

CIVIC SPACE

The missing element in the World Bank's Country Engagement Approach







JOINT AGENCY BRIEFING PAPER - SEPTEMBER 2022

The World Bank has publicly committed to mainstreaming engagement with project stakeholders and civil society to achieve more inclusive development results. Yet typically Bank projects forge ahead to achieve these objectives without comprehensively understanding the dynamics of a country's 'civic space', the actual environment in which communities will be engaging.

This paper makes the case for the Bank to more systematically incorporate civic space analysis when developing country strategies, demonstrating that this can be done through the Bank's existing Country Engagement Approach and providing guidance and practical tools for how to accomplish this.

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For further information on the issues raised in this paper please email advocacy@oxfaminternational.org

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The information in this publication is correct at the time of going to press.

Published by Oxfam GB for Oxfam International under ISBN 978-1-78748-945-5 in September 2022. DOI: 10.21201/2022.9455
Oxfam GB, Oxfam House, John Smith Drive, Cowley, Oxford, OX4 2JY, UK.

Cover photo: Peaceful protest at the World Bank's 2014 Annual Meetings in Washington, DC during a review of the Bank's environmental and social safeguard policies. Credit: Joe Athialy

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ABBREVIATIONS

CE	Citizen engagement	
CMU	Country management unit	
CPF	Country partnership framework	
CS0	Civil society organization	
ESF	Environmental and social framework	
ESS	Environment and social standards	
FCV	Fragility, conflict and violence	
IBRD	International Bank of Reconstruction and Development	
IDA	International Development Association	
SCD	Strategic Country Diagnostic	
WBG	World Bank Group	

SUMMARY

Understanding and addressing the issue of civic space is critical for the World Bank's ability to meet its development goals. The Bank's Country Engagement Approach can be the mechanism to accomplish this.

'Civic space', or the enabling environment for civic engagement, refers to the circumstances in which citizens and civil society organizations (CSOs) can voice their concerns, needs and priorities, seek redress and hold decision-makers to account. It also includes the particular contexts and political economy factors that shape those circumstances. The Bank has made important high-level commitments to inclusive, transparent and participatory dialogue with project-affected communities and civil society. Yet the approach to stakeholder engagement still lacks a crucial component – investment in determining whether the environment in which communities engage is safe to meaningfully do so.

The Bank's Country Engagement Approach encompasses two principal tools: the Systematic Country Diagnostic (SCD) and the Country Partnership Framework (CPF). The SCD is intended to identify and analyze a country's key challenges and opportunities, including critical gaps in data and knowledge. Each CPF is developed after its respective SCD and serves as the strategic roadmap for Bank engagement in each client country. Conducting a civic space assessment as part of the SCD would provide critical information for the development of the CPF, which could then inform the Bank's in-country engagement. Project teams could consult these assessments to flag potential risks to programming, such as those that could hinder the Bank from fully implementing its stakeholder engagement requirements. Teams could also use the findings to identify opportunities for strengthening civic space. When fed into contextual risk assessments, a civic space analysis can inform reprisal-sensitive design approaches.

The Bank's 2014 'Strategic Framework for Mainstreaming Citizen Engagement in World Bank Group Operations', the Independent Evaluation Group's 2018 'Engaging Citizens for Better Development Results', and the 2019 technical note, 'Mainstreaming Citizen Engagement through the Country Engagement Approach' suggest using the Bank's Country Engagement Approach to understand the local context and political economy factors that affect citizen engagement.

Oxfam, the Bank Information Center, and the Accountability Research Center conducted a textual analysis on SCDs and CPFs released between 2018 and 2021. The team found that 47% of SCDs and 34% of CPFs included some discussion related to civic space. However, most were ad hoc and did not clearly demonstrate that they had been underpinned by a thorough assessment or an in-depth understanding of the target country's civic space context. However, four of the 51 SCDs treated concerns related to civic space with a level of depth and insight that demonstrates the untapped potential of these instruments to integrate analytical work on a country's enabling environment for citizen engagement.

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Semi-structured key informant interviews with current and former World Bank staff provided insider perspectives on SCD/CPF preparation and decisions. This included identifying the factors and conditions that determine whether and how civic space is considered. The challenges that informants consistently identified included:

- 1. The absence of a corporate mandate, and the lack of emphasis in institutional guidance.
- 2. Insufficient financial and human resources.
- 3. A lack of consensus that civic space matters for development outcomes.
- 4. Concern that such analyses put the Bank's image of 'political neutrality' at risk.

While acknowledging that there is no institutional requirement for SCDs and CPFs – nor any Bank instrument – to address the issue of civic space, there is still evidence that even the Bank itself recognizes value in assessing civic space. The Bank's 2019 technical note, 'Mainstreaming Citizen Engagement [CE] through the Country Engagement Approach', called on SCD/CPF teams to assess whether there are 'enabling or constraining conditions for CE and social accountability that support or create hurdles for poverty reduction and shared prosperity'. It also suggested that they 'identify CE-related areas that merit detailed analysis'. Fully implementing this 2019 technical note is a necessary first step for the Bank to better assess and address civic space within its country engagement approach.

There is a range of tools, analytical frameworks (e.g. CIVICUS's State of Civil Society report) and diagnostics (e.g. Oxfam's Civic Space Monitoring tool) available to Bank teams. Consistently using these to assess and address civic space will serve to strengthen the Bank's stakeholder and citizen engagement (CE), thereby contributing to its ability to meet its development goals.

The World Bank should also take the following actions:

- Require a civic space assessment as part of SCD development and keep them regularly updated.
- Establish an institutional 'home' for civic space analysis within a particular Bank unit or department.
- Allocate the necessary budget to conduct civic space assessments, indicator/data analysis.
- Invest in research into the connections, barriers and opportunities between civic space and development outcomes.
- Update SCD and CPF guidance to include civic space in the analysis of the constraints and opportunities for poverty alleviation.
- Update CPF guidance to recommend that task teams use baseline civic space assessments to inform what risk management capacities are needed to implement planned Bank programs.

