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CIVILIAN OPERATIONS COMMANDER OPERATIONAL GUIDELINES ON CIVIL SOCIETY ENGAGEMENT

Dear colleagues,

Engaging with civil society contributes to the effectiveness and impact of CSDP missions and hence to mandate delivery. The emphasis is on a people-centred approach, on integrating engagement with civil society into daily mission work. Working closely with the EU Delegations and with other EU and non-EU actors is key.

While several missions already engage on a regular basis with civil society actors, these operational guidelines provide the tools for CSDP missions to further cement the implementation of an integrated approach by recognising civil society as a key partner of our missions. This means that a more fundamental shift in mindset is needed towards a people-centred approach that includes engaging with civil society actors.

As is often the case, concrete implementation is the key challenge. The emphasis in this document is therefore on the operational element: what to do, and in particular how to do it. To this end, this document contains a toolbox for engagement with civil society and a checklist for civil society mapping and risk analysis.

The guidelines are a joint product of the CPCC and the missions. A first draft was produced in the spring of 2022 by a working group of human rights, gender and civil society advisers from a number of missions, while all missions were consulted for subsequent iterations. I would like to thank all those involved in the drafting of this document.

Civil society engagement is the responsibility of senior mission management. By ensuring civil society engagement at all levels and in all relevant activities of a mission, we achieve more sustainable implementation of our mandate, thus contributing to lasting peace.

I am convinced that these guidelines, which are intended for **all mission staff**, will be helpful in deepening our engagement with civil society and will thus enhance the impact of our missions.

Stefano TOMAT Civilian Operations Commander

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1. Introduction

1.1 Background

An empowered civil society is a crucial component of any democracy. In their work articulating citizens' concerns, civil society actors are active in the public arena and engage in initiatives which foster pluralism and further democracy.

The countries in which civilian CSDP missions are deployed face a range of challenges, including in fields such as the rule of law, corruption, organised crime, the economy and social cohesion. Civil society actors and organisations¹ can make a substantial contribution to addressing many of these challenges through their advocacy and oversight activities at national, regional and local level. When it comes to democratic governance, the rule of law and fundamental rights, civil society can create a demand for enhanced accountability and effectiveness from public institutions and, by doing so, can facilitate a stronger focus on the needs of citizens in policy-making. Beyond this, involving civil society in missions' work can help to deepen citizens' understanding of the reforms their country needs to carry out in order to qualify for EU membership² where relevant.

Civil society organisations (CSOs) in CSDP mission theatres have shown themselves to be of crucial importance in a wide range of areas. Amongst others, they have effectively developed anti-corruption initiatives and contributed to regional integration and reconciliation processes, gender equality, social inclusion and environmentally sustainable practices.

Policy framework

In 2012, the Commission issued a communication entitled 'The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations'³ and in so doing chose a more strategic and structured approach to its engagement with civil society. Since then, the EU Delegations have used civil society roadmaps as a key strategic framework to inform, guide and frame the EU's engagement with civil society at country level.

The Council has also embraced the important role that civil society actors play in promoting peaceful, just and inclusive societies, including in fragile or conflict situations. In 2017, it reaffirmed 'the EU's strong commitment to an empowered and resilient civil society, in all its diversity, as a crucial component of any democracy in supporting good governance and the

¹ Please note that in this document the terms 'civil society organisations' and 'civil society actors' will both be used. A definition of 'civil society organisations' from the 2012 Commission Communication 'The roots of democracy and sustainable development', can be found on page 5 below

² DG Enlargement – Guidelines for EU support to civil society in enlargement countries, 2014-2020 (Please note that these guidelines have been updated: DG Near Guidelines for EU support to civil society in the enlargement region, 2021-2027)

³ Commission Communication 'The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations', COM (2012), 492 final

rule of law, as well as sustainable development, and in promoting human rights, gender equality, fundamental freedoms and democratic principles such as inclusion, transparency and accountability.'4

The EU Action Plan on Human Rights and Democracy 2020-2024⁵ promotes a safe and enabling environment for civil society as actors in their own right and assigns a leading role to CSDP missions in this respect. The EU Action Plan on Women, Peace and Security 2019-2024 specifically requires the engagement of civil society for the implementation of the EU's Strategic Approach to WPS⁶. The need for more strategic engagement with civil society is also emphasised in other key policy documents relevant for civilian CSDP missions. These include the Council Conclusions on the Integrated Approach to External Conflicts and Crises⁷, the EU Strategic Framework on Security Sector Reform ('SSR Framework')⁸ and the Compact on Civilian CSDP. The SSR Framework stresses the importance of civil society in security and justice sector reform. The Compact promotes enhanced engagement with civil society by CSDP missions as part of efforts to ensure better ownership at local level and more lasting and sustainable results. These operational guidelines provide tools for CSDP missions to take a leading role by recognising civil society actors as key partners.

⁴ Council conclusions on EU engagement with civil society in external relations, doc. 10279/17

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⁵ EU Action Plan on Human Rights and Democracy 2020-2024, doc. 12848/20, approved by the Council on 18 November 2020

⁶ The EU Strategic Approach to WPS, FAC Conclusions on WPS, adopted on 10 December 2018 (Council document 15086/18)

⁷ Council Conclusions on the Integrated Approach to External Conflicts and Crises, 2018, p.3, https://data.consilium.europa.eu/doc/document/ST-5413-2018-INIT/en

⁸ Joint Communication 'Elements for an EU-wide strategic framework to support security sector reform' (JOIN, 2016)

Definition of Civil Society Organisations

Civil society is highly heterogeneous and encompasses a wide range of actors and aims. The EU considers civil society organisations to embrace a wide range of actors with multiple roles and mandates which includes all non-State, not-for-profit, independent and non-violent structures, through which people organise to pursue shared objectives and ideals, whether political, cultural, religious, environmental, social or economic or related to health [...] They include, but are not limited to: Non-governmental organisations, organisations representing indigenous peoples, women's and youth organisations, diaspora organisations, migrants' organisations, local traders' associations and citizens' groups, cooperatives, employers' associations and trade unions (social partners), organisations representing economic and social interests, organisations fighting corruption and fraud and promoting good governance, civil rights organisations and organisations combating discrimination, local organisations (including networks) involved in decentralised regional cooperation and integration, consumer organisations, environmental, teaching, cultural, research and scientific organisations, universities, churches and religious associations and communities, philosophical and non-confessional organisations, the not-for-profit media and any non-governmental associations and independent foundations, including independent political foundations. 9

