complimentary role on countries' economic development, socio-political and cultural systems with the government and the private sector. So far, CSOs have engaged on the processes of poverty reduction, sustainable socio-economic development, social security, democratization, good governance and human rights, etc. issues at various levels.

CSOs in Ethiopia have long history than the Non-Governmental Organizations (NGOs), as some institutions, such as Iddirs and Mahbers, have been there in the civil society landscape of the country. The Faith- Based Organizations were the first group of NGOs that began to work as non- government bodies since 1930. The years 1950s & 60s were considered as the beginning of NGOs such as the Ethiopian Red Cross, Boy Scouts Association, Women Welfare Association, etc established and started their activities. Most of the current Ethiopian NGOs founded during the 1960s, 70s and 80s famines in Ethiopia. A number of local NGOs, in cooperation with international charity organizations were engaged in humanitarian and relief services. Thus, the focuses of these NGOs/CSOs were predominantly in providing humanitarian and relief services. Apart from humanitarian work, very limited CSOs were engaged in policy and advocacy activities, and standing up for the rights of their members.

Following the fall of the Dergue regime, the 1995 Constitution (Article 31), guaranteed the establishment of independent associations. Thus, a number of NGOs/CSOs flourished compared to previous times. In terms of number and the diversity NGOs/CSOs in the country dramatic changes has been seen since 1990s. As studies indicate, there are a total of 2,305<sup>1</sup> CSOs, which have acquired legal registration at federal level. Local NGOs accounted 75% (1,742) of the total, while International NGOs were 234, professional associations 149, and 125 civic advocacy groups. These CSOs/NGOs have been mobilizing large amount of resources

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<sup>1</sup> Information from registry of Ministry of Justice (2007).

from outside. As the recent study that conducted on the sector, the CSOs/NGOs' only between 2004 and first-half of 2008 the total of NGO transfers amounted to US\$1.78 billion<sup>2</sup>. According to the study report, the bulk of these resources have gone into human development (health, education, child welfare) and agriculture and food security. These are the same priority areas emphasized by the government's poverty reduction program as set out in PASDEP.

Relatively speaking, since the post 2005 election the CSOs have faced challenges, as their working relationship with the government do not have been harmonious unlike the previous years. The present draft CSOs legislation also reflects this fact. This article mainly focuses on the Enabling Environment Task Forces (EETF) activities regarding creating enabling environment and cordial relationship with the government. For this article we have used some documents and the interview made with Ato Tesema Mebratu, EETF secretariat coordinator.

## **The task force**

The CSOs-EETF established on 21<sup>st</sup> October, 2007 during the convention held in Imperial Hotel organized by OSJE, FSS and UECSOs<sup>3</sup>. During the convention about 5 research papers were presented by different researchers, which focused mainly on the contributions and the problems or the challenges CSOs have been faced. According to the organizers of the convention more than 150 CSO representatives were attended on that meeting. At the end participants came out with recommendations based on the papers and the discussions that held. The last recommendation, which was the 13<sup>th</sup> one, was about the establishment of the enabling environment task force. The CSOs which were there have mandated the three organizing NGOs to establish a task force. Thus, based on the recommendations, the three NGOs established the EETF and invited about 11 more NGOs/CSOs and most of them are network organizations like PANE, CRDA, NEWA, BEA, etc.

The objective of the EETF is creating enabling environment for the CSOs sector through working closely with the Government of Ethiopia (GoE) and the donor community. For this purpose it has developed a bylaws and guideline details. Moreover, it has established three sub committees, which are assigned to work on: **Legal and policy framework, CSOs Code of conduct, and Public relation and communication**. Initially the EETF did not intend somehow

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<sup>2</sup> A Report Prepared for the Ad Hoc CSO/NGO Task Force Addis Ababa, (2008)

<sup>3</sup> OSEJ stands for Organization for Social Justices in Ethiopia; FSS stands for Forum for Social Study; and UECSOs stands for Union of Ethiopian Civil Society Organizations.

to work on the legislation. Rather it was planning to organize dialogue with the government because there was some mistrust between the two parties. Furthermore, there was a plan to see or evaluate the CSO itself as there are so many problems within the sector. However, the introduction of the draft legislation totally dragged the efforts of the EETF (of course all sub-committees) to more focused and specified towards the legislation.

