



DAC Recommendation on Enabling
Civil Society in Development
Co-operation and Humanitarian
Assistance

**OECD Legal
Instruments**

This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at <http://legalinstruments.oecd.org>.

Please cite this document as:

OECD, *DAC Recommendation on Enabling Civil Society in Development Co-operation and Humanitarian Assistance*, OECD/LEGAL/5021

Series: OECD Legal Instruments

Photo credit: © Marish/Shutterstock.com

© OECD 2021

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: *"This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website <http://legalinstruments.oecd.org>"*

Background Information

The Development Assistance Committee (DAC) Recommendation on Enabling Civil Society in Development Co-operation and Humanitarian Assistance was adopted by the DAC on 6 July, 2021. The DAC Recommendation aims to support DAC members and other development co-operation and humanitarian assistance providers to enhance how they address civic space and work with civil society actors, while underscoring that civil society actors must also take action to enhance their effectiveness, transparency and accountability.

A call to action for development co-operation and humanitarian assistance providers to enable civil society

The 2030 Agenda calls for civil society engagement in localisation, implementation and monitoring of the Sustainable Development Goals (SDGs). To support the work of the DAC, the OECD Development Co-operation Directorate gathered evidence on how to better enable civil society in this regard. Sources of note include the [2018 Development Co-operation Report](#) chapter on civil society and leaving no one behind, the 2020 [DAC Members and Civil Society](#) study, and the 2020 Foresight Policy Paper on [Digital Transformation and the Futures of Civic Space to 2030](#). These reports and sources cited in them, including the Global Partnership for Effective Development Co-operation (GPEDC) [Making Development Co-operation More Effective: 2019 Progress Report](#), showed that more must be done in this decade of action to enable civil society actors to maximise their contributions to the 2030 Agenda and to inclusive sustainable development more generally, and to help tackle the Covid-19 pandemic and its consequences. Civil society actors are critical contributors to all of the SDGs. They are especially central to the peaceful and inclusive societies and accountable and inclusive institutions of SDG 16 as well as to protecting and strengthening democracy. Civil society actors are also pivotal to the revitalised global partnership of SDG 17.

In this context, DAC members indicated that now is a critical moment to strengthen their ability in their role as development co-operation and humanitarian assistance providers, to take further steps toward enabling civil society. To help support them in this endeavour the [DAC High Level Meeting Communiqué 2020](#) committed DAC members to develop a new DAC instrument on enabling civil society. The necessity of enabling civil society was also highlighted in the April 2020 [Joint Statement by the OECD Development Assistance Committee on the COVID-19 Crisis](#). At the 2021 [OECD DAC Civil Society Days](#), participants from among DAC members, other development and humanitarian assistance co-operation providers, partner country governments and civil society organisations (CSOs) called on the DAC to take ambitious steps to strengthen its contribution to enabling civil society.

The DAC Recommendation on Enabling Civil Society is the first international standard focused on the actions of providers, and that is specific to civil society actors as contributors to the 2030 Agenda, the pledge to leave no one behind, inclusive sustainable development, effective humanitarian assistance, peacebuilding, and protecting and strengthening democracy.

An inclusive process for developing the DAC Recommendation

Discussions during the development of the DAC Recommendation were held primarily in the DAC Community of Practice (CoP) on Civil Society, made up of experts on civil society partnerships and civic space from DAC member headquarters, with further discussions taking place in both formal and informal DAC meetings, with the DAC Informal Reference Group on Effective Development Co-operation, with the DAC Network on Governance (GovNet), and with the DAC External Relations Group. The GPEDC was also consulted through its Action Area 2.4 on civil society partnerships. Extensive consultations took place with experts across the Development Co-operation Directorate and with other relevant teams across the OECD, in particular the Public Governance Directorate, which facilitated consultation with the Public Governance Committee's Working Party on Open Government. The Financial Action Task Force Secretariat was also consulted.

Consultation with DAC member, international and partner country or territory CSOs from within and beyond the DAC-CSO Reference Group was critical throughout the process, as was DAC members' direct consultation with CSOs in their countries. Input was also received from the Trade Union Advisory Committee to the OECD together with the Trade Union Development Cooperation Network (ITUC-TUDCN). The International Council of Voluntary Agencies (ICVA) specifically contributed input from humanitarian CSOs' perspective.

