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# Civil Society Self-Regulation

The Global Picture

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International Law & Regulation

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## **Executive Summary**

As CSOs have grown in number and influence their activities have been subject to greater scrutiny. In response, a growing number have come together at national, regional and international levels to develop common norms and standards. Such sector level self-regulatory initiatives have become an important means of building public trust, protecting the political space for CSOs to operate, and sharing good practice and learning.

Despite the widespread proliferation of CSO self-regulatory initiatives over the past two decades, there has been no thorough stock-taking and analysis of existing initiatives. This first paper in a series on CSO self-regulation provides an overview of the state of CSO self-regulation worldwide. It examines the various types of initiatives currently in use and offers insights into current patterns at national, regional and international levels.

Key findings are:

- With a total of 309 initiatives identified worldwide, the landscape of CSO self-regulation is more populated than previously thought. Earlier attempts to map self-regulatory initiatives have focused on particular sectors or regions and thus only ever touched the surface of what currently exists.
- CSO self-regulation has not permeated the sector evenly. While the United States, Canada and Western Europe have high level of self-regulation, countries in the Middle East and North Africa, Central Asia and Southeast Asia have limited self-regulation.
- There is no one size fits all approach to CSO self-regulation. The form an initiative takes is shaped by contextual factors such as the level of development of civil society, the resources that are available, and the nature of relations with the state.
- CSO self-regulation is a rapidly evolving field with many initiatives having emerged in the past five years and many still currently in development. The One World Trust's database of CSO self-regulatory initiatives will serve as a focal point for ongoing monitoring.

## Introduction

### *What is CSO self-regulation?*

As CSOs<sup>1</sup> have grown in number and influence worldwide over the past two decades, their activities have been subject to greater scrutiny; they are increasingly questioned on who funds them, who they represent, how they are governed and what impact they are having. In response, predominantly since the 1990s<sup>2</sup>, a growing number of CSOs and NGOs have come together at national, regional and international levels to develop common norms and standards. Such sector level self-regulatory initiatives have become an important means of increasing CSOs' credibility and legitimacy with stakeholders, helping build public trust, protecting the political space for CSOs to operate, and supporting the sharing of good practice and learning.

CSO self-regulation takes place in three primary ways. In most cases, it involves two or more organisations coming together to either define common norms and standards to which they can be held to account or share good practices so as to improve programme effectiveness. This cooperative effort can address a range of issues from how CSOs are governed to what information they should be making public to how they should evaluate their activities. Less frequently, self-regulation can involve a third party such as a peer CSO or watchdog undertaking external assessments of organisations. Finally, in certain circumstances, CSO self-regulation can involve the government. In these cases power is partially delegated to an umbrella organisation or other association representing CSOs to regulate behaviour or set standards for the sector.

The common thread to all forms of CSO self-regulation is that **it is not fully mandated by government regulation**; at least some aspects of each CSO self-regulatory initiative are the result of voluntary participation by the sector in developing and administering common norms and standards of behaviour.

### *Knowledge gaps in CSO self-regulation*

Despite the widespread proliferation of CSO self-regulatory initiatives over the past two decades, there has been no thorough stock-taking and analysis of existing initiatives. Previous research on the issue has been limited to specific regions, theoretically focused or relied on the same handful of initiatives for case studies.<sup>3</sup> As a consequence, the scale of CSO self-regulation worldwide has been underestimated and lessons and examples of good practice have not been systematically captured or shared within the CSO sector. The

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<sup>1</sup> Civil society organisations (CSOs) include NGOs, non-profit organisations (NPOs), charities, and community-based organisations (CBOs). For purposes of this project, we have relied on a wide definition of CSOs that also includes religious organisations, trade unions, foundations, and any other institutions outside of the corporate and government sectors.

<sup>2</sup> While the majority of initiatives were established in the 1990s, a few have been identified that were established in the 1980s, primarily in European countries. Examples include the Charter Committee in France (1989), the Central Bureau on Fundraising's Seal of Approval and Certificate of No Objection in the Netherlands (1989), the Social Development Code of the Partnership of Philippine Support Service Agencies Inc (PHILSSA) in the Philippines (1988), the Standards of Organizational Integrity and Accountability of the Canadian Council of Christian Charities (CCCC) (1983), and the Charter of principles of human rights and development of the Association Québécoise des Organismes de Coopération Internationale (AQOCI) (1987).

<sup>3</sup> Bothwell, R.O. (2001) "Trends in self-regulation and transparency of non profit organisation in the US", *International Journal for Non-Profit Law*, Vol. 4, No. 1; Gugerty, Mary (2008), "The Effectiveness of National NGO Self-Regulation: Theory and Evidence from Africa," *Public Administration and Development*, 28: 105-118, May 2008; Lloyd, Robert, (2005) "The Role of NGO Self-Regulation in Increasing Stakeholder Accountability"; Sidel, M. (2003) "Trends in nonprofit self-regulation in the Asia Pacific region: initial data on initiatives, experiments and models in seventeen countries"

purpose of the One World Trust's CSO self-regulatory initiatives project is to provide the **first comprehensive inventory and analysis of CSO self-regulation** worldwide.

