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شبكة المنظمات العربية غير الحكومية للتنمية

Regional Workshop for the Euromed civil society organizations

Beirut December 11-12, 2016

Outcome Document of the EuroMed civil-society initiative on the Structured Dialogue with the European Union

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Abstract

The Arab NGO Network for Development (ANND) organized a workshop for the civil society organizations in the EuroMed region entitled “Bridging the gap between the EuroMed civil society and the European Institutions: A EuroMed civil society-led initiative on the Structured Dialogue”. This workshop was held in Beirut on December 11 and 12, 2016 with the support of Solidar and Fondation de France. This workshop comes as part of an initiative to strengthen and diversify the involvement of the civil society organization from the two shores of the Mediterranean in the Structured Dialogue process with the European Institutions. It also aimed at increasing the influence of CSOs in the decision-making process and promoting alternatives based on the principles of human rights and equality. This workshop based its agenda on the evolving European context and the evolving role of Civil Society in the partnership, in order to come up with a strategic debate on the Structured Dialogue and the way forward, taking an overall look on the potential tender that will be launched by the EU as broached during the last meeting in Brussels.

The workshop brought together 40 representatives of civil society organizations, trade unions, and experts. The participants agreed on this outcome document, which reflects the issues at stake, key recommendations and suggestions on the modalities of the dialogue.

Introduction

For more than two decades now and starting with the Barcelona process in 1995 the recognition of the growing role of civil society in the EU-Arab relations became undeniable. At the beginning of the ripening process, the partners of the both shores of the Mediterranean agreed to lay the groundwork for a greater partnership, in order to ensure a strengthened role of the civil society in the process that would lead to enhance the relations with regard to political, social, economic and cultural issues.

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The need for a better involvement of the civil society in the EU policy dialogue also came up in the aftermath of the 2011 uprisings. Although the EU has a long-standing history of supporting the civil society by developing policies and projects and establishing new instruments, the Arab uprisings vindicated a recalibration of the relations with the EU: henceforth, policies were renewed; new instruments were created, and programs were adjusted¹.

The EU willingness to take into account the demands of the region has been transposed in various ways whether internally or externally. Into this framework fit for example the communication “The roots of democracy and sustainable development: Europe’s engagement with Civil Society in external relations» and the ENP review of 2015. In view of the CSOs’ shrinking space, the main purpose of these different scale initiatives was to strengthen the role of CSOs in building democracy, peace and defending human rights. In his speech delivered on 24 January 2012, the former Commissioner for Enlargement and European Neighborhood Policy Štefan Füle stated that the Union had to “associate better civil society to EU policy dialogue with the partner countries and in the preparation of EU programs and interventions”². The purpose of such a partnership was two-fold: benefiting from the civil society expertise and helping raise awareness of the EU activities and interventions³.

In a similar vein, the EU also took the decision to create CSO roadmaps with the EU Delegations, which aims to strengthen the strategic engagement of civil society in 10 countries namely: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia and, as of now, these roadmaps have been developed in 8 countries of the Southern Neighborhood. Internally, the creation of the Inter-Institutional Steering

¹ Report of the third edition of the Civil Society Forum-Neighborhood South, p. 3: available online: <http://www.euneighbours.eu/medportal/news/latest/46656/EU-Civil-Society-South-dialogue:-Report-on-latest-forum-highlights-achievements>

² Speech available online http://europa.eu/rapid/press-release_SPEECH-12-33_en.htm?locale=en

³ Z. Abdel Samad. “EU Arab Relations, Evolving relations and an evolving role for civil society: From Barcelona Process to revised European Neighborhood Policy”, p. 1

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Group marks the desire to improve relations with civil society in the neighborhood south⁴.

Despite all of these measures, the CSOs still seem to be confronted to several inherent challenges such as the shrinking space, the mobilization of sustainable resources, and the access to information etc. Furthermore, in 2014, 2015 and 2016 respectively three editions of the Southern Neighborhood Civil Society Forum have been held. Each of them have been preceded by regional seminars with CSOs-only. Nevertheless, all these dialogues remained limited, mostly informative but not effectively engaging civil society.