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- Include issues related to civic space in dialogue with Borrower governments.
- Create guidance for project teams to use baseline data from country-level civic space assessments when screening for project risks relevant to stakeholder engagement and when designing and reviewing Borrowers' plans for quality stakeholder engagement.
- Build institutional capacity and expertise to consider the environment in which people participate.

1 INTRODUCTION

1.1 OVERVIEW

For the World Bank to fully meet its commitments to robust stakeholder engagement, it must better understand and attend to the circumstances in which stakeholders are being asked to engage. Currently the Bank does not require that a country's development strategy be grounded in an in-depth understanding of its 'civic space', i.e., the enabling environment for civic engagement. This has enormous consequences for achieving inclusive development. However, the Bank already has at its disposal the tools, mechanisms and expertise needed to address whether and how a country's civic space enables and/or constrains engagement. This report aims to contribute to the ongoing discussion on the role of civic space in Bank decision making and operations by:

- Making the argument for why it is critical for the Bank to more systematically and strategically understand the quality of 'civic space' in the countries in which it operates.
- Explaining why and how the Bank's Country Engagement Approach is the best place to address the issue, using Strategic Country Diagnostics (SCDs) and Country Partnership Frameworks (CPFs).
- Studying the extent to which the Country Engagement Approach has in recent years included civic space analyses.
- Providing recommendations and practical tools for incorporating civic space analysis into existing Bank instruments and processes.

The structure of the report is as follows:

- Section 1 lays out the argument for why civic space analysis is critical for the Bank to meet its development mandate, and why this should happen as part of the Bank's Country Engagement Approach.
- Section 2 presents original research, including a textual review of SCDs and CPFs from 2018–21 and findings from key informant interviews.
- Section 3 synthesizes the research findings, connecting them to the arguments made in Section 1 and offering guidance for undertaking robust civic space assessments.
- Section 4 wraps up with recommendations for the Bank.

1.2.WHY IS CIVIC SPACE ANALYSIS IMPORTANT?

As one of the largest sources of development finance available to governments, the World Bank has substantial influence on the development

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landscape. ¹ This is exerted through financing decisions; knowledge generation; adherence to global norms; and the development of standards on environmental and social risk management, procurement, anticorruption, etc. Thus the Bank is uniquely well placed to press for an approach to development that is inclusive, transparent and participatory. Indeed, the Bank has made important high-level commitments to do exactly that.

Civil society organizations (CSOs) continue to challenge the Bank to more closely align its own policies and practices with these high-level commitments.² The Bank must go beyond rhetoric and use its leverage to create an environment that enables civil society to safely and meaningfully engage. Doing so is not only the right thing to do, but also essential to the Bank's ability to achieve its twin goals of ending poverty and boosting shared prosperity.³

Oxfam, the Bank Information Center and the Accountability Research Center have been collaborating with other civil society actors and organizations to monitor the Bank's rollout of key policies and processes guiding Bank and client government engagement with stakeholders. One of these is the Strategic Framework for Mainstreaming Citizen Engagement in World Bank Group Operations ('CE Strategic Framework', 2014), 4 which was rooted in the World Bank Group's 2013 strategy. 5 The Citizen Engagement (CE) Strategic Framework represents a clear acknowledgement by the Bank that stakeholder engagement is a key pillar in its strategy to achieve the twin goals. The Bank further affirmed this when it adopted the 2018 Environmental and Social Framework (ESF), which establishes ten mandatory Environmental and Social Standards (ESS), 6 including one dedicated to 'stakeholder engagement and information disclosure' (ESS 10).

Critically, ESS10 mandates that all Bank projects include meaningful consultations with communities and relevant civil society as part of project preparation. However, ESS10 alone is not enough to generate meaningful stakeholder engagement, since it does not take place in a vacuum. Rather, its value depends on the status of a country's 'civic space' which, as defined by the UN High Commissioner on Human Rights, 'is the environment that enables civil society to play a role in the political, economic and social life of our societies'. Oxfam (2018) fleshes out the concept further by explaining that civic space:

Refers to the structures, processes and legal instruments, and the absence of restrictions, that make it possible for citizens to associate, organize and act on issues of interest to them in the space outside the family, the state and the market. Civic space is crucial for civil society to survive and flourish. If there is space, being part of civil society allows people to express and negotiate their interests, values, and identities; to claim their rights and hold power-holders accountable; to improve their own lives and influence developments in their societies; and to engage with others in a peaceful way.⁹

As such, 'civic space' encompasses the enabling environment for citizens and CSOs to voice their concerns, needs, priorities and policy proposals in a

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safe and open manner, as well as seek redress and hold decision makers to account.

Civil society actors have been part of struggles by people facing marginalization, discrimination and poverty, making their issues visible, creating spaces for policy dialogue and oversight, and building alliances for change. ¹⁰ Along with social movements, civil society helps to:

- amplify the voice and enable inclusion of marginalized groups, including women and ethnic minorities, in accessing the benefits of development and preventing harm;
- advocate that governments, development financiers and the private sector be transparent and answerable for their policies and practices; and
- help prevent corruption and abuse, and monitor gaps and other policy and implementation failures.¹¹

According to the World Bank, civic activism around accountability is part of the governance apparatus necessary to ensure that services 'work for poor people in development'. When civic space encourages free and active participation in national policy and legislative processes, such as development planning and implementation, civil society can effectively play these important roles.