This first paper in a series on CSO self-regulation provides an overview of the state of CSO self-regulation worldwide. It examines the various types of initiatives currently in use and offers insights into current patterns at national, regional and international level. Subsequent papers will address issues such as the contents of different initiatives and the nature of their compliance mechanisms, and explore the political and cultural factors that shape initiatives within different national, regional and thematic contexts.

## **Research methodology**

Developing a 'complete' inventory of CSO self-regulatory initiatives worldwide is a significant task. While the research methodology for building the inventory was designed to minimise oversights, it is important to recognise that the inventory is a work in progress and will rely on its users to keep it up to date. To generate interest in the project and encourage organisations to send in information on additional initiatives the map of CSO self-regulation worldwide has been launched prior to the full database.

As a preliminary step, research was conducted in a small number of countries to develop a framework for categorising and assessing each self-regulatory initiative. This framework was then sent out to a number of stakeholders for feedback and comments. We expect it to continue to undergo modifications, as a result of input from CSO umbrella organisations, donors, civil society researchers and other users of the database. At an early stage in the process, a partnership was also established with the European Centre for Not-for-Profit Law (ECNL) through which the ECNL provided research it had previously conducted on CSO self-regulation in Europe as well as civil society contacts from the International Center for Not-for-Profit Law (ICNL) globally.<sup>4</sup>

Following the development of the framework, research continued with the identification of CSO umbrella organisations and civil society experts at national, regional and international levels. These organisations and experts were then contacted to determine if they managed or knew of any self-regulatory initiatives in their respective countries and activity sectors. This process was complemented with searches of secondary literature on CSO self-regulatory initiatives.

Once initiatives were identified, they were assessed and categorised within three broad areas: content (the issues addressed in the initiative), participation/membership (the types of participants targeted, the number of members, the process for becoming a member, and any associated costs), and compliance (the existence and nature of any compliance mechanisms).

## **Drivers of self-regulation in the CSO sector**

CSO self-regulation is driven by sectoral and societal needs to have a CSO sector that positively contributes to social development, is a good steward of financial resources, and is effective and accountable in its activities. While CSOs can respond to growing scrutiny and criticism individually by developing new policies and procedures to raise standards, working at sector level enables the sector to speak with a more unified voice to external actors such

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<sup>4</sup> ECNL's mission is to promote "the strengthening of a supportive legal environment for civil society in Europe, with a focus on Central and Eastern Europe, by developing expertise and building capacity in legal issues affecting not-for-profit organisations and public participation." (ECNL Mission Statement).

as the general public, donors and regulators. It also facilitates the sharing of lessons across the sector, lowering the cost and time necessary to develop effective approaches to strengthening quality and accountability.

### ***Growing influence – Increasing scrutiny***

Since the 1990s, civil society has played an increasingly influential role in policy development and service delivery worldwide. Advocacy organisations have become more vocal in their demands while service delivery CSOs have begun to provide an increasingly large proportion of services traditionally delivered by governments. Furthermore, in many countries, domestic and foreign government funding of CSOs has risen dramatically over the past two decades.

As a result of these developments, CSOs have come under increasing scrutiny. Questions of representation, accountability to beneficiaries and supporters, quality and effectiveness of their programmes, financial management and governance have been raised by donors, governments, other CSOs and the wider public. In some contexts these questions are being asked in an effort to strengthen the sector and reinforce its role and influence in national and international governance processes; in others, however, some actors are manipulating the accountability agenda to undermine and curtail the power of CSOs and justify restrictive legislation. In response to these developments, CSOs have begun to work together as a sector to develop self-regulatory initiatives.

### ***The need to build public trust***

In addition to strengthening internal structures and operations, self-regulation can help build public trust in the sector. Making public commitments to clear principles, norms and standards provides beneficiaries, supporters, donors and the wider public with something to which they can hold CSOs to account. Furthermore, self-regulation can help limit reputational damage to the sector caused by the wayward and unaccountable behaviour of a minority of organisations. It also enables participating organisations, or the sector as a whole, to signal trustworthiness and professionalism to donors and the general public. In cases where participation in the initiative is limited, self-regulation can help participating organisations to stand out to potential donors in an increasingly competitive and crowded field.

### ***Complementing and pre-empting government regulation***

Self-regulation may also seek to fill gaps in government regulation and protect civil society from burdensome and inappropriate government intervention. First, in many contexts, self-regulation complements government regulatory efforts by addressing the varying challenges and concerns from organisations within the sector and their stakeholders. For example, self-regulatory efforts can address issues such as ethical use of images or monitoring and evaluation frameworks that would be too narrow or detailed to incorporate in a broad regulatory framework intended to incorporate all non-profit organisations. Second, self-regulation can also be a means of protecting the political space for CSOs to operate. In contexts where state-civil society relations are tense, claims of inadequate accountability and transparency are often used by the government as the pretence for restrictive legislation which limits the ability of CSOs to operate. Developing self-regulation can help to minimize this threat as it enables the sector to speak in one voice and indicate its collective efforts.