In this context, this regional workshop tried to improve the efficiency of CSOs' participation in the Structured Dialogue process and in European cooperation, both as development actors and key stakeholders in the public policy process, by unblocking and revitalizing the process. Indeed, the participants were selected with great care and due regard to diversification and representation and the remarks were based on a rigorous assessment of different European policies.

Issues at stake for the Euromed civil-society initiative and reporting from the focus groups

The key issues at stake at the workshop focused on the following 3 building blocks:

1. MIGRATION, MOBILITY, AND REFUGEE CRISIS

Situation analysis:

Development disparities, social injustices and inequalities among and within both the developed and developing countries is the key challenge to be addressed. In the Arab region, these inequalities remain as a persistent development challenge that necessitates a shift from rentier state model to developmental state.

⁴ Report of the third edition of the Civil Society Forum-Neighborhood South, p. 3

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The rentier state model became common in the Arab region, given the long-promotion of free-market economy and trade liberalization, together with the shrinking policy space for the states. In this model low productivity creating crony capitalism further resulted in marginalization of a large segment of the society. Limited civic participation, the absence of participatory democracy, lack of transparency, and embedded corruption, led to the concentration of power in the political and economic elite. Furthermore due to continuous repressive acts on basic freedoms and enabling environment the civic space has been shrinking. Therefore, together with the lack of human security and escalating violence, conflicts and wars, the population was compelled to escape from death.

In this context, a revision of EU policies directed to the region is necessary, particularly given the lack of policy coherence for development that EU policies on trade, investment, development and aid contributed to the worsening of development imbalances in the region. Moreover, a comprehensive and rights-based policy is needed addressing the root causes of migration. This policy should clearly distinguish **between migration and asylum**. There should be a recognition for the right to move, the mandatory right to asylum and the right of human dignity for those who want to escape from murder, persecution and other severe deprivation. On the other hand, the policy should acknowledge that **migration may have positive impacts and contribute to the development of host communities** and the development of cultural, social and economic interaction between communities. It can also contribute to the reinforcement of human solidarity in asylum cases.

The approach of the European Union

Arab civil society appreciates the fact that **some European countries receive a large number of refugees** and that many provide assistance and protection to them. Yet their concerns remain on the EU approach, particularly on:

- **Implementing selective immigration:** The selective approach based on attracting talent and skilled workers, that would serve the priorities of the European countries

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(as reflected in Turkey-deal) means that EU is undermining its moral and legal obligations.

- **Adoption of short-term and Euro-centric security measures:** These measures include border-security measures like establishment of walls and fences as well as the spending on refugees in European countries as part of the development assistance. These measures are results of a poor understanding of the nature of the conflicts and development challenges in the region.
- **Prioritizing the issue of "stability" and/or "resilience" and essentially provide small financial kickbacks to States:** Several agreements such as EU-Morocco mobility partnership contradict the most basic human rights principles. In this regard, the **tendency to cooperate with the authorities** against their communities violates as well the rights of people.

Proposed approach to immigration and asylum:

1. **The human rights and a right to a life of dignity should be at the center of migration policy.** The approach should focus on ensuring human security for all, must be associated with full economic, social and cultural rights and the migrants/refugees should be given the right to decent work. Moreover, the right to civil and political participation of refugees and migrants without prejudice to the sovereignty and laws of the host countries has to be acknowledged. In this sense, they can set up a force, put their priorities and push for change and provide good conditions in a perspective of a return.
2. **The EU policies should be more coherent and adopt a rights-based approach. The developing countries should not push for reforms and policies (i.e. trade and investment) that have proven their failure** and contributed to inequalities and marginalization. Accordingly, the EU should undertake rights-based impact assessments of its policies and consider that the continued economic relations with authoritarian governments contribute to strengthen war economies.
3. The EU should stress on the providing of unconditional support and focus on knowledge transfer and investment in human capital. **The EU should develop**

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alternative policies for development, based on capacity-building, social justice and environmental sustainability.