Effects of engagement

Missions can contribute to the strengthening of societal resilience by deepening their relations with civil society, notably in its efforts to hold governments accountable. Missions can achieve this by reaching out more to cultural organisations, religious communities, social partners and human rights defenders (HRDs), and by speaking out against the violations of freedom of speech and association that are causing the space for civil society to shrink. Positive change can only be home-grown, and it may take years to materialise. Missions' commitment to civil society must therefore be long-term. Civil society actors play a role in promoting peaceful, just and inclusive societies, including in fragile or conflict situations, notably in their efforts to hold governments accountable and in fields such as the rule of law, corruption and organised crime. In conflict-affected contexts where the rule of law may be weak and the reach of the State limited, it is often civil society actors who deliver services to communities that would normally fall under the responsibility of the State. These can range from medical services to psychosocial support, to education and childcare, to legal assistance and even livelihood support to displaced populations and migrants. The role of civil society is therefore often to fill in the gaps where the State is absent, and thus they are often critical pieces in the wider rule of law puzzle, notably from a human rights perspective. Civil society actors are able to establish networks and contacts that other actors cannot and therefore, when utilised effectively, can positively impact a conflict situation by connecting people from opposite sides of the conflict.

The civil society perspective on a government's performance – including, for example, how it upholds and respects human rights – can be an important source of information. CSOs'

⁹ EU Guidelines for Support to Civil Society in the Enlargement region 2021-2021, p.6

perception of and trust in local counterparts can also serve as an important indicator for missions.

'I think that the awareness of rights is stronger and growing. People are becoming more indignant and determined, and civil society is central to that effort.'

Mr Eamon Gilmore, EUSR for Human Rights, at the 12th Annual Meeting of CSDP Human Rights and Gender Advisers, Brussels, 1-3 June 2022

1.2 Aim

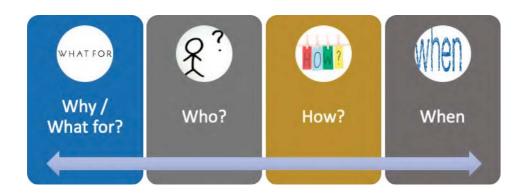
The aim of these guidelines is to help senior management and staff to develop a strategic approach towards civil society engagement throughout the different phases of mandate implementation and in line with the each mission's overall objectives.

The immediate **objective** of these guidelines is **to provide operational guidance** regarding how missions can engage with civil society and examples thereof. In the longer term, these guidelines will help foster a **consistent approach to engagement with civil society in civilian CSDP missions** and ensure a **people-centred approach** in line with the core values of the EU.

2. Key questions for effective engagement with civil society

Effective engagement with civil society consists of **systematically involving and consulting civil society** in relevant external activities of the mission. **Effective engagement** with civil society entails exploring four key questions. These are:

- 1. Why should civil society be involved and what roles do they play?
- 2. **Who** are the civil society actors we could engage with and how do we select the right ones?
- 3. **How** can civil society actors be brought on board?
- 4. **When** should we engage with civil society within the mission's life cycle and external activities?



These questions will be explored in the next four subsections. The **most important section** for the purposes of these guidelines is **section 2.3** on **how to engage with civil society**.

2.1 WHY should civil society be involved?

2.1.1 Rationale for engagement

While civil society engagement is a requirement for all missions, the reasons why each mission should engage with civil society and the specific type of engagement required may differ depending on context and each mission's mandate.

Inevitably, CSDP missions have impacts on peace and conflict dynamics in recipient countries. Civil society engagement enables civilian operations to adopt a more conflict sensitive approach.¹⁰

In societies affected by instability in particular, civil society can influence decision-making and can be a necessary counterbalance to failing or discriminatory government policies. In those societies, CSOs are often an essential source of information for the public, excluded groups and international stakeholders. In the field of justice and security sector reform, true change is only possible if instigated from the bottom up, by civil society and other non-state activities such as citizen-driven campaigns. By mainstreaming human rights and gender and engaging in a structured manner with civil society, missions can focus on the needs of both the people and those in charge, resulting in **more sustainable mandate implementation**.

2.1.2 What role can civil society fulfil in the context of a mission?

Rationale for civil society engagement¹¹

- a. Facilitating a broader and contextualised understanding of security, peace and conflict dynamics for more effective mandate implementation
- b. Facilitating greater understanding of the mission mandate and engendering a more positive acceptance of the mission among the local population
- c. Supporting mission situational awareness, conflict analysis, conflict-sensitive planning and adaptation processes
- d. Helping to protect civilians

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¹⁰ See here for more information about conflict sensitivity: Saferworld (2015), 'Conflict sensitivity: Saferworld's approach'

¹¹ 'Understanding and Improving Engagement with Civil Society in UN Peacekeeping: from policy to practice', UN DPKO, May 2016, p.123

- e. Monitoring/early warning/oversight
- f. Enhancing strategic communications/messaging to the local population
- g. Social cohesion and trust- and confidence-building
- h. Helping to assess mission progress towards mandate implementation and associated indicators

a. Facilitating a broader and contextualised understanding of security for more effective mandate implementation

CSOs can enhance a mission's capacity to understand the full spectrum of security. Engagement with CSOs can guide missions in taking into account the **security concerns of the whole population**. Such concerns might include gender-based violence, which is often not perceived as a security concern. Furthermore, CSOs can facilitate a deeper understanding of the root causes of conflict. Addressing these may help to bring about more sustainable peace.

EUCAP Sahel Niger supported the process of drafting the country's Plurennial National Strategy on Internal Security. Initially the Nigerian partners proposed inviting only uniformed personnel to participate in the workshop, but the mission also invited several representatives from CSOs. As a direct result, the objective of reducing gender-based violence was included in the strategy, based on a proposal by one of the civil society representatives.

b. Facilitating greater understanding of the mission mandate and engendering a more positive acceptance of the mission among the local population

To mark International Human Rights Day 2021, from 10 December to 18 December 2021, EULEX Kosovo set up an installation entitled 'ALL HUMAN, ALL EQUAL' on a main square in Pristina. The installation was meant to encourage people to reflect on what human rights mean to them, and to share this by writing their reflections on the installation's panel and/or by taking a photo to be shared on social media.