However, over the past decade, civic space has been shrinking worldwide. ¹³ This can be seen in:

- regulations and practices intended to limit operational freedoms;
- intimidation, criminalization and surveillance;
- official and unofficial discourses that delegitimize and undermine civil society and social movements; and
- other formal and informal restrictions that reduce CSOs capacity to function or legitimacy.¹⁴

Shrinking civic space constrains the World Bank's capacity to adapt its projects and programs to local contexts and thus achieve robust and inclusive development outcomes. The Bank itself has recognized the harmful impact of this on its ability to meet its twin goals. In 2020, the Bank published 'Commitments Against Reprisals', which acknowledges how fear of reprisals can chill speech and impede the Bank's ability to implement strong projects. It states, 'people's voices are critical to our work, and we have high standards of stakeholder engagement to ensure that our clients achieve the best possible development outcomes'. ¹⁵

The COVID-19 pandemic has exacerbated the fragility of civic space. Many governments have used the pandemic to impose new or expanded restrictions and further reduce where, when and how civil society can voice concerns about their livelihoods and environment. Civil society has come

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under assault from many directions at once, including executive overreach, securitization of public life, the constriction of online freedoms, sharpened social divisions and reduced official tolerance of criticism and open debate. ¹⁶

For the Bank to effectively implement its commitments to stakeholder engagement in such circumstances, it needs to better understand the constraints, challenges, gaps and opportunities that enable or constrain participation in a country's development process. As noted above, a key Bank objective in the CE strategic framework is to build sustainable national systems for CE. This cannot be accomplished without a solid analysis of the enabling environment for CE and an understanding of whether the context is conducive for effective CE.

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1.3 THE WORLD BANK'S COUNTRY ENGAGEMENT MODEL AND THE CIVIC SPACE GAP

The 2014 CE strategic framework, ¹⁷ the Independent Evaluation Group's 2018 'Engaging Citizens for Better Development Results' report, ¹⁸ and the 2019 technical note, 'Mainstreaming Citizen Engagement through the Country Engagement Approach' ¹⁹ cite the World Bank Group's (WBG)²⁰ country engagement approach as an ideal entry point for analytical work on a country's enabling environment for engagement. All three emphasize that this would enable better understanding of local contexts and political economy factors that affect CE and could potentially be an entry point for the Bank to support efforts aimed at strengthening and expanding civic space.

The country engagement model brings together two distinct but connected instruments:

- the Systematic Country Diagnostic (SCD); and
- the Country Partnership Framework (CPF).

The SCD is a tool to identify and analyze the key challenges and opportunities that a country faces, including critical gaps in data and knowledge. The CPF shapes and guides the Bank's engagement in each client country. The SCD is a Bank-owned analytical product, meaning that it does not require partner country signoff. The final version of a CPF is negotiated and agreed upon by both the Bank and the client country.

This two-pronged model has been used since 2014 to determine support for member countries' development programs. The Bank's 2019 revised guidance for country engagement recognizes that effective engagement with stakeholders, including civil society, is critical to better understanding a country's context. It also emphasizes the importance of taking into account a wide range of potential impacts and risks by seeking the views

and possible collaboration of those affected by prospective Bank operations. $^{\rm 21}$

SCDs are expected to be developed before their respective CPFs, so they can provide a thorough analytical foundation for country-level actions and decisions that are codified in the CPF. The SCD is also prepared to serve as a standalone resource for governments, partner institutions, civil society, and other non-government stakeholders.

To prepare the SCD, Bank staff are required to seek input from country partners and stakeholders, including the private sector, national and subnational governments, academia and civil society. SCDs can incorporate analyses of threats to social and political sustainability identified as obstructing development goals. Restricted civic space that threatens the ability of project-affected communities and civil society to openly share their concerns around development projects is a clear example of such a threat. This option is available to all SCDs, but it is only required for countries classified as facing 'fragility, conflict and violence' (FCV).²²

Once an SCD is prepared, the Bank is expected to develop the CPF in partnership with the client country government, in consultation and through collaboration with civil society, the private sector, development partners and other in-country stakeholders. The 2014 Directive on Country Engagement highlights the importance of SCD analysis to Borrower countries' country partnership strategies, explaining that CPF objectives are developed based on 'priorities of the country's own development program, the priorities identified in the SCD and the WBG's comparative advantages'.²³

Guidance makes clear that, when a country experiences significant or transformative change within one CPF cycle, SCDs should be updated to reflect events and their implications. ²⁴ Closure of civic space is a possible consequence of such societal transformations, which in turn can further alter countries' circumstances and context in ways that threaten social and political stability, the realization of civic rights, access to economic opportunity, etc. Closing civic space is also a driver of social crisis, corruption, and a contributor to and the result of the rise of authoritarian regimes. Updates to a SCD can include:

- revised analytical findings, reflecting latest developments, new data and new knowledge;
- revised prioritization; and
- updated discussions on knowledge and data gaps as needed.

New knowledge may include, for example, diagnostics on particular themes or sectors; sectoral data and analyses that deepen the analysis of binding constraints; a reassessment of the country's institutions; and new corporate priorities as relevant to the country's development path.²⁵

The Bank has already identified restricted civic space as a potential target of intensive analysis in its 2019 technical note 'Mainstreaming Citizen Engagement [CE] through the Country Engagement Approach'.²⁶ This note

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advocates for understanding a country's context, including the political and social dynamics that determine a country's civic space. To accomplish this, the note also suggests that one could use a CE assessment that is 'geared toward mapping existing legal and regulatory frameworks, sector-specific processes and the existence of CE mechanisms'.²⁷

Considering that meaningful engagement with stakeholders, including communities and civil society, is essential for the successful implementation of the Bank's in-country programming, it is critical that this engagement be informed by an in-depth understanding of civic space. As the latter is constantly evolving, regularly updated analysis is relevant for all countries in which the Bank intends to operate, not only those already identified as FCV contexts. The SCD is an ideal instrument to include such a comprehensive analysis of civic space.