4. There is a **need for the development of the complementary relationship between the refugees/migrants and the host communities** in the socio-cultural context. It can indeed contribute to the achievement of sustainable development and jointly enhance confidence-building and social relations, health, and fight against exploitation and marginalization.
5. There is need for enhanced **dialogue with the Arab countries and all relevant stakeholders in the region including civil society, organized in a** transparent, participatory and inclusive way. In this regard, we call for a workshop dedicated to the migration and mobility that will take into consideration and advance the outcomes of previous meetings (i.e. Brussels and Amman)

2. SHRINKING SPACE (INSTITUTIONAL FRAMEWORK, GOOD GOVERNANCE, ACCOUNTABILITY AND TRANSPARENCY)

Situation analysis:

Shrinking civic space is a global phenomenon both for Northern and Southern groups. Enabling environment, including freedom of association, assembly and peaceful protest but as well access to resources (financial, human) and access to information has been challenging for both groups impacting their effective engagement in policy-making, monitoring and advocacy processes. Furthermore, shrinking policy space for States negatively impacts the decision making processes and leaves less room for national actors to participate. This leads to limitations on the disclosure of information, civic engagement and creates more pressure on the society.

The approach of the European Union

Euromed civil society appreciates the fact that EU well recognizes the role of civil society and the relationship has evolved since the Barcelona process. Continued financial support to civil society has been a key element, welcomed by the groups as well, yet concerns remain particularly given:

- **The lack of inclusive approach in decision-making process:** It's urgent to act in favor of the efficiency of the CSOs in the partnership. Indeed, the European Union, the governments and the private sector form the main bodies in the decision-making

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process but the civil society engagement remain at a later stage, mostly in watch-dog and ensuring accountability.

- **The need for focusing on civil society empowerment rather than simple capacity-building:** Civil society on both shores need empowerment that entails access to resources, information, know-how, as well as mechanisms of dialogue and engagement. We should talk about the **empowerment** of the CSOs and not their own development.

Proposed approach to addressing shrinking space:

1. Civil society has to take part to **the policy-making process from the very beginning and be the first partner in the elaboration of priorities.** Civil society has to engage fully and entirely, adequately at all levels including policy-formulation, implementation, follow-up and monitoring. It's worth mentioning that most of the violations occur during the implementation process.
2. This engagement must be structured; it should be systematic, must be part of the daily work of the CSOs, and not a one-off occasional event.
3. A special effort should be made to strengthen the civil society **prioritizing empowerment of civil society.** This entails as well raising awareness and developing capacities; ensuring access to timely and relevant information and resources.
4. With regard to access to information, enhancing **transparency** is key. The CSOs should enjoy a **high level of transparency** which cannot be guaranteed merely through a legal article. CSOs have the right to enjoy the privilege of monitoring and watchdogging for an enhanced authority. They should also ask the leading policy makers for help particularly in getting a satisfying access to information since the latter usually happens at a late stage after all negotiations and consultations have already taken place, thus hindering transparency in the process.
5. In addition, civil society should engage and enhance its partnership with media, both to receive information and to use media as a tool to disseminate information.
6. There is a need **to set up mechanisms, guidelines** that include methods and tools for CSOs effective engagement. These mechanisms have to support the CSOs financial

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and managerial internal regulations and respect ownership ensuring independence from governments and donors.

7. **The fraction between the CSOs of the North and the South should be reduced.** The both shores of the Mediterranean should work together in a deeper way. There is a possibility to open common work spaces, without the institutions.

3. ADDRESSING INEQUALITIES

Situation analysis:

Inequalities are integral parts of a global phenomenon (perspective of the Agenda 2030 for Sustainable Development etc.). Inequalities are found on different levels (i.e. gender, economic, social, and geographical). Many parties are responsible and mutually accountable for these inequalities. Indeed, **on the local level:** governments are deemed to adopt appropriate national policies in order to ensure a social justice to their population. **On the level of the partnership with the European Union:** the EU has a responsibility since it sets standards for States. **On the international level:** there is also a responsibility since all the international partners develop and modify policies and structural infrastructures that can impact other countries.