Civil society can play an important role in informing the population about a mission's mandate and activities, which are often complex and not well understood. Public confidence and a positive local perception are critical to a mission's success and operational legitimacy. I.e. civil society can play an important role in the fight against misinformation; CSDP missions, jointly with other EU actors, including the EU Delegations, should invite CSOs to spread correct information.

Civil society can **represent a multitude of different opinions**, so it is important that a mission has a good overview of 'who's who' and does not engage with just one interest group. Missions should keep in mind that CSOs can also be instrumentalised by political actors. Due diligence, should be part and parcel of any support provided to CSOs by Missions. This involves conducting a gender analysis and making sure to engage with groups that represent the most marginalised (i.e. young people and people with disabilities).

Therefore, a good understanding of CSOs' constituencies, gender perspective and inclusion practices is key.

c. Supporting mission situational awareness, conflict analysis and planning processes

Increasing effectiveness by enhancing situational awareness and conflict sensitivity

Understanding the **local context** – including the conflict, peace and power dynamics – is crucial for a mission to 'do no harm'¹², i.e. to prevent and mitigate any unintended negative consequences of its activities. Civil society actors can help a mission understand issues from a perspective different to that of state actors, which makes the mission more sensitive and in tune with local realities. Undertaking robust and regular participatory conflict analysis with civil society to inform the design of a mission's policies, strategies and responses can therefore help that mission to mitigate risks and to build on the more nuanced understanding of social and political dynamics afforded by such analysis.

Care needs to be taken, however, not to be perceived as the spokesperson of civil society. A culture of non-hierarchical exchange, built on **constructive**, **supportive relationships** between a mission and civil society actors, should be supported. This means creating space and opportunities for civil society actors to share their experiences, exchange insights and use their knowledge to increase the difference they can make.

Any **risks associated with civil society actors' engagement** with 'Western' partners should be considered and **mitigated**. In order to protect HRDs, the EU has had guidelines on HRDs in place since 2008¹³. The European Instrument for Democracy and Human Rights allows the EU to provide HRDs with tangible means to work, to reinforce their capacities and to grant them protection when needed¹⁴.

d. Helping to protect civilians

Enhancing national security

Human (people-centred) security and national security go hand in hand. Civil society actors can support the state (which bears responsibility for providing security to its citizens) in developing and implementing security strategies and policies that protect people and not just the state itself.

Engaging with a diverse range of civil society actors and communities (including women's organisations, children's and youth representatives, and marginalised groups) can help ensure that missions consider and respond to the security needs of the whole population, thus integrating a people-centred approach to security in line with the core values of the EU.

¹² See Appendix B, Guiding Principles

¹³ EU Guidelines on Human Rights Defenders

¹⁴ Ibid.

EUAM Iraq regularly hosts a civil society platform that brings together civil society, government and international partners. In March 2022, the Security Oversight, Transparency and Accountability Platform was held. The overall aims of such platforms are to stress the mission's commitment to civilian aspects of security sector reform in Iraq and to build cooperation and trust between civil society and the government.

e. Monitoring/early warning/oversight

There are many different reasons why state actors and civil society might have different perspectives; sometimes it might be due to a lack of awareness, but it can also be due to a lack of political will, political pressure/persecution, power politics between CSOs and state actors, differing priorities, complicity with state actors etc. CSOs often establish unofficial communication channels across lines of conflict and thereby enhance early-warning and trustbuilding mechanisms.

Security and justice providers can better prevent conflict and violence

Civil society can help identify the grievances, discrimination, vulnerabilities, blind spots and triggers that may give rise to violence and assist state actors in developing better long-term approaches to violence prevention and reduction 15. Critical voices should be heard and respected.

Ensuring state accountability/acting as an oversight mechanism

By engaging with civil society, missions foster democratic governance and support civil society in its oversight of the state and in educating citizens about their rights and responsibilities. This strengthens the capacity of 'rights holders' to exercise their rights and the capacity of duty-bearers to respect, protect and fulfil them in line with the human rightsbased approach.

Between 2019 and 2022, EULEX Kosovo – in cooperation with the Kosovo Law Institute, an NGO – gave citizens of different gender, age and ethnicity with no previous legal background the opportunity to participate in trial monitoring through the small-scale project 'Building trust in the judicial system and enhancing the realisation of human rights through lay trial monitoring'. Through this monitoring activity, the lay monitors exercised the right to attend public hearings, experiencing first-hand how justice institutions function. The key findings of this activity were presented in public reports.¹⁶

Security and justice providers becoming more professional and effective

Civil society can mobilise members of the public around issues that are of public concern. It can also communicate to the security sector the effects of state security provisions, management and oversight. Listening carefully to civil society views, responding to the

¹⁵ Ibid.

¹⁶ European Union Rule of Law Mission in Kosovo, 'EULEX and the Kosovo Law Institute present the Second Report on Monitoring Court Hearings by Citizens', 14 June 2022

concerns raised and including civil society representatives in decision-making makes the security sector more responsive to a broader range of security concerns and public interests¹⁷.

The SSR Framework envisages a key role for CSOs in SSR and states that 'consulting and involving civil society should be standard practice in the development and monitoring of security and justice policy and activities'. Their active involvement is essential to implementing inclusive, nationally owned and accepted strategies. By engaging with civil society, missions support civil society actors in their oversight of the state.

Ensuring that missions lead by example in terms of accountability

Civil society can play a key role in ensuring that a mission holds itself accountable, and missions should therefore **be open to receiving feedback and input from civil society** actors and organisations. Missions should have a robust accountability framework, including a reliable oversight accountability mechanism for monitoring the conduct of mission staff. In this respect, missions publish the Civilian CSDP Code of Conduct and Discipline on their websites to facilitate receiving claims of alleged staff misconduct or of human rights violations, regardless of the alleged perpetrator ¹⁸. Some missions also include a reporting/feedback link on their website.

f. Enhancing strategic communications/messaging to the local population

A positive local perception of the mission is important for its success. It can be useful to reach out to civil society actors to provide them with information and to address rumours and local concerns. Missions' press and public information officers (PPIOs) should address these issues through their social media accounts in the local language(s). The PPIO plays an important role in highlighting the successful initiatives that the mission has undertaken with civil society.