2 TREATMENT OF CIVIC SPACE IN THE WORLD BANK'S COUNTRY ENGAGEMENT APPROACH

To examine the extent to which the World Bank is assessing civic space in its country engagement approach, the research team carried out a study of both primary and secondary data, through:

- A textual analysis of all 51 SCDs and 47 CPFs released by the World Bank in 2018–21 to assess whether and how civic space and related issues are addressed in these primary country engagement documents.²⁸
- Semi-structured key informant interviews with current and former long-time World Bank staff involved with issues related to citizen engagement, civil society, SCD/CPF development, and civic space.

2.1 TEXTUAL ANALYSIS (2018–22)

The textual analysis of SCDs and CPFs included main narratives and all annexes, focusing on:

- A keyword search of terms including: 'civic space', 'civil society',
 'citizen engagement', 'participation', 'access to information', 'media'
 and related concepts.
- An assessment of the approach to 'inclusion' (i.e., whether it was economic, spatial, political or social).

- An assessment of the treatment of governance and civil society, considering both the amount and depth of discussion in the narrative.
- References to the type of institutions mentioned in the document (e.g. parliament, judiciary, local government or general discussion of 'institutions').
- Reference to the engagement with civil society, related to both efforts taken to inform the SCD/CPF processes and broader country/Bank engagement more generally.
- For CPFs, whether a follow up with CSOs was planned; the section in which 'civil society' is mentioned (i.e., in the main text or an annex); and whether the objectives included civil society.

The initial keyword analysis indicated that the 2018–22 sample studied did not discuss 'civic space' using that specific terminology. This did not indicate a total absence of civic space-related discussion, but instead that these issues were tackled using different but related vocabulary. This led to the development of an index of related terms meant to function as a proxy for discussions of civic space. This index encompassed four distinct categories (see Table 1).

Table 1: Proxies for 'civic space' in SCDs and CPFs

Proxy category	SCD/CPF reference
The unique roles and functions that civil society take on in the country, including references to the kinds of constraints and/or opportunities encountered. 47% of SCDs (24 out of 51) 34% of CPFs (16 out of 47)	Somalia CPF (2018)' The role of civil society is evolving in the presence of a recognized government. Particularly, civil society views itself as agents of accountability and education, raising awareness of citizen rights and government reforms. The role of alternative governance stakeholders should be clarified and scrutinized by civil society to ensure that their decision-making processes do not undermine government, and upholds the interests of citizens, as opposed to powerful interest groups.'29
Specific concerns or issues voiced by civil society during consultation meetings conducted for the SCD/CPF. 10% of SCDs (5 out of 51) 19% of CPFs (9 out of 47)	Montenegro SCD (2021) 'Many businesses and civil society report inconsistent implementation of regulations, which are frequently changingcivil society has been vocal about the vested interests among the small hydropower plants owners and the political elite civil society has been vocal about the availability of more auxiliary information and the recent increasing trend of classifying information as confidential.'30

Issues related to the overall dynamics of the World Bank's engagement with CSOs in the country, and future commitments to engagement.

40% of SCDs (22 out of 51) 30% of CPFs (14 out of 47)

Niger CPF (2018) '... there is a need to find strategies, including possibly outsourcing to... CSOs, to mitigate the effect on World Bank projects of insufficient counterpart staff in regions experiencing prolonged insecurity.' 31

Mention of civil society consultations conducted for the SCD/CPF, but without any substantive information on the content of those discussions.

61% of SCDs (31 out of 51) 72% of CPFs (34 out of 47) Serbia SCD Update (2021) 'The report is also informed by external consultations with the government, civil society, the private sector, development partners, and the academic community.'32

After analyzing the references to civil society in each proxy category, it was determined that only the first category – i.e. 'references to civil society's roles and functions, constraints and opportunities' – served as an effective proxy for the more complex concept of civic space. The other categories reflected important civil society-related discussions of consultation and inclusion, but the substance of the discussions did not acknowledge or address the conditions of the environment in which such engagement takes place.

The main findings are:

Almost half of SCDs and a third of CPFs incorporated some analysis
of issues pertinent to civic space in the target country.

The analysis identified that 47% of SCDs (24 out of 51) and 34% of CPFs (16 out of 47) included data on and/or discussion of civic space issues. The excerpt below from the Namibia SCD is an average representation of references found in SCDs:

Namibia SCD (2021): 'The relationship between the government and civil society also appears to be deteriorating. According to the IPD (2016)³³, population participation at both local and national levels was below the income-group average, along with political and social expression. Civil society organizations have become weak, scarce, and generally ineffective. The inability of civil society interest groups to organize open debates around government shortcomings is an important constraint. This is related to the relative opaqueness of the government. As the Afrobarometer (2018) survey shows, citizens lack access to information about the basic workings of the government and do not believe they would obtain it if they were to inquire with the relevant authorities.³⁴

In the survey, the shares of people who thought they were not very likely or unlikely to receive information were 62 percent on how to register a business, 70 percent on land ownership, and 72 percent on the school

budget. There is also a concern about government surveillance of citizens, leading to fears of expressing their opinions freely. On the positive side, the country has traditionally enjoyed a relatively free press. In 2019, Reporters without Borders ranked Namibia 23rd out of 180 countries, the highest ranking of any country in Africa. This is due to a vibrant print media landscape and some quality investigative journalism; however, the state broadcaster rarely challenges the point of view of the government.'35

 Four SCDs addressed issues related to civic space in significantly more depth, dedicating standalone sections or subsections to exploring these issues.

These were:

The SCD for Angola (2018) contains multiple sections in a chapter on governance dedicated to civic space-related issues. In a 10-page section on governance issues, there are several subsections of at least a page that tackle different facets of civic space, including headings such as 'citizen trust suffers from opacity in institutions' and 'limitations to civil society hinder civic engagement'. Angola (2018) contained the most in-depth discussion and analysis in the four-year sample.