### **Major Activities of the EETF**

Since the establishment of the EETF most of the activities have striped on the legislation related issues. According to Ato Tesema Meberatu, EETF has been conducting various consultation meetings with the government and the CSOs. In the first consultation meeting with Ministry of Justices (MoJs) EETF provided its comments on the first draft legislation behalf of the CSOs. This comprehensive comment has about 42 pages and submitted for the MoJs. Following this consultation the Ministry forwarded the comments to the prime minster office, the CSOs representatives had have to successive consultative meeting with the Prime Minister Meles Zenawi The first discussion was conducted with prime minister based on the comments that developed by the EETF. The discussions emphasized on major concerns of the CSOs such as 10/90 per cent resource mobilization scenario, the activities that have prohibited for foreign NGOs and the court issues.

The EETF continuing its efforts and has submitted the second comment for the MoJ article by article, unlike the previous comment. As Prime Minster promised, the second consultation meeting was organized based on the second comment. Of course, there was very good discussion with the PM. The second draft comes out after the second meeting with some good amendments. But the EETF did not satisfy with the amendments as the major issues has not yet addressed. Thus the EETF developed article by article comments on the second draft also. Before the submission of this comment to the government, the EETF had conducted consultation meeting with about 300 CSOs/NGOs representatives. This convention also adopted the comments prior to the submission for MoJ. In general, the EETF had submitted about five comments for the concerned parties on the drafte legislation following every amendment.

Furthermore, the EETF has organized two round table conferences with all sector organization administrator offices as the legislation clearly says that there are some bodies which are regulating the activities of CSOs. In the 1<sup>st</sup> special consultative meeting, representatives from 9

ministries have been attended. “There was a good discussion” said Tesema, when he explained about the two special meetings with ministry officials, “I thought the second one was not as effective as the first one”. Based on the two meetings outcomes, the EETF had called CSOs again at the CRDA meeting hall. On this meeting the EETF reported the progresses and the major outcomes of the last few months’ activities. During this meeting three papers were presented. The first one is about the roles and contribution of CSOs. The second paper focused on the need for NGOs appropriate legal framework and policy, and the third one is comprehensive comment on the legislation or alternative legal framework for the sector. “Currently two of the researches are finalized and they are on the process of being publicized, i.e. the roles and contributions of CSOs and the comprehensive comments of CSOs” said Tesema.

### **Impacts of the EETF on the draft legislation**

According to Ato Tesema elucidation the EETF has played its role in changing/modifying the characteristics of the draft legislation. His first suggestion focused on the legitimacy of the EETF, “that there are no other kinds of task force who are working on the draft legislation. So the government, I believe, have respected this EETF and this, I believe, has been clear when we submitted our comments to the MoJ and the same documents has reached to the PM immediately and the PM called us to have a discussion and it was when the PM came to the meeting he was having the same comment we gave and I believe that we have the audience from the PM’s office and I believe this is one of the success of the EETF. At least as EETF has done something and it has been recognized” and he said that “I believe this is one success also”.

His second analysis focused on the EETF contributions to influence for the amendments of the draft legislation. “We [EETF] strongly believe that our effort has brought a lot of change” said Tesema. “At list critical preamble has been changed; especially there is a big difference between the first and the second draft legislation. It has been toning down and shortened. Previously, we were asking for this question of ‘citizenship’ based on the constitution and for the basis of morality ‘how it could be treated as foreigners because Ethiopians’ organizations solicit their project resources from abroad’. It is then one definition which was added that talks about ‘charities and societies of Ethiopian residents’. The other burning concern of the CSOs was the issue of the agency and this agency according to the first legislation established only from the government representatives, whereas this has been changed in the second draft as the

organization of the agency now there is a board which was not included in the first draft, and composition of the board includes two CSOs envoys. Thus, the government is trying to at least address some issues that we are raising though we are not satisfied yet as the changes are not fundamental. Whatever the case is at least the government has tried its best to find out some way where a compromised definition could come up, and that indicates the government is listening our concerns and it is a good thing". Further, he explained the changes relating with the penalties that has shown some improvements in the second and the resent drafts "there was a threat penalties in the first draft and it has been reduced now to some extent". Of course there were so many punishment related articles in the 125 articles of the first draft. And now there are about 6 articles (103-108) which related with penalties and in some extent it has been taken to the penal code.

Generally, the EETF has so many influences in the process of amendments on the draft legislation though the major and the fundamental articles that CSOs are calming not yet changed. Furthermore, the studies that conducted by the EETF has so many implications in reflecting the CSOs efforts and contributions in this country.

### **Challenges that the EETF has faced**

We also asked Ato Tesema about the challenges that EETF has faced so far. His rapid reaction is "we do not have any challenge, I mean; we have been working so hard. Of course, in the meetings there may be different views and some challenges. When we see it, we have different opinions but what matters is what comes out of that meeting, not the fact that having different opinions." Thus the EETF has not faced as such critical challenges.