Opening channels for receiving feedback from civil society and communities about mission activities can **help missions to develop a better understanding** of what does and does not work, and to demonstrate to the local population that their concerns are being taken into consideration.

g. Social cohesion and trust-building

Improving credibility and legitimacy

CSDP missions are often in a unique position to act as a bridge and to assist in building trust between national, regional and local authorities and civil society. Civil society involvement in drafting legislation and policy planning and delivery is an essential aspect of a democratic society. To facilitate this, missions can contribute to the creation of an enabling environment for government and non-state authorities' cooperation with civil society. An

¹⁷ DCAF – Geneva Centre for Security Sector Governance, 'Civil Society: Roles and Responsibilities in Good Security Sector Governance', SSG/R Backgrounder Series. Geneva: DCAF, 2019

¹⁸ Lessons and best practices of mainstreaming human rights and gender into CSDP military operations and civilian missions, doc. 17138/1/10

ongoing dialogue between civil society and security sector institutions and actors helps to build trust and understanding

Meanwhile, partnerships with civil society also allow the EU to supplement its own experience and expand its credibility as a global security provider, especially since CSOs working in conflict-affected contexts have a better knowledge and understanding of the dynamics, priorities and needs of the populations they work with.

In September 2015, EUCAP Sahel Mali facilitated the establishment of a platform for exchange and action between CSOs, internal security forces and international partners, with the objective of ensuring better consideration of civil society in the SSR process and local ownership. This platform has promoted the involvement of CSOs in the SSR process, boosted civil society's participation in the development of the national SSR strategy and ensured civil society is taken into account in the architecture of implementation bodies such as security consultative committees.

h. Helping to assess mission progress towards mandate implementation and associated indicators

Facilitating greater understanding of the mission and its mandate among local populations

Public confidence and a positive local perception are critical to a mission's success. Creating this confidence and positive perception is also referred to as trust-building between the mission and civil society/the population.

EUCAP Sahel Niger's Agadez Field Office organised a 'caravane de confiance', a trust-building activity between security forces and the local population. The 'caravane de confiance' opened public fora in towns and neighbourhoods where the local population could meet the security forces and openly pose any security-related questions or make recommendations. At the same time, it was an opportunity for the forces to explain their work and its limits to the population. The activity was created and implemented by a national civil society organisation. Based on their knowledge of the local security situation, they were able to target neighbourhoods and small towns with particular security needs; they had the necessary contacts in the communities to be able to invite the local population to participate in these forums, which is something that neither the security forces nor the mission would have been able to do on their own.

In 2015, the European Union Monitoring Mission (EUMM) in Georgia established a Confidence Building Facility (CBF) to create new bonds and strengthen existing ones between people living on opposite sides of the country's administrative boundary lines as a result of the post-conflict situation. The cooperation between the EUMM and CSOs is instrumental to the work and success of the CBF. Since 2015, the CBF has supported over 60 projects implemented by CSOs, making a tangible and unique impact on confidence building in Georgia. The CSOs are the only actors with the local contacts and knowledge needed to establish networks and facilitate people-to-people contact between those separated by the administrative boundary lines. Through its direct administration of grants, the mission builds strong and lasting relations with the CSOs working in

Georgia. 'Do no harm' and gender mainstreaming are crucial elements for the EUMM in its cooperation with CSO, and an integral part of every stage of that cooperation.

Promoting and protecting human rights

By gaining a better understanding of the local context through civil society actors – who often also play a role in monitoring the respect and protection of human rights – missions are able to advise and support the authorities so that they can better respect and protect human rights and fulfil the state's obligations in this regard.

2.2 WHO are the civil society actors that should be involved?

Effective engagement starts with **mapping the relevant CSOs in a mission's theatre** of operations – if feasible, as this can be a resource-intensive exercise. Alternatively, missions can consider cooperating on mapping with other international actors, and/or limiting the exercise to CSOs that are directly relevant to their mandate.

The EU values civil society's diversity and specificities. Civilian CSDP missions should also acknowledge that **the diversity of civil society actors**, the power imbalances between them and the distinct and sometimes opposing roles and interests that they have mean that a different approach may be required to engage with each actor or organisation¹⁹. This is true not only for missions, but also for all EU Delegations and projects funded by the EU.

Most countries host numerous active CSOs covering capital cities and remote localities. CSOs have tended to gain traction on topics of interests to CSDP missions, such as democratisation, gender equality and women, peace and security, the rule of law, the fight against corruption, and the promotion of transparent, accountable and legitimate governance systems including through SSR. This new generation of CSOs usually makes good use of tools such as social media to gain interest and weight.

Missions are encouraged look at the **broader spectrum of CSOs**, focusing on competent, representative and independent organisations that are transparent in their own internal structures (to the extent that missions can assess this).

Missions should always make sure that they know who a CSO represents and whether it is qualified to do so, while ensuring a high degree of diversity. In this regard, CSOs representing women, young people and minority groups require specific attention as they represent the parts of the population that may be marginalised in public discourse. It is important to recognise that CSOs that represent and serve women, young people or marginalised groups can also be overlooked or at a disadvantage because their organisational methods are often non-traditional/informal or because they are not as visible, yet they play a key role in driving

¹⁹ Ibid.		
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peaceful change. Missions should find ways to reach and meaningfully engage with these groups²⁰, and to consult them so as to establish their perspective and priorities.

Some **CSOs** may be critical of their government's actions, the EU or the mission itself. This should not put CSDP missions off engaging with them, as long as the CSOs' criticism is constructive and based on basic principles of integrity, independence, representation (legitimacy) and transparency. Their feedback can help missions to develop a better understanding of what does and does not work, be more responsive to local needs and mitigate civilian harm. Missions should seek this feedback from civil society and communities in a proactive way to confirm the relevance and effectiveness of their actions/interventions. For this to work, civil society actors and communities need to know how to give feedback and what that entails, who has access to the information they provide and how it will be used. Mission staff should therefore be equipped with the skills required to gain and maintain people's trust and welcome people's suggestions and comments. They should know how to respond to both positive and negative feedback and understand how aspects of people's identities can influence how they see a mission's work. They should also use a range of diverse feedback and complaint mechanisms, including written feedback forms, interviews, toll-free phone numbers and procedures for in-person complaints. CSOs assuming watchdog functions are crucial for a democratic society.