The SCD for Guinea (2018) contains a 4.5-page subsection in a chapter on governance focused on 'the fragile political and social compact'. Excerpts from different points in the discussion include:

'Despite ongoing formal attempts to undertake change and transformation, Guinea is in what Levy defines as a "personalized competitive" country-typology, that is, a state "where politics is competitive, but the rules of the game governing both the polity and the economy remain personalized".'38

'The Guinean political settlement is heterogeneous and dynamic, and Guinea's elite coalitions are built from blurred, unsteady, and flexible political, ethnic, and economic networks.'³⁹

'Guinea presents an unfinished political transformation from authoritarian rule to a more open and competitive system. While changes are visible in specific sectors, including civil society, the legacies and continuities of previous personalized regimes remain intact and hard to overcome within the overall political system. For instance, lines between the state and the political parties remain blurred.'40

The SCD for Senegal (2018) contains a 2-page section on 'citizens' engagement and decentralization', which included insights such as:

Notwithstanding the fact that Senegal boasts a vibrant and active civil society and has developed a robust reputation for fostering public dialogue and consultations, the capacity of nonstate actors to engage substantively and influence policy remains limited... The decentralization process has yet to provide an effective vehicle for enhancing citizen engagement in the policy process and orienting service delivery to the needs of local populations.'41

The SCD for Comoros (2019) contains a 3-page dedicated section on 'sources of resilience', which discussed the complex roles of religious

institutions, social dynamics and community-based organizations. Excerpts include:

'Traditional and religious institutions mediate conflict and mitigate extreme behavior. The customary system, together with Islam, anchors the country's complex social organization and is the key driver of social cohesion in the Comoros.'42

Where community-based organizations and informal structures have stepped into the breach left by the state, they often lack enough oversight and regulation.'43

 The vast majority of references related to civic space were brief, usually a paragraph or two; lacked details and depth; and most did not consider the implications for citizen engagement.

Selected excerpts include:

Timor Leste SCD (2018) 'While there is limited capacity, particularly at the local level, there are some parts of civil society that support a democratic voice and accountability. National Non-governmental Organizations (NGOs), such as Lao Hamutuk (translated as 'we walk together') and others, engage with national leaders and the international community in economic and political debate. NGOs are coordinated under an umbrella organization FONGTIL (NGO Forum Timor-Leste) which also supports joint advocacy, information sharing, and facilitates capacity development.'44

Kazakhstan SCD (2018) 'Key institutions require further strengthening. A combination of dominant state power and weak civil society bodies means limited scrutiny of a powerful executive.'45

'Recently, the government has encouraged civil society, the business community, and citizens to participate in drafting laws. After adoption of the Law on Public Councils in 2015, public councils, consisting of civil society members and public officials, were created in each line ministry and akimat. 46 In practice, however, it is often the case that insufficient time and resources are allocated for full-fledged consultations. 47

Ghana SCD (2018) 'There is confidence in the vibrant and active civil society and freedom of expression, although the experience of civil participation outside the electoral process is low. Seventy-two percent of respondents to the Afrobarometer survey are confident in freedom of expression in Ghana.'48

Mongolia SCD (2018) 'civil society groups have pushed back against powerful economic and political interests and assisted the state in the formulation of policy while popular protest has garnered strength and visibility. A good example of this emerging collaboration between state and non-state actors can be found in Mongolia's South Gobi region.'49

Iraq CPF (2021) 'Although increasing voice, inclusion and accountability are key aspects of renewing the social contract and legitimacy of the Iraqi State, Iraq's performance in these areas is limited. This is due to the lack of effective mechanisms for citizens and civil society to express their views or

hold the government accountable for the provision of public services and security. Its score of 1.5 (on a scale of 1 to 5) on the World Bank's regulatory governance indicators attests to limited transparency of rulemaking and almost no scope for public consultations.'50

Congo CPF (2019) 'Sociopolitical instability has been devastating, both for Congo's economic performance and for the living standards of its citizens. Improving transparency will help civil society play a larger role in the country's development. Congo ranks relatively low (114th out of 180 countries in 2018) on the Reporters Without Borders World Press Freedom Index. Efforts to involve ...[CSOs] in monitoring projects have not yielded expected results... [NGOs) are not well coordinated and not closely involved in public debate, reflecting an environment of constrained political freedom' 51

'CSOs highlighted the need to strengthen their own capacity to monitor public policies, for greater effectiveness; and to forge an effective partnership with donors and public authorities.'52

Mauritania CPF (2018) 'political participation by civil society organizations has expanded; yet the persistent influence of an elite has slowed decentralization and limits its role as a channel for citizen engagement, inclusive participation, and service delivery.'53

There is no further analysis of these issues in the rest of the three CPFs above.

 SCDs and their associated CPFs were not always consistent in their treatment of concerns related to civic space.

For example, **South Africa's SCD (2018)** briefly assesses the status of civil society in the country and includes an annex that summarizes the associated consultations:

'Civil society is strong in South Africa. This strength has recently been demonstrated in, for example, the Treatment Action Campaign successfully campaigning for government to make medical treatment available to those living with HIV/AIDS; the call to appoint a commission of inquiry into the Marikana massacre, which led to the dismissal of the then commissioner of police; and the multifaceted campaign that applied pressure to UK-based political communications firm Bell Pottinger in relation to its work for the Gupta family businesses, which resulted in Bell Pottinger closing down. Good governance enables citizens to have a voice and government accountability. The ability of civil society to peacefully express and exercise their views, as well as claim the rights entrenched in the Constitution through activist litigation, has the potential to influence government priorities and service delivery outcomes. As President Ramaphosa suggested in his February 2018 State of the Nation Address, there is space for more partnership between civil society organizations and government to help address challenges of public service delivery and corruption.'54

However, **South Africa's CPF (2021)** does not mention the term 'civil society' and does not include any commitments or action points related to this or civic space.