## Forms of CSO self-regulation worldwide

Our research indicates that CSO self-regulatory initiatives exist in a variety of forms based upon the needs and interests of participating organisations and the operational context of the sector more broadly. Self-regulatory initiatives may have highly institutionalised (formal) structures that guide implementation or be relatively unstructured (informal) and provide flexibility in implementation to participating CSOs. An initiative with a highly institutionalised structure spells out in detail the contents and criteria for participation. It also has the administrative structures, such as a secretariat or committee, to support its implementation. Initiatives with a more informal structure lack such management systems, and their principles, standards, and assessment frameworks tend to be laid out in more general terms.

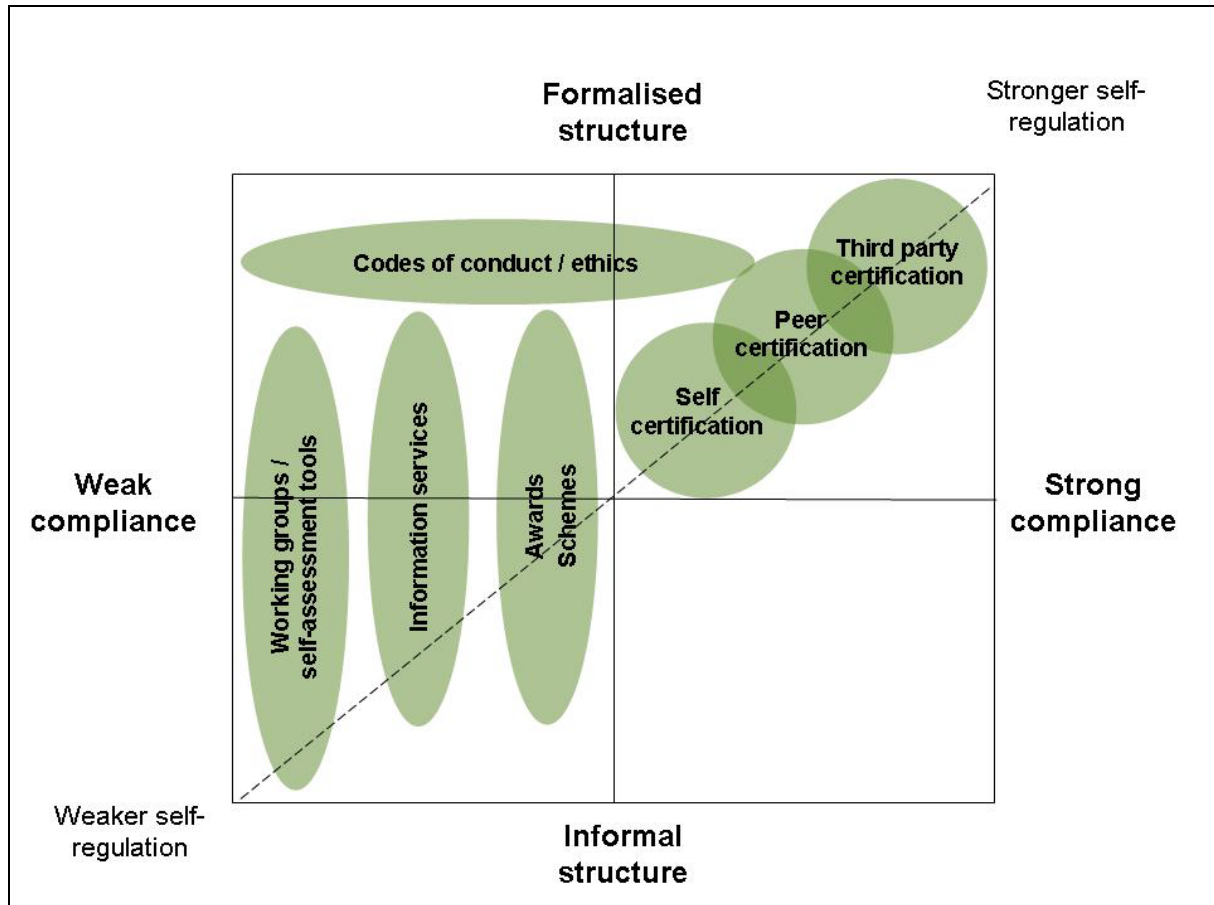
The other axis of analysis of self-regulatory initiatives relates to their compliance mechanisms. While some self-regulatory initiatives have strong compliance mechanisms, others leave implementation fully in the hands of individual CSOs, i.e. they have weaker or no compliance mechanisms. There are five broad categories of CSO self-regulation:

- ☑ **Codes of conduct and ethics** tend to detail a set of basic principles that guide the behaviour of members. They are typically quite formalised, but generally do not include a compliance mechanism.
- ☑ **Certification schemes** may involve self, peer or third-party assessment of compliance with principles or standards. They tend to be both highly formalised and have relatively strong compliance mechanisms. **Self-certification schemes** involve a CSO undergoing an internal verification process and making a formal declaration of compliance with a clear set of standards developed by a group of CSOs. They often involve submission of evidence of compliance to the body overseeing the initiative. However, self-certification schemes do not require verification of compliance from any external party. **Peer certification schemes** involve a group of organisations working in a similar area coming together to set standards. Compliance of a CSO is verified by a peer organisation. **Third party certification schemes** generally involve a third party organisation – an organisation that is not a peer - developing and/or verifying compliance against a set of principles or standards. In some instances certification can lead to a formal certificate or seal of approval being awarded to the organisation.
- ☑ **Information services** enhance transparency in the sector by sharing information about CSOs with the general public and across the sector. The information that is presented by a particular service varies widely and can include among other things, the activities a CSO undertakes, its administration costs, and its annual accounts. Some information services serve primarily as directories of CSOs, simply providing information on the existence of actors in the sector. This can be an important contribution, both in countries with an abundance and a dearth of available information about the sector. In most cases, information services do not have compliance mechanisms.
- ☑ **Working groups** are collections of peer organisations that come together on a regular basis to discuss, share and define best practice on a particular issue. To encourage the adoption of best practice they often develop **self-assessments, toolkits and guides** for their members. Working groups, though largely lacking in both a formalised structure and compliance mechanisms themselves, are often at the origin of more formalised and compliance-based forms of self-regulation such as codes of conduct and certification schemes.

- ☑ **Awards schemes** may be administered by a peer, umbrella or third party organisation. They seek to identify, highlight, and reward good practice.

Figure 1 illustrates where each of seven major types of initiatives sit between the two axes of formalised / informal structures and weak / strong compliance. Note that these ranges are approximate and can vary with each specific initiative.

Figure 1: Types of CSO self-regulatory initiatives



CSO self-regulatory initiatives that apply only within a single organisation, while setting common norms and standards, are, for the purposes of this research, not considered self-regulatory initiatives. Although such initiatives may provide models and examples of best practice to the wider sector, they are internal to a single organisation and do not seek to raise standards at a sector level. Examples of this type of initiative include the Transparency International (TI) *National Chapter Accreditation Policy* and the International Planned Parenthood Federation (IPPF) *Standards and Responsibilities of IPPF Membership*.<sup>5</sup>

Principles and standards of practice that are fully enshrined in national law and overseen by governmental authorities, either directly or through government-established and controlled agencies are also not CSO self-regulatory initiatives. For example, the work of the UK Charity Commission, an independent government agency, is not CSO self-regulation. However, there are cases where some responsibility for developing, managing or

<sup>5</sup> The full texts of these initiatives are available via the IPPF website at [www.ippf.org](http://www.ippf.org) and the TI website at [www.transparency.org](http://www.transparency.org).

implementing an initiative established by law is vested in a body representing the CSO sector. These initiatives, most common in Africa and Asia, have been included in our research as self-regulatory initiatives due to the meaningful engagement of the CSO sector in regulating the behaviour of its members. An example of this type of initiative is the Code of Conduct promulgated by the Kenya National Council of NGOs. The Kenyan NGO Coordination Act of 1990 established the Council, of which all registered NGOs are members, and granted it the authority to self-regulate the activities of Kenyan NGOs. The contents of the Code of Conduct that has been developed was left at the discretion of the Council.<sup>6</sup>

Prominent examples of each major type of self-regulatory initiative are detailed in Table 1 below.

**Table 1: Examples of the major types of CSO self-regulatory initiatives**

<b>Initiative types</b>	<b>Examples</b>
Codes of conduct and ethics	INGO Charter, International Committee of Fundraising Organizations' International Standards, Australian Council for International Development (ACFID) Code of Conduct, Code of Conduct for NGOs engaged in Humanitarian Action, Reconstruction, and Development in Afghanistan
Certification:	
Self-certification	Interaction PVO (Private Voluntary Organization) Standards, Canadian Council for International Co-operation (CCIC) Code of Ethics, Smart Givers Network Accountability Wizard of the Charities Review Council (Minnesota)
Peer certification	NGO Good Practice Project Certification System of the Cooperation Committee for Cambodia, Accountability to Disaster-Affected Populations, A Peer Review by the Steering Committee for Humanitarian Response (SCHR)
3 <sup>rd</sup> party certification	Austrian Seal of Quality for Donations, Governance and Transparency Indicators of CEMEFI (Mexican Centre for Philanthropy), Global Accountability Report
Information service	Guidestar, Intelligent Giving Charity Chooser, ALNAP Project
Working group	Global Reporting Initiative NGO Sector Supplement Working Group, Open Forum for CSO Development Effectiveness, British Overseas NGOs for Development (BOND) Quality Standards Group, Central and Eastern European Working Group on Non-profit Governance
Self-assessment tool	Groupe URD Quality COMPAS, Emergency Capacity Building Project Impact Measurement and Accountability in Emergencies: The Good Enough Guide, GRI G3
Awards scheme	Annual Report Awards of the Romanian Donors' Forum, India NGO Award, Third Sector Excellence Award (UK)

<sup>6</sup> The 1990 NGO Coordination Act is currently under revision and the situation may change in the near future.

## Patterns in CSO self-regulatory initiative types

The following section explores in detail the eight main types of CSO self-regulation identified through our research. It highlights initiatives that fall within each category, details how numerous types of initiatives are and explores how they are administered.