Missions should **liaise with EU Delegations** in this respect and ask them to share their EU country roadmaps for civil society engagement, which can be a useful tool for mapping civil society actors. Other international organisations, such as the UN and the OSCE, may also be able to share information on local CSOs, as may international CSOs or CSO networks such as the European Peacebuilding Liaison Office (EPLO). Moreover, local staff are usually well placed to help missions get an in-depth insight into the CSOs present in a country, and should therefore ideally be involved in this exercise.

2.3 HOW should missions engage with civil society?

Missions should look at the **context of their host country** and identify appropriate roles that CSOs may play. This entails paying special attention to the nature of the relationship between CSOs and the host state, as well as between CSOs and other actors who have a potential to do harm (non-state armed groups, for example). Missions need to make sure that their engagement with civil society does not put civil society actors in any danger, particularly in rapidly evolving contexts where the security situation is highly volatile.

Engagement with CSOs should be done in a **conflict- and gender-sensitive manner**. This includes taking an intersectional approach to gender, as set out in the EU's Gender Action

²⁰ A toolkit for meaningfully engaging with women in fragile and conflict-affected states has been jointly developed by Gender Action for Peace and Security (GAPS), Women for Women International, Amnesty International, Womankind and Saferworld

Plan III, which states that EU action should 'address the intersectionality of gender with other forms of discrimination'. The perspectives of women and girls in particular should be explored, as they usually remain hidden because decision-making spaces are dominated by men. For example, it might be necessary to hold women-only consultations to ensure that their voices are heard, as they may not speak openly about their concerns if men are in the room. Care to ensure the equal voices of younger generations, often usurped by more established civil society representatives and societal hierarchies, must be taken. It is important to ensure that engagement with certain groups does not reinforce existing conflict divisions and power imbalances. This is especially relevant when dealing with NGO coalitions, networks or groups of CSOs. CSO engagement should also see missions actively engage with, listen to and create opportunities for CSOs to offer insights, as opposed to simply being a 'tick the box' exercise.

Shrinking space for civil society

In some contexts, civil society actors are not able to operate freely because the space for civil society is shrinking. This is **due to violations of freedom of association, expression and peaceful assembly** that are hindering the work of human rights organisations, women's organisations, pro-democracy actors and wider civil society movements.

Civil society is increasingly challenged by governments, not only in repressive and authoritarian environments but also in countries that are considered democratic. Although this problem affects many organisations, the CSOs that are primarily targeted are those focusing on human rights, civic freedoms, social justice and environmental issues²¹. State repression of 'dissident voices' has become more radical and includes a range of new (media) laws that interfere with the right to freedom of expression and association. Smear campaigns, increased surveillance and censorship have been used more and more to silence many civil society actors who are accused spreading 'fake news'. This worrying trend is accompanied by an increase in arbitrary arrests and the detention of activists and journalists, intimidation, harassment and the use of excessive force to disrupt demonstrations²². This crackdown on civil society has not been without consequences. Restrictive laws, funding constraints and severe bureaucratic requirements have resulted in CSOs scaling down their work or closing their doors entirely. Many CSOs have been criminalised and pushed underground, forced to self-censor, while others have increasingly adopted a political agenda to ensure their survival.

These challenges have severely affected civil society operations, which in turn has had an impact on how CSDP missions interact with CSOs. Therefore, missions' efforts to deepen their engagement with civil society require a balanced approach. While maintaining good relations with governments, CSDP missions should contribute to tackling the problem of

²¹ CIVICUS, State of Civil Society Report 2021

²² 'Laws designed to Silence: The Global Crackdown on Civil Society Organizations', Amnesty International, February 2019.

shrinking space for civil society, while ensuring civil society actors are not put in harm's way. A careful analysis of civil society in each mission's area of operation is therefore necessary.

Particular attention needs to be paid to ensuring that CSOs are **not used for intelligence gathering**, either directly or through national security institutions. Before inviting CSOs to provide feedback, information or analysis, they should be informed of who will have access to the information they provide and how it will be used.

2.3.1 Different levels of engagement with civil society

At a minimum, missions should engage in an **exchange of information** — a mutual process wherein both the mission and the CSOs provide information and access to it. Just as missions have specific mandates and work towards clear objectives, CSOs also have a specific focus area. A minimum level of engagement would start with identifying CSOs working in the same thematic areas as those that the mission is involved in. The next step would be to organise **structured dialogues**, i.e. formal meetings through which an exchange of information would take place. This should take the form of non-hierarchal exchange built on constructive, supportive relationships.

2.3.2 (Structured) dialogue

While each mission may find its own best way to engage with CSOs²³, missions might consider organising **regular dialogues with CSOs** that are particularly relevant to its mandate. A **structured two-way communication** built on mutual interest and potentially shared objectives can provide an opportunity for views and information to be **regularly exchanged**. This can in turn encourage the drafting of common working plans tackling strategic issues that might be of interest to both parties. In that sense, such dialogue contributes to the empowerment of CSOs and the institutionalisation of their systematic participation, and instils a mutual sense of accountability in both parties. Since one of the aims of this approach is to tackle strategic issues, it is important that senior management regularly participate in the structured dialogue. In countries where such a mechanism already exists among the EU family (usually under the leadership of the EU Delegation), missions may consider requesting to take part, either as a party or as an observer. Where no such mechanism exists, missions could adopt a similar methodology²⁴.

If a structured dialogue is not the chosen option, missions should at a minimum **organise** (bi)annual meetings with CSO representatives for planning purposes and to receive feedback on the mission's mandate and activities. Ultimately, this is about supporting and listening to the direct beneficiaries of the mission's support. CSOs can inform the mission

²³ This differs from mission to mission. EUMM monitors, for example, talk with CSO representatives daily to gather info and represent the mission.

²⁴ EU Guidance Note on the shift towards a structured dialogue, DEVCO, September 2020.

about the context, civilian needs and the mission's performance. For mission staff members, it is an opportunity to explain and communicate the results of the mission and any obstacles to achieving them.

In addition, any regular or systematic dialogue between CSOs and missions should not be left to the civil society adviser(s) alone²⁵. Not all missions have a dedicated civil society adviser, and senior management and mission members can in any case benefit from the civil society perspective on the planning, preparation and delivery of activities. Civil society's views are also key during the monitoring, evaluation and strategic reviews of missions. Where there is no position that deals exclusively with civil society coordination, missions determine how that coordination should be managed based on their specific composition and mandate. Responsibility for it might be shared between the human rights adviser and the gender adviser and/or other staff members involved in civil society engagement.