2.2 INSIGHTS FROM WORLD BANK STAKEHOLDERS

Semi-structured anonymous interviews were conducted with 13 current and former World Bank staff familiar with issues related to CE, civil society, SCD/CPF development and civic space. These were intended to provide insight into SCD/CPF preparation processes, including the factors and conditions that can determine whether and how civic space is considered. To enable an open and candid conversation, the names of informants are confidential, and any identifying details have been omitted. Respondents' explanations fell into four related categories:

- 1. Absence of a corporate mandate/not emphasized in institutional guidance.
- 2. Insufficient financial and human resources.
- 3. A lack of consensus that civic space issues matter for development outcomes.
- 4. Concern that such analyses put the Bank's image of 'political neutrality' at risk.

Several interviewees explained the low profile of CE and civic space in strategic documents as a result of a perception that limited evidence exists of their impact on developmental outcomes (e.g., poverty reduction, shared prosperity, improved public services, etc.). As claimed by one interviewee, 'the Bank listens to data and needs an empirical argument, but civic space is floating somewhere up in the ecosphere'.

Another explanation cited by multiple informants was that neither SCD nor CPF processes require analyses that cover issues related to civic space. One said there is a 'holy trinity of gender, CE and climate change', which are regularly included because there are corporate requirements that they be taken into consideration. Interviewees noted that previous analytical frameworks used to support Bank lending instruments – such as Political Economy Analysis and Poverty and Social Impact Analysis – only gained traction in the institution when management strongly encouraged that they be institutionalized in operational processes, accompanied by funds to support it. Yet even these analytical frameworks gradually receded from usage as managerial priorities, financial resources and development trends shifted.

Informants also noted there is no clear institutional responsibility or ownership within a department, team or global practice, and no institutional champions advocating for better understanding of the impacts of civic space on engagement. This is not about status but is a practical concern because the lack of recognition as a key issue means there is no clear focal point for task team leaders developing SCDs to consult or request analysis from.

Several interviewees asserted that there is an awareness among those working in operations that, without a clear awareness of the enabling environment for engagement when conducting consultations, 'they tend to be very tokenistic'.

Another interviewee said, however, that the Team Task Leaders of SCDs and CPFs are eager to include in these documents fresh and compelling data on issues related to civil society: 'Most people are pretty open if you have something good to contribute. They don't want to exclude anything, but ... we are not well equipped to engage and put robust data on the table [for which] we don't have standard analytical products'.

Several informants asserted that there is an awareness among those working in operations that, without a clear awareness of the enabling environment for engagement when conducting consultations, 'they tend to be very tokenistic'. According to one informant, without an understanding of the context in which participation takes place, 'consultations turn into transactional issues, they can be done very well, but it turns into a checklist, and then you say you discussed it with civil society'.

Interviewees also noted that budget and capacity represent major barriers. Bank staff are required to charge most of their working time to a specific project or program. However, while contributions to CPFs and SCDs are widely requested from various units, budget allocations are typically only made for larger pieces of work, rather than for every input received from contributors. As a result, there are often no resources to allow significant amounts of time to be spent on analysis related to civil society and civic space, unless such analysis is already in the annual work program. 'If you get active on providing inputs into these documents, you create more work for yourself without charge codes,' one interviewee said.

The consistent message from respondents was that the availability of programmatic work on CE generally depends on initiative by social development specialists that push to obtain a budget for the work; the support of Country Management Unit management for the CE agenda; and in some cases, overt client demand. According to interviewees, country managers who have come from a social development or governance background have been more likely to fund such work.

Further, the World Bank's internal competition and incentive-to-lend structure limit its motivation to engage in analysis that does not directly lead to investments. As one informant shared, this prompts staff to ask, 'is this civic space stuff going to lead to some type of investment? If not, then I don't need to do it. Just give me a little paragraph for the CPF to have it covered, and that's it. If there is no investment potential, there's not much of an interest'.

Some interviewees expressed concern that the civic space agenda could damage the World Bank's carefully maintained image of 'neutral technocracy', which they see as essential for its external legitimacy and client country relationships. However, other interviewees disputed this, noting that other agendas, such as corruption or climate change, are just as sensitive, yet have been enthusiastically pursued by Bank leadership.

One interviewee expressed that 'you cannot do development without political engagement – the problem is partisan political engagement'. Some argued that it is the Bank's 'responsibility to come up with examples with

According to one informant, without an understanding of the context in which participation takes place, 'consultations turn into transactional issues, they can be done very well, but it turns into a checklist, and then you say you discussed it with civil society.'

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compelling evidence showing that, if you don't do civic space analysis, you would be losing out on important issues and missing important aspects. We do sensitive issues at the Bank: it is not a matter of political sensitivities; it is not an issue of data or mandate or resources'. One went on to say that the Bank 'needs to have integrity in how it projects its commitments, if CE is important'. Another said that there is a need to recognize that 'the Bank will always be called to speak to this issue, but nobody in leadership is thinking strategically about what the messages from the Bank are on civic space'.

Informants referred to 'CE roadmaps', ⁵⁶ an initiative introduced in Europe and Central Asia that sought to integrate CE commitments into CPFs. The interviewees claimed that, while the roadmaps initially appeared to offer a promising entry point to include civic space, their practical value has so far been relatively limited. Having a roadmap in place may help social development specialists make a case to include more robust CE initiatives in planned Bank operations, but they do not necessarily contribute to a more robust civic space analysis. The informants went on to say that such commitments are often not followed through, and there are no mechanisms to monitor their implementation.