The approach of the European Union

EU's legal obligations deriving from Lisbon Treaty (Art.208) and commitments made to the implementation of the Agenda 2030 are key in addressing inequalities. Nevertheless, concerns remain on implementation especially due to:

The dominant security approach that limits the adoption and implementation of rights-based policies and in relation the need to delinking political, economic and social stability, from security and employment.

Proposed approach to addressing inequalities:

1. Addressing inequalities and development challenges requires initially establishment of a **real global partnership including between the EU and the region, where partnership respect equality, transparency and ensure mutual accountability. This global partnership includes as well fair trade, debt relief, and transfer of technology besides addressing many other development challenges.**

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2. Accordingly, the EU should enhance **development-oriented trade and investment policies**, through protecting policy space of developing countries and ensuring the integration of human rights and development considerations in decision-making, policy formulation, design, and implementation of these policies.
3. **The debt relief** to be considered as part of the financing for development.
4. The EU should fully implement the international **aid and development effectiveness** commitments made in Rome, Paris, Accra and Busan and respect country ownership, ensure transparency, mutual accountability
5. The EU should **enhance and transfer technology** (sustainable, green and clean) to help the region overcome the challenges of improving development tools

Overall suggestions for civil society on these 3 themes:

1. The CSOs must **follow the above mentioned topics and related processes regularly and in a punctilious way**, by providing policy analysis, proposal of alternative frameworks, research effort, evidence-based analysis etc., and not to settle for their own principles and knowledge.
2. The CSOs have to **participate in influential ways** to the dialogue and negotiations with different EU institutions in Brussels but as well with the EU Delegations based in their respective countries, as well as other partners including media and private sector.
3. The CSOs should **claim their right to information**, and establish effective tools in order to disseminate and exchange information in due time, among civil society to raise awareness, to ensure a broad engagement
4. The CSOs should **build their capacity in terms of knowledge** on the above mentioned three themes and on how to closely follow the relevant processes on EU level.
5. With regard to the Structured Dialogue process, the next step announced, namely the Regional Hub initiative, if launched as **a call for proposal, requires CSOs to agree on all the issues to be discussed and the relevant modalities.**

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Strategic debate and looking ahead

The second day of the workshop focused on the strategic debates on the Structured Dialogue itself, the coordination and networking, and on the way forward. In order to kick off the debate and with a view to achieving constructive achievements, several questions were asked:

- Which principles does the dialogue need to be based on?
- What are the instruments that we can propose?
- Who are the participants in the dialogue? What are thematic issues?
- Which structure should we have?

The participants agreed on the fact that the **objectives of this workshop stand in its added-value and that the outcome of the workshop should be the establishment of guidelines and action list in order to come up with effective means of negotiation in the structured dialogue with the European Union.** Thus, this workshop is more a reflection seminar and a moral contract, which will provide inputs and focal points for the next process.

With regard to the added value of the CSOs in the Structured Dialogue with the European Union

Civil society reflects the concerns, needs and necessities of the society. Therefore the CSOs which are present on the field and working in different areas and well aware of the local realities should transmit their concerns to the EU since they have a better knowledge of the overall situation. Thus, the dialogue with the EU should not be dominated by the EU but be an occasion for the civil society to reflect on these concerns. Moreover, civil society calls for an acknowledgement of the **importance of technical skills** so as their participation in the process is not only figurative.

With this understanding:

- We need to **avoid falling into the trap that has been set for years.** The process has been more a negotiation, a consultation rather than a real dialogue.