Enabling civil society: Three pillars

The DAC Recommendation addresses together three inter-linked pillars of how development co-operation and humanitarian assistance providers enable civil society by: 1) respecting, protecting and promoting civic space; 2) supporting and engaging with civil society; and 3) incentivising CSO effectiveness, transparency and accountability. These three pillars address a constellation of challenges impeding civil society actors from reaching their full potential as revealed by the evidence gathered. Firstly, DAC members have expressed considerable concern that diminishing respect for human rights and democracy in a context of rising autocratisation around the globe is eroding the freedoms of peaceful assembly, association, and expression, posing a real threat to civic space. Secondly, DAC members understand that there is work to be done to strengthen the way they support and engage with civil society actors to ensure the most effective use of the resources DAC members devote to their partnerships with these actors. Thirdly, while civil society actors have been playing critical roles in the Covid-19 response, recovery and resilience building, there are opportunities to enhance their effectiveness, transparency and accountability. The coherence and complementarity between these three pillars is central to the DAC Recommendation's strength and character and the ability to address the pillars together is a particular value-added of the DAC. Implicit in the DAC Recommendation is that addressing any of the three pillars alone would not be sufficient to enable civil society actors to maximise their varied contributions to the 2030 Agenda and its pledge to leave no one behind, to inclusive sustainable development, effective humanitarian assistance, peacebuilding, and protecting and strengthening democracy, and, more specifically, to the Covid-19 response and recovery.

The DAC Recommendation is underpinned by a recognition of the diversity within civil society and the varied roles civil society actors play. It's central premise is that development co-operation and humanitarian assistance providers should seek to enable an inclusive and independent civil society, especially in partner countries or territories where official development co-operation is ultimately destined for. The DAC Recommendation seeks to enable civil society actors both as independent development and humanitarian actors in their own right, with their own priorities, plans and approaches, as well as as development co-operation and humanitarian assistance providers' implementing partners.

Dissemination, implementation support and monitoring

The DAC Recommendation will be disseminated via existing meetings and events involving varied actors including DAC members, other development co-operation and humanitarian assistance providers, multilateral institutions, academia and think tanks, and CSOs. These include regional dialogues such as the Latin American and Caribbean-DAC Dialogue and the Arab-DAC Dialogue; the Global Meeting of Development Co-operation Providers, and policy reform workshops. Dissemination will also occur through the DAC's subsidiary bodies, networks and communities of practice. Collaboration with the DAC-CSO Reference Group will support dissemination to and through CSOs around the globe. A launch event of the DAC Recommendation will be co-organised with DAC member champions. To support implementation, the Development Co-operation Directorate will work with the DAC CoP on Civil Society and consult CSOs in the DAC-CSO Reference Group to develop toolkits to support implementation. Implementation support will also involve technical guidance and peer learning such as through workshops, and/or direct support to Adherents on demand. The DAC CoP on Civil Society would act as the primary forum for peer learning, providing a source of mutual, practical support to each other's and other Adherents' implementation efforts. The DAC will review the implementation of the DAC Recommendation, including through the existing DAC peer review mechanism, and support lesson learning, adaptation, and sharing of best practices to build understanding and capability and a report reviewing implementation of these measures will be produced within five years of adoption.

Contact information: DCD.FOR@oecd.org.

THE OECD DEVELOPMENT ASSISTANCE COMMITTEE (DAC),

HAVING REGARD to the Recommendation of the Council on Policy Coherence for Sustainable Development [[OECD/LEGAL/0381](#)]; the Recommendation of the Council for Development Co-operation Actors on Managing the Risk of Corruption [[OECD/LEGAL/0431](#)]; the Recommendation of the Council on Open Government [[OECD/LEGAL/0438](#)]; the DAC Recommendation on the Humanitarian-Development-Peace Nexus [[OECD/LEGAL/5019](#)]; and, the DAC Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance: Key Pillars of Prevention and Response [[OECD/LEGAL/5020](#)];

HAVING REGARD to the Framework for Dialogue between the DAC and Civil Society Organisations [[DCD/DAC\(2018\)28/FINAL](#)];