### **Codes of conduct and ethics**

Codes of conduct and ethics are by far the most common type of CSO self-regulatory initiative globally. Of the 309 initiatives identified, 51 percent, or 159 initiatives, fall within this category. These types of initiatives exist in all regions of the world.

Umbrella bodies<sup>7</sup> representing CSOs and NGOs at national and international levels host the vast majority of codes of conduct and ethics, with 119, or 75 percent, of the 159 identified codes sponsored by such bodies. Most of these umbrella bodies exist at national, rather than international, levels and promote the implementation of codes within specific national contexts. Interestingly, codes of conduct and ethics represent the largest proportion of existing initiatives of any region in Sub-Saharan Africa and exist in both Anglophone and Francophone African countries<sup>8</sup>.

Codes of conduct and ethics may be hosted by umbrella bodies representing all actors within the CSO sector or only those working in a particular area of activity such as fundraising or health. Examples of codes of conduct and ethics hosted by national sector-wide umbrella bodies include, for example, the Code of Ethics of the Union of Charitable Organisations applies to all CSOs/NGOs operating within Russia. Similar sector-wide codes exist in Bosnia and Herzegovina<sup>9</sup> and Colombia<sup>10</sup>. At the international level, any NGO may adhere to the Code of Ethics and Conduct for NGOs of the World Association of NGOs (WANGO). Codes of conduct and ethics may be specific to a particular sub-sector. In Brazil, for example, there is a code of conduct for fundraising organisations<sup>11</sup>, while in Korea there is one for NGOs working in development,<sup>12</sup> and in Slovakia for community foundations<sup>13</sup>. Internationally, the Principles of Accountability for International Philanthropy and the International Committee of Fundraising Organizations' International Standards exist to support CSOs engaged in philanthropy and fundraising.

A more limited set of actors may also develop codes of conduct and ethics. A number of initiatives have been identified for example where a group of peer organisations has come together to develop a code of conduct that applies only to members of the group. At an international level, the NGO Code of Conduct for Health Systems Strengthening and the International Advocacy NGOs (INGO) Charter provide examples of peer-led international codes of conduct. The INGO Charter, for example, resulted from the collaboration between 15 major international advocacy NGOs and covers issues such as responsible lobbying, accountability and transparency. At a regional level, the Caucasian NGO Network on

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<sup>7</sup> CSO umbrella bodies are membership organisations that bring together all actors within the sector, or an activity sub-sector, to represent the views of the sector to government, the media and the wider public. They serve to present a unified voice for the sector, support their members with information, training and networking assistance, and provide a platform for discussion and debate within the sector.

<sup>8</sup> Examples include the BOCONGO (Botswana Council of NGOs) NGO Code of Conduct and the CONGAD (Conseil des ONG d'Appui au Développement au Sénégal, the Council of NGOs in Support of Development in Senegal) Code of Ethics.

<sup>9</sup> The Code of Conduct for Non-Government Sector

<sup>10</sup> The Code of Ethics of the Confederation of Colombian NGOs

<sup>11</sup> The Code of Ethics of the Brazilian Fundraisers' Association

<sup>12</sup> The Code of Conduct of the Korea NGO Council for Overseas Cooperation

<sup>13</sup> The Standards for Community Foundations



Refugees and Internally Displaced Persons (CRINGO) Code of Conduct represents a similar peer group effort. The Irish Child Sponsorship Alliance Code on Child Protection and the Code of Conduct of the Consortium of Humanitarian Agencies (CHA) in Sri Lanka provide similar examples at the national level.

### ***Certification schemes***

Certification schemes involve some form of verification of compliance with a set of principles or standards. They include self-certification, peer certification, and third-party certification schemes. Due to both the human and financial resources needed to implement these initiatives as well as general hesitation by many organisations to undergo formal assessment, particularly by external actors, certification schemes are much less common than codes of conduct (which tend to have weak compliance mechanisms), representing just 73, or 24 percent, of the 309 identified self-regulatory initiatives identified worldwide.

Of the 73 certification schemes identified, nearly three-quarter of them (74 percent) are based on third-party certification and assessment. Third-party certification schemes tend to fall within two major categories, initiatives focused on ethical fundraising practices and good stewardship of donor funds, and initiatives focused on assessing operational quality.

In most cases, third-party certification schemes involve rating agencies conducting independent assessments of CSOs so as to offer guidance to the public on where to invest their money. Such schemes are particularly common in the United Kingdom and the United States. These include the New Philanthropy Capital Charity Rating Database as well as the Intelligent Giving's Charity Chooser in the United Kingdom and the American Institute of Philanthropy's Charity Rating Guide, the Better Business Bureau (BBB) Wise Giving Alliance's Standards of Charity and Accountability, and the Charity Navigator Ratings in the United States. Several Western European countries also have certification schemes for charitable donations including Austria<sup>14</sup>, France<sup>15</sup>, Germany<sup>16</sup>, Italy<sup>17</sup>, Netherlands<sup>18</sup>, Sweden<sup>19</sup>, and, Switzerland<sup>20</sup>.