3 FROM RHETORIC TO UNDERSTANDING CIVIC SPACE: MAIN TAKEAWAYS FROM THE RESEARCH

As stated in the 2014 CE strategic framework, the Bank has committed to itself to:

"... build sustainable national systems for citizen engagement, and to mainstream engagement with civil society including community-based groups, women's groups, indigenous peoples, and other stakeholders... within the scope of operations of the WBG to improve development results and contribute to sustainable development processes." ⁵⁷

This cannot be accomplished without a solid analysis of the enabling environment for engagement – nor without understanding whether a specific country context is conducive for effective engagement.

Our textual analysis of SCDs and CPFs identified limited and inconsistent discussions on civic space. The role of civil society, consultation processes, and even CE roadmaps, were in most cases ad hoc and not tied to a thorough assessment or understanding of the civic space context. Most did not identify whether the country had a restrictive context for civil society participation. Any discussions that were included were generally at the margins.

There were exceptions. Four of the 51 SCDs treat concerns around civic space with a level of depth and insight that demonstrates the untapped potential of SCDs to integrate analytical work on a country's enabling environment for CE.

However, even for those few robust analyses, these insights were not then applied to the CPF to determine risks or barriers or interpret potential implications for the Bank's program and strategy. In some cases, SCDs featured civil society analysis but then civil society was virtually omitted from the corresponding CPF. In other cases, CPFs contained some programmatic commitments to engage with civil society, yet their corresponding SCDs had no relevant assessments that could have demonstrated what approaches would be most conducive for that context. Since the SCD is meant to inform the CPF, this disconnect implies that the discussion of these issues is perceived to be largely marginal, and the attention granted to them by task teams is currently low and/or lacks proper incentives.

The Social Sustainability and Inclusion Global Practice could be well positioned to demonstrate the tangible benefits of better understanding local contexts and political economy factors that affect engagement, and to guide and advise SCD/CPF teams on how to conduct civic space analysis.

There are institutional barriers to be overcome for civic space to become a priority issue in the development of country partnership strategies and operational plans. To start, the civic space agenda would need to find an institutional 'home' within the Bank, in a department that has both expertise in examining issues related to CE and the influence to roll out the agenda on a global scale.

The Social Sustainability and Inclusion Global Practice⁵⁸ could be well positioned to demonstrate the tangible benefits of better understanding local contexts and political economy factors that affect engagement, and to guide and advise SCD/CPF teams on how to conduct civic space analysis. This would likely require an institutional champion (or champions) taking ownership of the agenda, highlighting evidence of its relevance, and pushing for attention internally, in coordination with external advocacy and pressure from civil society and experts.

Even with these challenges, integrating civic space assessments into SCD processes would not require the Bank to start from scratch. As mentioned in Section 1.3, The Bank's own technical note on 'Mainstreaming citizen engagement through the Country Engagement Approach' offers initial step-by-step guidance on conducting CE analysis within the SCD analytical framework. ⁵⁹ The existence of this technical note shows that – even without institutional requirements for SCDs and CPFs to address civic space – the Bank recognizes value in assessing civic space as part of the SCD. This guidance clearly calls on teams to assess whether there are 'enabling or constraining conditions for CE and social accountability that support or create hurdles for poverty reduction and shared prosperity' and to 'identify CE-related areas that merit detailed analysis'.

This technical note represents the first Bank effort providing concrete guidance for mainstreaming CE and CE analysis in SCDs and CPFs. It advocates for understanding a country's context, including the political and social dynamics that determine a country's civic space. The note suggests that one could use a CE assessment that is 'geared toward mapping existing legal and regulatory frameworks, sector-specific processes, and the existence of CE mechanisms', to accomplish this. However, this note is strictly guidance and is not connected to any corporate commitments or requirements, meaning that teams are not bound to follow or even consult it in preparing SCDs and CPFs. Fully implementing the 2019 technical note is a necessary step for the Bank to better assess and address civic space within the country engagement approach, but it will not be sufficient.

As with other issues covered in the SCD, both data and methodologies for civic space assessment could be drawn from existing resources. There are a range of diagnostic tools, analytical frameworks and other instruments produced externally to the Bank that could be used and/or modified. These include:

- CIVICUS's State of Civil Society report, which analyzes events and trends impacting civil society globally.⁶⁰
- The International Center for Not-for-Profit Law's Civic Freedom Monitor, which provides information on legal issues affecting civil

Fully implementing the 2019 technical note is a necessary step for the Bank to better assess and address civic space within the country engagement approach, but it will not be sufficient. There are a range of diagnostic tools, analytical frameworks and other instruments produced externally to the Bank that could be used and/or modified for use in generating SCDs.

- society and civic freedoms, including freedoms of association, expression and peaceful assembly. ⁶¹
- Global Witness's Last Line of Defence Report, which reports on a wider range of threats against civil society, community leaders, indigenous peoples including intimidation, surveillance, sexual violence and criminalization.⁶²
- Oxfam's Civic Space Monitoring Tool, ⁶³ which is explained in more detail in Section 3.1.

3.1 USING OXFAM'S CIVIC SPACE MONITORING TOOL

Oxfam's Civic Space Monitoring Tool provides a comprehensive monitoring framework to understand what is happening in civic space through nine dimensions (see Figure 1):