HAVING REGARD to the foundation provided by international standards and documents on various aspects of enabling civil society, notably the Universal Declaration of Human Rights [[United Nations General Assembly \(UNGA\) Resolution 217 A](#)]; the International Covenant on Civil and Political Rights [[General Assembly Resolution 2200A \(XXI\)](#)]; the International Covenant on Economic, Social and Cultural Rights [[General Assembly Resolution 2200A \(XXI\)](#)]; the Declaration on the Right to Development [[General Assembly Resolution 41/128](#)]; the [Humanitarian Principles](#); the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms [[UNGA Resolution A/RES/53/144](#)]; the International Labour Organisation Convention No. 87 on the Freedom of Association and Protection of the Right to Organise [[CO87](#)]; Convention on the Right to Organise and Collective Bargaining [[CO98](#)]; Centenary Declaration for the Future of Work [[2019](#)]; core international human rights treaties protecting and promoting the rights of individuals and groups that civil society actors serve or represent, such as women, children, persons with disabilities, racialized groups, migrants and Indigenous Peoples; the UN Human Rights Council Resolutions on Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment [[A/HRC/RES/24/21](#)] and Civil society space: engagement with international and regional organisations [[A/HRC/RES/38/12](#)]; and, relevant regional human rights standards;

HAVING REGARD to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals [[UNGA Resolution A/RES/70/1](#)] (hereafter the “2030 Agenda”); the Global Partnership for Effective Development Co-operation effectiveness principles [Indicator 2: Enabling environments for civil society](#), and outcome documents endorsed in 2016 in [Nairobi](#), in 2014 in [Mexico](#), in 2011 in [Busan](#), in 2008 in [Accra](#) and in 2005 in [Paris](#); the [DAC Guidelines for Gender Equality and Women’s Empowerment in Development Co-operation](#) (1999); the [Good Humanitarian Donorship Principles](#) (2003); the [New Way of Working](#) (2017); the [Grand Bargain](#) (2016); the Financial Action Task Force Best Practices on Combating the Abuse of Non-profit Organizations ([Recommendation 8](#)); and CSO standards including the 2010 [Istanbul Principles for CSO Development Effectiveness](#) and the [Global Standard for CSO Accountability](#);

RECOGNISING civil society actors are independent development and humanitarian actors in their own right as well as development co-operation and humanitarian assistance providers’ (hereafter “providers”) implementing partners;

RECOGNISING civil society actors, in their diversity, are critical contributors to the 2030 Agenda, the pledge to leave no one behind, inclusive sustainable development, effective humanitarian assistance, peacebuilding, and protecting and strengthening democracy;

RECOGNISING that civil society’s ability to exercise the rights to freedom of peaceful assembly, association, and expression, in-person and online, is in jeopardy in many places and closing civic space is part of a broader concern of diminishing respect for human rights, democracy, and international humanitarian law, in a context of rising autocratisation that has been exacerbated by the Covid-19 pandemic;

RECOGNISING that the rise of undemocratic actors and actions undermines fundamental freedoms and human rights and diminishes the enabling environment for civil society;

RECOGNISING that closing civic space poses real danger to civil society actors in many countries, increases the vulnerability of civil society, and affects the quality and effectiveness of development co-operation, humanitarian assistance and peacebuilding;

RECOGNISING that providers' support and engagement with civil society should be tailored to respect civil society actors' diverse range of constituents, including to people on the frontlines of poverty, inequality, conflict, vulnerability and marginalisation in partner countries or territories, in order to strengthen local ownership and sustainability;

RECOGNISING different partner country or territory contexts, the potential positive or negative impacts of providers' approaches on the civil society sector and civic space, and the need for providers to do no harm;

RECOGNISING that the effectiveness, transparency and accountability of civil society actors enables civil society to maximise its contribution, can bolster perceptions of civil society's legitimacy and, in turn, provide a counterweight to inappropriate civic space restrictions;

RECOGNISING that providers' policies and practices related to how they respect, protect and promote civic space, support and engage with civil society, and incentivise CSO effectiveness, transparency and accountability, are interlinked and all contribute to an enabling environment for civil society, with efforts to address any one of them potentially affecting the others;

RECOGNISING that DAC members and non-DAC members having adhered to this DAC Recommendation (hereafter the "Adherents") have differing legal, institutional, and policy frameworks and domestic contexts relevant to their roles in development co-operation and humanitarian assistance that may shape their implementation of this DAC Recommendation.

I. **AGREES** that for the purpose of the present DAC Recommendation, the following definitions are used:

- **Civil society** refers to uncoerced human association or interaction by which individuals implement individual or collective action to address shared needs, ideas, interests, values, faith, and beliefs that they have identified in common, as well as the formal, semi- or non-formal forms of associations and the individuals involved in them. Civil society is distinct from states, private for profit enterprises, and the family.
- **Civil society organisations (CSOs)** are an organisational representation of civil society and include all not-for-profit, non-state, non-partisan, non-violent, and self-governing organisations outside of the family in which people come together to pursue shared needs, ideas, interests, values, faith and beliefs, including formal, legally registered organisations as well as informal associations without legal status but with a structure and activities.
- **Civic space** is the physical, virtual, legal, regulatory, and policy space where people can, among other things, securely exercise their rights to the freedoms of peaceful assembly, association, and expression, in keeping with human rights.