2.3.3 Key issues to consider for civil society engagement

CSO engagement in operational activities – issues to consider26

Mandate	How do these activities contribute to mandate implementation? What
implementation	impact (intended or unintended) might these activities have on the
	mission's mandate and interactions with the host government and other
	(international) stakeholders?
Identify key	Identify specific areas of participation, in order of priority, that could
priorities	support a given activity.
Understand context	Assess the relevance of each activity for the population, in consultation
	with civil society.
Map key actors	Identify key civil society actors with a comparative advantage in
	undertaking these activities, ensuring they are representative of diverse
	groups (including women, young people and marginalised groups). Which
	of these actors are already undertaking these activities at present?
Cross-cutting issues	How will these areas of participation address the gender dimensions of the
- gender	conflict/situation? Do your selected civil society actors represent diverse
	women from local communities?
Evaluate risk and do	What are the potential risks of engaging with these civil society
no harm	actors/activities at this time? How can civil society support programmes be

²⁵ At present, only EUCAP Sahel Mali, EUCAP Sahel Niger, EUAM Ukraine and EUMM Georgia have civil society coordinators/advisers.

²⁶ 'Understanding and Improving Engagement with Civil Society in UN Peacekeeping: from policy to practice', UNDPKO May 2016, p.123

	designed to minimise possible risks and negative impacts?
Select outcomes	Identify the outcomes that may be achieved through these activities, to
	help assess their effectiveness.
Engagement	In light of this analysis, at what level is it appropriate at this time to
methods	engage with the selected civil society actors?

This will allow missions to evaluate the impact of their activities and adjust them, if necessary.

Mapping key actors²⁷

Missions should map CSO actors and their agency in the host country or the specific area where they operate (which CSOs support security processes, how legitimate are they, whom do they represent, are they part of networks and coalitions and on what basis, are they qualified, transparent, etc.) Human rights due diligence should always be carried out on entities and actors receiving financial, material or capacity building support from the Mission.

Evaluating risk and applying the 'do no harm' principle²⁸

Missions need to be aware that they must protect civil society during their engagement with it. Identifying the risks posed by engagement, including the different types of risks, needs to be part of the mapping exercise. Political advisers (POLAD) and mission analytical capability (MAC) analysts should be well placed to contribute to the mapping exercise and risk assessment.

Missions need to ensure that they carry out a **risk assessment** to ensure that mitigating measures are systematically a part of SSR design in order to avoid, for instance, the possibility that security actors supported by the EU might act in a biased, discriminatory or abusive way towards the population or that assets might fall into the wrong hands.

In addition, missions need to ensure that the CSOs they engage with are independent and are not directly or indirectly linked to the government. Missions needs to be aware that CSOs may be connected with radicalised groups that are not drivers for positive societal change or for democracy, inclusion and peace.

Engagement methods²⁹

Maintain close contact with relevant representatives from a range of CSOs, including those representing women, young people and marginalised groups, and build and invest in partnerships with them at all stages of the mission's mandate.

To provide some practical examples: trainers can include CSOs' input when preparing or delivering their training; advisers can highlight the importance of CSOs in SSR when

²⁸ Please refer to Appendix C for a checklist on key priorities

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²⁷ Please also see Section 2.2 above

²⁹ Please refer to Appendix D for a checklist of engagement methods

engaging with their national counterparts; dialogue sessions can be organised and/or supported, involving both state security actors and CSOs, etc.

Expectation management

Engaging with civil society actors may raise expectations: that the mission will be able to bring about change overnight; that the mission will definitely take action on a given issue when in fact it may not have the mandate or (financial) resources to do so. It takes consistent messaging to remind civil society of the mission's mandate and to refer them to other sources for funding.

2.4 WHEN should missions engage with CSOs?

Engagement with civil society should be considered in every phase of a mission's life cycle. Consultation and thematic discussion with a diverse range of CSOs (including those representing women, young people and marginalised groups) during the planning process will help missions to better tailor their interventions and gain a greater understanding of the dynamics, priorities and needs of the local population. For project planning, it is important to include the target groups in the project formulation phase to assess their involvement and possible ownership. They can act as specialised service providers, gather specific knowledge and propose innovative ways to deliver projects.

Feedback on engagement with civil society is to be integrated in all reporting³⁰. Reports should reflect challenges, developments and achievements identified by missions as regards the people-centred approach, where applicable.

Civilian CSDP missions are deployed with various mandates, such as 'to mentor and advise', 'to monitor' or 'to strengthen capabilities'; or with 'executive powers'. A mission's mandate may already involve specific tasks related to civil society engagement. In addition, each mandate and context calls for a customised approach, which should be tailored to each specific situation.

3. Leading by example

Senior management team (SMT) meetings

The SMT should consider including reports on engagement with civil society in its agenda on a regular basis. This should include a report on mainstreaming activities, civil society dialogue, and cooperation with other international and local actors, including EU Delegations. It could be considered to invite regularly the CSO coordinator to senior management meetings. The head of mission (HoM) and members of the SMT may decide to hold a structured dialogue with (certain) CSOs once or twice a year. Each meeting should be

³⁰ Revised Reporting Guidelines for Civilian CSDP Missions, doc. 7716/21

documented by a written report, with agreed follow-up actions, to facilitate the next meeting. The meeting reports should also be shared with the CPCC.

Staff training

It is recommended that all CSDP staff receive a briefing on engagement with civil society, through induction training, staff meetings, mission intranet, etc.

Pre-deployment training

Any pre-deployment training must include agreed-upon, standard, baseline-level training on engagement with civil society and applicable EU policies and principles.

Induction briefing and/or dedicated training for all staff

The induction briefing must include agreed-upon, standard, baseline-level training on human security, the people-centred approach, the rationale for and methods of engagement with civil society, the 'do no harm' principle and trust-building. This briefing should include mission-specific examples and guidance so that it is more pertinent to the work of the mission members in attendance.

Leading by example – externally

Planning and implementation of activities – checklist:

- > confirm location and timing and ensure a conflict-sensitive, gender-sensitive, transformative approach;
- > ensure that engagement with civil society has been considered for relevant activities from the outset;
- ideally, organise a dedicated session on civil society engagement and the peoplecentred approach delivered by the civil society adviser, or by the human rights adviser/gender adviser in missions that do not have a civil society adviser or an external expert/consultant;
- include CSOs in monitoring and evaluation processes and in applying the 'do no harm' principle, to ensure effective accountability for the mission;
- ➤ ensure that senior mission management is briefed on engagement with CSOs, is part of the dialogue with CSOs and refers to this engagement when talking to counterparts to ensure the people-centred approach.