- Regulatory framework. The laws and regulations that define the size
 and nature of civic space and regulate the operation of civil society.
 For example, specific prohibitions, requirements for (re-)registration
 of CSOs, the proportionality of penalties for non-compliance, etc.
 [Critical for the WBG's commitment to citizen and stakeholder
 engagement]
- 2. Access to funding. The ability of CSOs, academics and philanthropists to make use of potential sources of funding, and the ways this funding is unrestricted or controlled by the government.
- 3. Administration and bureaucracy. The ways in which the operation of CSOs and NGOs is enabled, constrained or suspended by governments' administrative practices. [Critical for the WBG's commitment to citizen and stakeholder engagement]
- 4. **Safety and wellbeing of people.** The use of legal and illegal mechanisms to protect or threaten organizations, including staff, activists, journalists, etc., by both state and non-state actors. [Critical for the WBG's activities and implementation of its zero-tolerance policy against reprisals]
- 5. Access to information and public voice. Access to objective and reliable information, and freedom of expression, through different forms of media and actors like NGOs, CSOs, think tanks, researchers, etc. [An integral aspect of the WBG's mandate and commitment to transparency and access to information]
- 6. **Freedom of assembly, association and dissent.** Whether individuals and groups can gather and organize themselves freely, have freedom to protest and/or publicly express disagreement. [Critical for the WBG's activities and implementation of its zero-tolerance policy against reprisals]
- 7. **Dialogue and consultations.** How governments engage with civil society in general in the development of policy, programs and

- development projects and the extent to which civil society can shape government decision making. [Critical for the WBG's commitment to citizen and stakeholder engagement]
- 8. Access to justice and legal services. The ability of those affected by restrictions on civic space to seek redress and access justice. [Critical for the WBG's commitment to citizen and stakeholder engagement and its zero-tolerance policy against reprisals]
- 9. **Legitimacy and accountability of civil society.** The way civil society is organized, e.g. who is included and excluded. *[Critical for the WBG's commitment to citizen and stakeholder engagement]*

For each of these dimensions, the Civic Space Monitoring Tool offers a set of guiding questions (not intended to be exhaustive) to kickstart an assessment. They are intended to prompt reflections and give a sense of what could be included when assessing each dimension of civic space. The guiding questions may not be relevant in every context, but can be adapted as required; they can also be used to track and monitor the trends within each dimension over time.

After collecting and assessing the information for each civic space dimension, five categories within each dimension should be given between zero and two points – reflecting whether the space in that particular context is open, narrowed, obstructed, repressed or closed. These scores can be added up to give a total of up to 10 for each dimension.

By repeating the assessment every two or three years, the tool can also be used to assess trends and help judge whether the context for civic space is improving, worsening or staying the same.



Figure 1: Dimensions of civic space, ratings and trends

Source: Oxfam. (2019). Civic Space Monitoring Tool: Understanding what is happening in civic space at a local and national level. https://policy-practice.oxfam.org/resources/civic-space-monitoring-tool-understanding-what-is-happening-in-civic-space-at-a-620874/

The tool is designed to be flexible according to contextual circumstances. It can be used on its own or alongside risk analysis tools or other civic space reports. It does not aim or attempt to quantify the performance of civic space in various dimensions; rather it aims to bring some structure and a framework to the collection of qualitative assessments.

4 CONCLUSION AND RECOMMENDATIONS

Given its long history and respected position among international financial institutions, the World Bank has a prominent and influential role in setting standards and defining practices that are followed by countries and development agencies.

This report has made the case for why understanding and addressing the issue of civic space is critical for the World Bank's ability to meet its development goals, and how its Country Engagement Approach can be the mechanism to accomplish this.

'Civic space' refers to the circumstances in which citizens and civil society can voice their concerns, needs and priorities, seek redress and hold decision-makers to account. It also includes the particular contexts and political economy factors that shape those circumstances. The Bank has made important high-level commitments to inclusive, transparent and participatory dialogue with project-affected communities and civil society. Yet the approach to stakeholder engagement still lacks a crucial component – investment in determining whether the environment in which communities engage is safe to meaningfully do so.

To this end, the World Bank should:

- Require the development of an assessment of civic space as a component in the Systematic Country Diagnostic tool to better understand and effectively implement its CE commitments. These should be updated regularly to track any shifts and trends of the enabling environment over time, especially given that a country's situation could change rapidly and unexpectedly. As part of this, the Bank should update SCD guidance to require consideration of civic space as part of the analysis of the constraints and opportunities for poverty alleviation.
- 2. Establish an institutional 'home' for considering the implications of the environment in which engagement happens, including conducting civic space assessments and incorporating their findings into SCDs, providing input to project teams on how to adapt stakeholder engagement and CE activities in restrictive environments, and regularly monitoring global trends in civic space for updates.

The authority and responsibilities for supporting SCD/CPF teams to assess countries' civic space should be positioned within a specific Bank department, for example the Social Sustainability and Inclusion Global Practice.

Along with having ownership of this agenda, the chosen institutional 'home' must be provided with the necessary resources

This report has made the case for why understanding and addressing the issue of civic space is critical for the World Bank's ability to meet its development goals, and how its Country Engagement Approach can be the mechanism to accomplish this.

- and capacity to credibly research and compile good practices (from within and external to the Bank), and impart their knowledge and provide ongoing support to Bank teams.
- 3. Allocate the necessary budget and resources to properly and effectively support SCD/CPF teams to conduct and incorporate civic space analyses and data analysis, as well as other innovative and functional mechanisms beyond consultations to ensure the effective implementation of the CE corporate mandate and stakeholder engagement commitments. Increased capacity should enable both meaningful consultation with civil society actors including those representing vulnerable groups to take place.
- 4. Invest in research to investigate the connections, barriers and opportunities between civic space and development outcomes.
- 5. Update guidance to recommend that CPF task teams use baseline civic space assessments when considering what resources and risk management capacities are needed to implement a planned Bank program in a country.
- 6. Include issues related to civic space in dialogue with Borrower governments, including discussing the importance of open civic space for quality engagement with stakeholders to the success of development projects and programs and how the government can improve the quality of its civic space through legal and regulatory reforms.
- 7. Create guidance for project teams to use baseline data from country-level civic space assessments when screening for project risks relevant to stakeholder engagement, such as risk of reprisals, and when designing and reviewing Borrowers' plans for quality stakeholder engagement.
- 8. Build institutional capacity and expertise to consider the environment in which people participate.

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