Other third-party certification schemes focus on assessing the operational quality of CSOs and NGOs. Internationally, the HAP (Humanitarian Accountability Partnership) 2007 Standard in Humanitarian Accountability and Quality Management was initially developed by a group of humanitarian INGOs, but requires third party verification of compliance for a certificate to be granted. The Eighth Edition Standards of the Council on Accreditation addresses quality of service delivery in the fields of social care and services. in service delivery for NGOs. At a national level, the Standards for Excellence initiative, first established in Maryland in the United States, and subsequently licensed to operate in nine other states to date, set out principles and standards for best practice in the non-profit sector against which participating organisations are assessed and certified. In India, Give India assesses and certifies NGOs against the Credibility Alliance's norms which cover areas such as project planning and monitoring and evaluation.

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<sup>14</sup> Seal of Quality for Donations,

<sup>15</sup> Charter Committee

<sup>16</sup> DZI Donation Seal

<sup>17</sup> Charter for Donations

<sup>18</sup> Central Bureau on Fundraising

<sup>19</sup> Accountability and Transparency Report and Norms for Ethical Fundraising

<sup>20</sup> ZEWO Seal of Approval

Some certification schemes rely on review and assessment by peer organisations. These schemes typically delve into substantial detail and consequently have limited memberships due to the both capacity constraints and the need for members to be conversant in and knowledgeable of the operational contexts of other peer members. One example at the international level is the Steering Committee for Humanitarian Response (SCHR)'s Accountability to Disaster-Affected Populations; a peer review process, spearheaded by a group of large humanitarian and emergency relief NGOs where members work in teams to assess each others practices in beneficiary accountability. Peer-based certification schemes also exist at national levels; examples include the Cooperation Committee for Cambodia's NGO Good Practice Project Certification System, the Canadian Council of Christian Charities' Standards of Organizational Integrity and Accountability, and the Uganda National NGO Forum & Development Network of Indigenous Voluntary Association's Quality Assurance Mechanism (QuAM).

Finally, there are a few self-certification schemes under which participating CSOs conduct an internal assessment to verify their own compliance with the principles and standards of the scheme. Often, participating CSOs must provide documentation demonstrating their compliance to the host organisation of the initiative, though this information is rarely externally verified. One such scheme is the InterAction PVO (Private Voluntary Organization) Standards (1994) and the accompanying Self-Certification Plus (2004), which is used to accredit development NGOs based in the United States and working internationally on issues such as lobbying, fundraising, management, and governance.

### ***Information services***

Information service providers are typically third party organisations, although peer groups and umbrella bodies may also run such services. 37 information services have been identified globally and there are likely many more in operation. The information such services provide varies widely, but the majority are directories of NGOs and CSOs operating within a particular national context. Their primary purpose is to increase transparency in the sector, often to provide potential donors and partners with basic information about CSOs operating in the country. These directories may also include more detailed information such as in the various national-level Guidestars,<sup>21</sup> the oldest of which is in the United States and provides detailed financial information on non-profit organisations operating throughout the country.

Other information service providers seek to provide platforms for discussion, debate and dissemination of information on issues related to standards of practice and behaviour for CSOs. The Trust for Civil Society in Central and Eastern Europe's Center for NGO Governance and the Policy Association for an Open Society (PASOS) Project both provide information and networking opportunities for CSOs in transition countries.<sup>22</sup> Internationally, the ALNAP (Active Learning Network for Accountability and Performance in Humanitarian Action) Project focuses on sharing lessons learned across the sector through its Evaluative Reports Database, a bibliographic collection of evaluative reports of humanitarian action, while the International Resource Centre for National Platforms of NGOs provides news, networking, and directory information for CSO umbrella organisations globally.

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<sup>21</sup> Guidestar systems have been implemented in the United States and the United Kingdom and are in development in Germany, Israel, South Africa, and South Korea.

<sup>22</sup> While the Center for NGO Governance focuses on Central and Eastern Europe, the Policy Association for an Open Society (PASOS) Project includes members in Central Asia, the Caucuses and the Russian Federation. Both efforts seek to strengthen civil society in the region.

### **Working groups and their outputs**

Many self-regulatory initiatives begin as working groups focused on improving quality and accountability in the CSO sector generally or among a group of organisations active in a particular field of work such as health. Working groups are learning platforms where organisations can come together on a particular issue to share experiences, and drive up standards of practice among participants. They are often the first step in the development of more formalised forms of self-regulation, though they may serve as self-standing self-regulatory initiatives as well. As these groups coalesce and begin to develop their ideas they often produce materials such as toolkits, guides and self-assessments to assist member organisations in sharing and implementing good practice. Humanitarian and emergency relief as well as development CSOs tend to form some of the most visible of these working groups. While our research has captured less than 30 of such working groups and self-assessments (including toolkits and guides), interviews with organisations hosting codes of conduct and certification schemes have often indicated that other self-regulatory initiatives began with working group efforts. Furthermore, anecdotal evidence suggests that there are many more informal working groups in existence which are difficult to capture in this type of research, but whose efforts are nonetheless meaningful.<sup>23</sup>

Of the working groups identified, some of the most prominent at an international level include the Global Reporting Initiative (GRI) NGO Sector Supplement Working Group which is working to develop an NGO reporting framework similar to the corporate GRI framework. The Emergency Capacity Building Project (ECB), a group of humanitarian agencies that came together to discuss how to be more accountable to beneficiaries and better evaluate their work, subsequently developed *Impact Measurement and Accountability in Emergencies: the Good Enough Guide*, a tool for members, and other in the sector, to assess humanitarian responses on the basis of accountability and impact measurement. At a national level, the Tanzania Association of NGOs (TANGO)'s National NGO Code of Ethics Self-Assessment Programme, a pilot testing of an assessment to measure compliance with the new Code, provides another example of how a self-assessment tool may eventually form the basis of a more stringent national certification scheme.