4. Mission structures for engagement with civil society

In order to successfully mainstream engagement with civil society, the **civil society adviser** is placed at the operational level, providing information at senior management meetings on a regular basis and keeping in close contact with the human rights adviser, gender adviser and other relevant colleagues. Please note that not all missions have a civil society adviser.

Management and mission staff responsibility³¹

The HoM is ultimately responsible for the integration of a people-centred approach and for ensuring that objectives concerning civil society engagement have been achieved and followed through. On a day-to-day basis, this responsibility trickles down to senior and midlevel management and to all mission staff. HoMs and mission management are responsible for ensuring that all staff can carry out basic CSO mapping and mainstream engaging with CSOs into their daily work.

It is equally important that the HoM and senior mission staff actively engage in networking with decision-makers, civil society and other stakeholders to promote an agenda that includes a people-centred approach and mainstreaming engagement with CSOs in the security and justice sectors and in any dialogue between conflict parties aimed at finding solutions to human security challenges. A people-centred approach that addresses human security can also be a vehicle for accomplishing other objectives, and this approach should be actively utilised to find sustainable solutions and foster change from the bottom up.

Synergies across missions

The CPCC has established a network of human rights and gender advisers, to which the civil society advisers have had a standing invitation since December 2020. The network meets virtually on a bi-monthly basis and in person once a year at its annual meeting in Brussels. The network's main purpose is to establish best practice and facilitate the continuous sharing of lessons learnt and updating of missions' policies on human rights, gender and civil society, in line with the most recent guidelines and concepts from Member States.

Press and public information officer (PPIO) and strategic communications

Promoting human rights, the rule of law, democracy and human dignity as fundamental values of the EU is an obligation that stems from the Treaties. Promotion covers several areas:

- espousing or addressing these values in missions' public channels of communication and outreach activities;
- including human security topics (human stories) in presentations for external and internal audiences;
- including the people-centred approach as an explicit part of strategic and key messages (see more below).

Outreach, visibility and communication are a team effort and not just the responsibility of the HoM or PPIO. All mission staff are involved in representing their mission and should consider it an obligation to integrate human rights into their work, with the assistance of the civil society coordinator.

³¹ Guidelines to design civilian CSDP mission-specific organisational structures (Mission Model Structure), EEAS (2021) 278

The PPIO, in coordination with the civil society adviser, should draw up strategic communications advice on tailoring messages and tackling resistance, to support the mission staff involved in outreach and visibility activities.

Project cell

Missions may wish to consider Quick Impact Projects that target interactions with civil society actors relevant to the mission's mandate. As mentioned in the operational guidelines on human rights and gender mainstreaming, it is important to analyse any proposal from a gender perspective and a human rights perspective and to involve target groups in the project formulation phase to assess their involvement and possible ownership³².

Strategic messages

The mission PPIO should manage a list of strategic messages. At least one should concern engagement with civil society specifically, drafted with the support of the civil society coordinator (if the mission has one). In general, strategic messages to the population should aim to enhance trust between the citizens and the institutions and to explain the mission's mandate in clear terms, applying the people-centred approach.

Key messages may be relevant for individual projects/activities as well as for the mission as a whole. These messages must be gender-sensitive, include a balanced representation of men and women and show gendered views on security. Any public messaging should always be discussed first from do no harm perspective, to ensure it does not compromise the safety of any civil society actors or organisations. Key messages are also indicators that human rights and gender equality have been mainstreamed in a project/activity. Missions should issue or support joint statements with other EU actors when appropriate.

Country-level assessment/cooperation with EU Delegations

Collaboration with EU Delegations should be carried out whenever possible (joint meetings, sharing of information, joint planning, etc.). The EU Delegations use civil society roadmaps as a key strategic framework to inform, guide and frame the EU's engagement with civil society at country level. For its risk assessment and mapping exercise, a mission may wish to ask the relevant EU Delegation to share its civil society roadmap.

Other international stakeholders

As part of the integrated approach, CSDP missions collaborate with UN agencies and other international organisations. All staff should consider, from their respective positions and taking into account their respective responsibilities, whether it would be useful to create strategic alliances and collaborate on certain activities with OHCHR or other UN and international partners depending on the local circumstances, e.g. UN Women, UNFPA,

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³² In EUMM Georgia, the Confidence Building Facility is under the project cell and provides grants to CSOs of an average of EUR 20 000, in accordance with the PRAG regulations and based on a competitive restricted procedure. In addition, CSOs' proposals are reviewed from many different perspectives, including gender and human rights.



EEAS(2022)1705 [CPCC]

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Appendices

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<u>Saferworld</u> - Beyond box ticking how conflict sensitivity can shape a more equitable aid <u>system</u>

B. Guiding principles

The following principles, concepts and definitions should guide the missions' engagement with civil society.

• **Human Rights Based Approach (HRBA)**: The HRBA ensures that people (rightholders) know about their human rights and can claim them. It also targets, supports and enables the entities responsible for respecting, protecting and fulfilling human rights (duty-bearers), so that they are equipped to implement their obligations. A human rights-based approach serves to ensure that all policies and actions are aimed at realising the human rights of the whole of society without discrimination, be it direct or indirect. As such, adopting/applying a HRBA is fundamental in the process of mainstreaming human rights³⁴.