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- Moreover, it's worth mentioning that a **dialogue with no results is a failed process...** In this regard, an **evaluation study of the dialogue since 2014 must be undertaken, CSOs agreed on constituting workings groups in order to analyze all the achieved results from previous processes and identifying gaps.**
- The collaboration and cooperation, sharing experiences and expertise of the CSOs from the South and North is key within the dialogue, is valuable and useful. For instance, the Southern groups can provide arguments/facts and cases to the CSOs from the North for their advocacy work. . In this regard, **CSOs agreed to establish a Charter that would be a multilateral understanding between the CSOs of the North and the South and that would preserve and foster mutual confidence.**

With regard to the definition of civil society and the participants to the Structured Dialogue

Fixed criteria defining the 'civil society' are of primary importance and have to be set up in order to choose who is in and who is out of the process. With this understanding:

- The **independence of actors** is not negotiable.
- There should be clear **selection criteria** with regard to different type of organizations (networks, local CSOs...), geographical representation (rural, urban, how many the both shores?) and the nature of the work undertaken.
- There should be **flexibility** (in the choice of participants, thematic issues) and **subjective filters** can be added with regard the choice of the participants for instance given their interest in taking part to the dialogue and the commitment in the processes related to the EU
- For practical reasons (execution, administration, organization) the **number of participants must be limited.**

With regard to the status of the Structured Dialogue

The dialogue is a general principle accepted by the European Union. The Structured Dialogue seems to be an intergovernmental process, even if in some cases, the EU uses consultations. However, the CSOs do not participate fully to the process and there is a need to stay realistic. The CSOs have to **engage concretely and clarify the status of this**

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dialogue. Is it mandatory, punctual? What is the real aim when the EU proposes a Structured Dialogue with a top down approach?

With regard to the access to information: the first step to a better engagement and participation

During the workshop, the participants stressed the importance of the information. If the CSOs want to be as efficient as possible, they need useful information that's to say information that reach the right people, at the right time, with the right content. This is the reason **they call for more transparency from the EU side.** Moreover, the importance of **establishing efficient coordination dynamics** between all the parties was noted. An effort has to be made regarding the monitoring, disseminating and the interaction with the information. A lot of information platforms which provide verified data, general information and strategies, already exist. In this regard, they have suggested for instance that the hub to be composed of task forces of community managers who can feed the flow of information on social media platforms.

Looking ahead: actions list

While duties have to be assigned to the participants of the regional workshop in the following stage the groups agreed initially on:

1. We have to keep working on issues with representatives of key regional networks and organizations (ANND, EuroMed Rights, Solidar, REF, etc.) in order to exchange and disseminate the information. We also have to agree on mechanisms to negotiate our common priorities with the EU.
2. A follow-up committee has to be nominated, as a first step towards a consortium. The modalities and selection criteria based on region, gender, age and thematic representation will be established for the follow-up committee.
3. There is a need for a space to meet regularly in order to prevent the establishment of a favored civil society which has a direct link with the EU institutions. The different dimensions (including the environmental one) and restrictions should be taken into consideration. This would also allow us to formulate our suggestions and strategies regardless of what could be their potential returns.

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4. A consultation should be done and sent to the partners in order to gather recommendations on the Structured Dialogue process and themes. This will serve as a base for the meeting in March 2017. In addition the groups participating in this workshop will undertake consultation within their networks to formulate recommendations to be suggested to the EU Inter-Institutional Steering Group.
5. Thematic workshops on key issues should be planned for the first part of 2017 in order to deepen the debate around the three core themes of the Structured Dialogue-South process, namely inequalities, migration and mobility and shrinking civic space, with a possibility to add others.
6. Following the consultation outcome and the launch of the follow-up Committee, propositions and strategies towards the engagement into a Regional Hub will be planned. Any framework suggested should support human rights principles (i.e. freedom of expression, association, access to information and transparency, etc.) and demonstrate due diligence, include environmental dimension and ensure inclusion of the youth associations in the dialogue. Moreover, a fair inclusion of the youth associations in the dialogue is keen for it to achieve the desired outcome.
7. The hub, being an already emerging one, will work besides the tender and is expected to help developing the necessary tools for the monitoring, watchdogging, advocacy and coordination activities, among all other duties that should be assigned to the participants in this hub. For this to succeed the structure must be flexible and the subjects must be first covered voluntarily and then compiled in order to serve as a solid reference.

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