### **Patterns in CSO self-regulation at the international level<sup>24</sup>**

An examination of CSO self-regulatory initiatives at the international and regional level shows that international initiatives follow the same pattern as self-regulation worldwide in terms of types of initiatives. Codes of conduct are most prevalent, representing 42 percent of all initiatives, followed by certification schemes at 25 percent.

The largest group of international initiatives are general in nature and can be applied to any international CSO or NGO. Examples include the Code of Ethics and Conduct for NGOs of the World Association of NGOs (WANGO) and the Practical Quality Assurance System for Small Organisations Quality Mark (PQASSO) of the Charity Evaluation Service. The Global Reporting Initiative's NGO Sector Supplement, currently in development, can also be applied to any actor in the NGO sector, regardless of sphere of activity.

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<sup>23</sup> Although difficult to capture, peer working groups are important to include in the map and database of CSO self-regulatory initiatives. Please let us know of any peer working groups addressing quality and accountability issues

<sup>24</sup> The data in this briefing paper represents our findings as of 31 May 2009.

Significantly, CSO self-regulatory initiatives at an international level tend to be concentrated in the development and humanitarian sectors. This finding is not unexpected given the highly visible and inherently collaborative nature of their work as well as the reliance of CSOs in these sectors on fundraising and public trust in the quality of their work. Furthermore, peer working groups' evaluations of humanitarian assistance in Rwanda in the mid-1990s and in the aftermath of the Asian tsunami in 2005 have played a role in developing consensus around the need for high standards of practice, methods for assessing programme effectiveness, and accountability to beneficiaries and donors for how relief funds are spent.

**Table 2: International and regional self-regulatory initiatives**

	Total number of initiatives	Codes of conduct / ethics	Certification schemes	Information services	Working groups & self assessment tools	Awards schemes
<b>All international and regional initiatives</b>	48	20	12	5	10	1
<b>General<sup>25</sup></b>	16	5	3	3	4	1
<b>Development</b>	5	1	3	-	1	-
<b>Environmental &amp; Social Impact</b>	3	-	-	-	3	-
<b>Fundraising</b>	3	2	1	-	-	-
<b>Health</b>	2	1	1	-	-	-
<b>Humanitarian &amp; Emergency Relief</b>	11	5	2	2	2	-
<b>Philanthropy</b>	2	2	-	-	-	-
<b>Other specific area</b>	6	4	2	-	-	-

**Patterns in CSO self-regulation at the national level<sup>26</sup>**

Research into the development of self-regulatory initiatives worldwide demonstrates that while CSO self-regulation is on the agenda in all regions, it has been notably more successful in gaining ground in some countries and regions than others.<sup>27</sup> By grouping countries based on whether they have high, emerging, or limited levels of self-regulation, the following section puts forward some cursory explanations for these patterns.

***Countries and regions with high levels of CSO self-regulation***

North America, the United States specifically and to a lesser extent Canada, as well as Western Europe have the highest levels of CSO self-regulatory initiatives globally. While the United States has by far the largest number of active initiatives, at over 50, the United

<sup>25</sup> Self-regulatory initiatives categorised as 'general' refer to those initiatives targeted towards all CSOs and/or NGOs, regardless of sphere of activities undertaken by the CSO or NGO.

<sup>26</sup> The data in this briefing paper represents our findings as of 31 May 2009.

<sup>27</sup> Research for the CSO self-regulatory initiatives project is ongoing and any numbers of initiatives should be taken as the first stage of a work in progress. We encourage readers to contact us at [csosr@oneworldtrust.org](mailto:csosr@oneworldtrust.org) regarding any initiatives not available via the project map, so that we may add them to our database.

Kingdom has over 20 initiatives with a notably smaller population and CSO sector size. Canada, France, Germany, India, Ireland, and the Netherlands also have relatively high levels of CSO self-regulation with more than five initiatives in each country, as indicated in Table 3 below. Australia, Belgium, Bulgaria, and Poland complete this group of countries with high levels of CSO self-regulation with 3-4 initiatives apiece.<sup>28</sup> Region-wide initiatives are also quite prevalent in Europe, with seven such initiatives currently identified.