³⁴ Civilian Operational Commander Operational Guidelines for Mission Management and Staff Operational Guidelines on Human Rights Mainstreaming and Human Rights Due Diligence (EEAS 2021(750))

- **'Do no harm':** Civilian CSDP missions should avoid any potential operation with a high or irreversible negative impact on the environment and demonstrate efforts to avoid this in their operational context.
 - o For CSDP missions, applying the principle of 'do no harm' is essential when engaging with civil society. In repressive environments, civil society as a whole might be under pressure, with CSOs working on human rights, social justice and media freedom often specifically targeted. 'Do no harm' in this context means avoiding putting those civil society actors at further risk.
- **Complementarity**: Civil society engagement is complementary to human rights and gender mainstreaming³⁵, and these two activities are mutually reinforcing and need to be undertaken in parallel.
- Leading by example: Various Council conclusions, the EU Action Plan on Human Rights and Democracy and the Gender Action Plan have all given CSDP missions a prominent role in promoting and protecting human rights and supporting democracy, including through engagement with CSOs as key partners.
 - O A mission's leadership must show commitment and take a hands-on approach to changing mindsets and behaviours. Managers must lead by example. Their role is decisive when it comes to maintaining high professional standards, including in missions' engagement with civil society and integrating this into work streams.
- **People-centred approach**: A people-centred approach to security proposes that the security of the state is dependent on and mutually reinforces the security of the people within the state. It does not deny the critical role of the state, but rather elevates people to the position of equal stakeholder in the pursuit of security. A people-centred approach therefore complements the top-down approach of state-centric security with a bottom-up approach whereby the population and civil society actors are actively engaged in determining the local security priorities and proposing solutions.
- **Human security**: This is a notion of security that encompasses human rights, good governance, access to education and healthcare and ensuring that each individual has opportunities and choices to fulfil his or her own potential³⁶.

³⁵ See Civilian Operational Commander Operational Guidelines for Mission Management and Staff on Gender Mainstreaming (EEAS 2018 (747)) and Civilian Operational Commander Operational Guidelines for Mission Management and Staff Operational Guidelines on Human Rights Mainstreaming and Human Rights Due Diligence (EEAS 2021(750))

³⁶ DCAF SSR Glossary (www.issat.dcaf.ch)

- Conflict sensitivity: A conflict-sensitive approach involves understanding context: conflict dynamics, conflict drivers and mitigation measures. An understanding of those contextual aspects should inform how missions work with civil society, to avoid (unintentionally) adding to existing tensions and to instead strengthen social cohesion³⁷. Conflict sensitivity is a deliberate and systematic practice which ensures that processes and actions minimise the negative impact and maximise the positive impact of interventions on peace and conflict. This requires a thorough analysis of civil society actors and an understanding of their (potential) conflict-transformation roles, as well as their strengths and weaknesses. Engagement with civil society should therefore include design, implementation, monitoring and evaluation stages. The goals of conflict sensitivity are:
 - o to ensure that the risks of unintentionally fuelling conflict are identified and mitigated, and that opportunities to maximise contributions towards peace are identified and pursued; and
 - o to improve the effectiveness of international assistance and engagement.
- Gender equality: This involves taking a gender-transformative approach and addressing the intersectionality of gender with other forms of discrimination, as enshrined in the EU Gender Action Plan III for gender equality and women's empowerment in EU external action. A gender-transformative approach entails examining, questioning and changing rigid gender norms and power imbalances that disadvantage women and girls and generate discrimination at all ages, starting from early childhood³⁸.
- 'Leave no one behind': To empower all people involves enabling them to realise their full potential as equal and active members of society³⁹.
- **Participation**: This involves promoting a safe and enabling environment for civil society as actors in their own right, including long-term strategic and flexible support to capacity building for and the meaningful participation of civil society at country, regional and global level⁴⁰.
- **Empowerment:** An empowered civil society is a crucial component of any democratic system and is an asset in itself. It represents and fosters pluralism and can contribute to more effective policies, equitable and sustainable development and

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³⁷. The need for this approach in the EU's engagement in fragile contexts is stressed in the Council Conclusions on the Integrated Approach to External Conflicts and Crises, 5413/18

³⁸ EU Gender Action Plan III, An Ambitious Agenda for Gender Equality and Women's Empowerment in EU External Action JOIN (2020)17 final. P.3

³⁹ EU Action Plan on Human Rights and Democracy 2020-2024, doc. 12848/20, p. 5

⁴⁰ Ibid., p. 10

inclusive security. It is an important player in fostering peace and in conflict resolution.

• Accountability: CSOs are key to ensuring inclusive policies because they articulate citizens' concerns. CSOs therefore contribute to building more accountable and legitimate states ⁴¹. It is important that CSDP missions also hold themselves accountable and receive input from civil society, in order to become more effective in promoting a people-centred approach to human security at all levels.

C. Key priorities checklist.

Identify key priorities

Checklist of specific themes that the missions can engage in with CSOs, depending on their mandate:

- human rights and human security;
- women, peace and security;
- gender equality;
- children affected by armed conflict (CAAC);
- community policing;
- integrity and accountability of security forces;
- countering violent extremism;
- inclusion/minorities;
- social cohesion;
- (access to) justice;
- peace-building and reconciliation;
- international humanitarian law;
- the criminal justice chain;
- countering corruption;
- preventing radicalisation;
- environmental and climate issues;
- cultural heritage;
- > young people.

D. Checklist of engagement methods

⁴¹ Commission Communication 'The Roots of Democracy and sustainable development: Europe's engagement with Civil Society in external relations' (2012), p.3

Checklist of engagement methods:

- Involve these representatives wherever possible (trainings, project design, workshops, etc.).
- Carry out regular gender-sensitive conflict analysis with civil society.
- Allow feedback to be given on the mission's activities through, at a minimum, a (bi)annual (structured) dialogue, with anonymous channels for feedback provided.
- Participate in CSO events.
- Promote the role of CSOs when talking to security forces.
- Encourage security forces to take into account CSOs' recommendations/views, ideally through direct interaction.
- > Scale up support for trust-building initiatives and structures, and foster synergies with EU programmes supporting community security initiatives that identify and respond to local perceptions of security using both formal and informal systems.
- Encourage security forces to develop a communication strategy in order to explain their efforts to the wider population, to enhance communities' acceptance of their presence.
- Promote the concept of protecting civilians and the 'do no harm' approach among state structures.
- Lead by example on accountability and transparency by working with CSOs to design and implement accountability and civilian complaint mechanisms for missions.
- ➤ Highlight the potential value of working with CSOs for engagement to be meaningful and productive, state institutions have to recognise the value of CSO engagement and be willing to take advantage of it.
- Map specific needs (what type of capacity-building is needed, what role should the CSDP mission play, etc.).
- ➤ Build CSOs' knowledge of government (security) architecture, strategies and policies and help them define their role therein.
- > Start with key issues that have traction with both citizens and the state.
- Promote CSOs' research and recommendations within missions include a 'CSO state of play' during induction for newcomers; link missions' civil society work with EU Delegations' civil society roadmaps; make sure that CSOs' activities are linked to the EU Delegations' civil society roadmaps, to promote synergies and ensure complementarity of action.