PILLAR ONE: RESPECTING, PROTECTING AND PROMOTING CIVIC SPACE

II. **RECOMMENDS** that Adherents, when acting in their roles as development co-operation and humanitarian assistance providers, respect, protect and promote civic space and to such end:

1. Develop clear policy positions on the value of an inclusive and independent civil society and on the importance of respecting, protecting, and promoting civic space in line with rights to the freedoms of peaceful assembly, association, and expression.

2. Seek to engage in dialogue with partner country or territory governments and raise public awareness on the value of an inclusive and independent civil society and civil society participation and on respecting, protecting, and promoting civic space.
3. Co-ordinate among providers and with international, regional and national bodies to monitor openings and restrictions of civic space, enhance access to and sharing of information, and foster stronger, more coherent proactive and preventive actions.
4. Take reasonable steps to do no harm to civic space in partner countries or territories.
5. Support and engage with international, regional, and national bodies and initiatives that work to respect, protect, and promote civic space.
6. Support, as appropriate, partner country or territory government institutions of accountability and oversight, legal, and regulatory frameworks, and capacities to enable civil society in line with human rights, as well as to prevent unintended consequences due to misinterpretation or misapplication of anti-money laundering and counter-terrorism financing standards.
7. Work with the private sector and independent media, where appropriate, to respect, protect and promote open civic space and promote social dialogue as a prerequisite for conducive business and media environments.
8. Explore and share strategies among providers and with civil society actors to counter mis- and disinformation, harassment, discrimination and anti-democratic narratives targeting civil society.
9. Support greater and more inclusive civil society participation in public policy at all levels of partner country or territory governments and with other institutions, including through the use of digital technologies.
10. Explore and address challenges, risks, and systematic inequalities associated with digital technologies that restrict or lead to digital disenfranchisement of civil society actors in partner countries or territories.

PILLAR TWO: SUPPORTING AND ENGAGING WITH CIVIL SOCIETY

III. RECOMMENDS that Adherents, when acting in their roles as development co-operation and humanitarian assistance providers, support and engage with civil society and to such end:

1. Establish, in consultation with civil society, policies or strategies for working with civil society in both partner countries or territories and provider countries that:
 - a. articulate objectives for working with a diverse range of civil society actors both as independent development and humanitarian actors in their own right and as implementing partners;
 - b. aim to strengthen local ownership and an inclusive and independent civil society in partner countries or territories;
 - c. take into account contextual risks or opportunities for civil society and civic spaces; and
 - d. integrate these policy or strategy positions into wider development co-operation, humanitarian assistance and peacebuilding policies or strategies.
2. Pursue civil society actors' participation, especially in partner countries or territories where appropriate and feasible, in Adherents' policy and programme priority-setting, design, implementation, monitoring, and evaluation through more structured, institutionalised, inclusive, and accessible dialogue, including with parliaments, the private sector, and the public.

3. Provide financial support to diverse civil society actors as independent development and humanitarian actors in their own right as well as to civil society actors as implementing partners, particularly those representing persons in the most vulnerable or marginalised positions, by, where appropriate and feasible, increasing the availability of flexible and predictable support, core support, and/or programme-based support.
4. Promote and invest in the leadership of local civil society actors in partner countries or territories by, where appropriate and feasible:
 - a. increasing the availability and accessibility of direct, flexible, and predictable support including core and/or programme-based support, to enhance their financial independence, sustainability, and local ownership;
 - b. supporting civil society strategic alliances, networks, platforms and resource centres at regional, national, and sub-national levels, that can:
 - i. work to strengthen civil society actors, including their ability to develop local financial resource streams and to protect and promote civic space; and
 - ii. represent civil society voices to international and regional institutions and fora, partner and provider country governments and other stakeholders; and
 - c. ensuring local civil society actors are involved in decision-making based on equal power relations with supported civil society strategic alliances, networks, platforms and resource centres, in the design, budgets, and implementation of their programming.
5. Explore and share lessons on how to best support a broad range of formal and informal, traditional, and new types of civil society actors and actions at regional, national, and sub-national levels in partner countries or territories, such as social movements, social economy actors, trade unions, and faith-based organisations.
6. Streamline administrative requirements for civil society support to lower transaction costs for civil society and providers, and incorporate adaptive and flexible processes into results management of civil society funding.
7. Enhance transparency and accessibility of information in partner countries or territories on provider funding for civil society, balancing transparency with potential security and political risks for funded civil society actors in sensitive environments.
8. Support and work with civil society actors to advance global citizenship education for inclusive sustainable development and facilitate people's and civil society's engagement to contribute to the achievement of the 2030 Agenda.
9. Work with civil society actors to respect DAC and other international standards related to the humanitarian-development-peace nexus and to ending sexual exploitation, abuse and harassment in development co-operation and humanitarian assistance.
10. Pursue internal co-ordination and dialogue across their government, as well as consultation with related institutions as appropriate, with a view to:
 - a. advancing respect for international humanitarian law and the principle of non-discrimination; and
 - b. addressing obstacles to supporting civil society working with persons in the most vulnerable and marginalised positions that may arise from unintended consequences due to misinterpretation or misapplication of anti-money laundering and counter-terrorism financing standards.

**PILLAR THREE: INCENTIVISING CSO EFFECTIVENESS,
TRANSPARENCY AND ACCOUNTABILITY**

IV. RECOMMENDS that Adherents, when acting in their roles as development co-operation and humanitarian assistance providers, incentivise CSO effectiveness, transparency, and accountability and to such end:

1. Call on and support voluntary CSO efforts to build on existing good practice and standards in CSO-led self-regulation, transparency and accountability mechanisms to broaden CSO participation in such mechanisms.

2. Call on and support CSOs to develop or build on existing internal systems to meet relevant human rights standards to prevent and respond to the root causes of discrimination, exploitation, abuse, or harassment in their activities and organisations.

3. Work with and support CSOs to implement mutual capacity strengthening to address CSOs' vulnerabilities and bolster their resilience, accountability, and effectiveness, especially at partner country or territory level.

4. Support more equitable partnerships between provider country and/or international CSOs, and the partner country or territory CSOs they work with in which the comparative advantages of each type of CSO are appropriately drawn from.

5. Promote participatory and rights-based approaches for local ownership and accountability of CSOs and their activities throughout programme design, implementation, and monitoring, while helping ensure that programmes do not exacerbate existing forms of discrimination or inequalities.

6. Foster CSO leadership and innovation in identifying and adapting new approaches to solving development and humanitarian challenges, including through partnerships and co-creation with a range of actors.

7. Encourage, and support as appropriate, CSOs' voluntary initiatives to collaborate and co-ordinate among themselves and with all levels of partner country or territory governments, to avoid duplication and competition, and build mutual respect, trust, and accountability.

8. Require, as appropriate, CSO partners to respect relevant international standards and adhere to relevant legal and regulatory requirements in the partner countries or territories they work in, where such requirements respect human rights and open civic space.

V. INVITES the Secretary-General to disseminate this DAC Recommendation;

VI. INVITES Adherents to disseminate this DAC Recommendation, particularly throughout their development, humanitarian, and peacebuilding agencies and partners, and across government;

VII. INVITES non-Adherents to take account of and adhere to this DAC Recommendation;

VIII. ENCOURAGES relevant non-governmental partners to disseminate and follow this DAC Recommendation;

IX. AGREES that the DAC will, in line with its programme of work and budget:

- a. Continue to enable Adherents to share policies, best practices, and innovative approaches to enabling civil society in Adherents' development co-operation and humanitarian assistance through existing fora and processes, consulting with civil society actors throughout, in order to support mutual learning and adaptation, and develop tools to support the implementation of this DAC Recommendation;

- b. Review the implementation of this DAC Recommendation, including through the existing DAC peer review mechanism, and support lesson learning, adaptation, and sharing of best practices to build understanding and capability; and
- c. Develop a report on implementation of these measures no later than five years following the adoption of this DAC Recommendation and at least every ten years thereafter.

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- **Decisions** are adopted by Council and are legally binding on all Members except those which abstain at the time of adoption. They set out specific rights and obligations and may contain monitoring mechanisms.
- **Recommendations** are adopted by Council and are not legally binding. They represent a political commitment to the principles they contain and entail an expectation that Adherents will do their best to implement them.
- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.
- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- **Arrangement, Understanding and Others:** several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.