**Table 3: Countries with at least five self-regulatory initiatives<sup>29</sup>**

	<b>Total number of initiatives</b>	<b>Codes of conduct / ethics</b>	<b>Certification schemes</b>	<b>Information services</b>	<b>Working groups &amp; self assessment tools</b>	<b>Awards schemes</b>
<b>United States</b>	55	23	23	6	3	-
<b>United Kingdom</b>	24	7	8	3	4	2
<b>Canada</b>	8	6	2	-	-	-
<b>Netherlands</b>	8	2	3	3	-	-
<b>Germany</b>	7	4	1	2	-	-
<b>India</b>	7	-	4	1	1	1
<b>Ireland</b>	7	7	-	-	-	-
<b>France</b>	6	1	2	-	3	-
<b>Total for top 8 countries</b>	122	50	43	15	8	3
<b>Percentage of total initiatives identified represented by top 8 countries</b>	39% (122/309)	31% (50/159)	59% (43/73)	42% (15/36)	28% (8/29)	60% (3/5)

While there is a strong correlation between high levels of CSO self-regulation, as measured by the number of active initiatives, and the relative financial strength of the sector in a particular country or region, there are clearly other factors at play. First, the above list demonstrates that the larger and wealthier English-speaking countries – five of the eight countries listed on Table 3 above – tend to have the highest rates of CSO self-regulation. A potential explanation for this finding is that those countries have among the largest CSO sectors globally and are able to effectively share and learn from each other’s experiences. Secondly, while the top eight countries in terms of level of CSO self-regulation contain 39 percent of all initiatives, they contain 59 percent of all certification schemes. This finding may be attributed to the higher costs associated with certification schemes being more easily borne by the sector in wealthier countries. Thirdly, upon closer examination of the initiatives in these countries, in all but the United Kingdom and the United States, the majority of initiatives address either fundraising or relate to organisations working in international

<sup>28</sup> To view the full map and list of initiatives, please visit [www.oneworldtrust.org/csoproject](http://www.oneworldtrust.org/csoproject). However, please note that the data for this paper is more recent than that used for the map.

<sup>29</sup> The cut-off point at more than five initiatives was selected because there are many countries with only four initiatives or fewer.

development. This finding could be attributed to how publicly visible these two areas of work are; the more publicly visible an area of work, the more likely questions are to be raised on the quality and accountability of CSO work in that area. Finally, it is significant that most Western European countries, as well as Canada and the United States, have self-regulatory initiatives that address fundraising ethics and practice.<sup>30</sup> This trend can be attributed to the long-standing attention paid to and dependence on charitable fundraising from individuals to finance CSOs in the region.

### ***Emerging self-regulation worldwide***

CSO self-regulation has emerged more slowly outside Western Europe, the United States, the United Kingdom and Canada, but is nonetheless on the agenda in other regions. Central and Eastern Europe as well as Sub-Saharan Africa are regions where CSOs are increasingly recognising the need to set minimum standards of practice and developing initiatives to support this. Table 4 demonstrates the regional variation in levels of self-regulation globally, dividing regions in three groups – high, emerging, and limited.

In Central and Eastern Europe and Sub-Saharan Africa, civil society has only become a major player in national policy-making and service delivery with the influx of development, democratisation and transition assistance funds beginning in the 1990s. Within a decade of these transitions, questions began to emerge regarding the accountability, transparency and quality of the burgeoning CSO sector. The emergence of self-regulatory initiatives is in direct response to these questions.

In Central and Eastern European countries engagement with, and prospects of membership in, the European Union by the early 2000s, may also have played a role in the recent development of much CSO self-regulation with CSOs being influenced by their counterparts in Western Europe, a region already dense with self-regulatory initiatives. Notably, self-regulation has not yet taken hold in the farthest eastern countries of the region which also remain farthest from European Union accession: Belarus, Moldova, and Ukraine.

Within sub-Saharan Africa, the reliance of civil society on donor funding beginning in the 1990s has also impacted the growth of self-regulation on the continent. Many CSO umbrella bodies, as well as their largest members, received or continue to receive substantial funding and support from Western donors. With that support comes an interest in CSO self-regulation as a means to develop and enhance the credibility of the sector. In addition, with so many CSOs receiving substantial foreign funding, building and maintaining public trust can be especially challenging. Also, it is worthy of note that the majority of self-regulatory initiatives are based in Anglophone countries, in particular the most developed and populous of the continent: Kenya, Nigeria, South Africa, and Zimbabwe. However, given the challenging political climates and civil conflicts in many Francophone and Lusophone countries, this finding is not surprising.<sup>31</sup> Countries such as Senegal and Mali, both of which have relatively well-developed civil society sectors, have, not without coincidence, both developed CSO self-regulatory initiatives. Uganda, suffering from decades of civil conflict, has nonetheless developed a strong CSO sector and accompanying self-regulatory

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<sup>30</sup> Fundraising focused CSO self-regulatory initiatives can be found in Austria, Canada, Denmark, Finland, France, Germany, Italy, Ireland, Luxembourg, the Netherlands, Norway, Sweden, and Switzerland, the United Kingdom and the United States.

<sup>31</sup> Key examples of Francophone countries that have experienced serious conflicts over the past two decades include the Central African Republic, Chad, Cote d'Ivoire, Democratic Republic of Congo, and Rwanda. The operational context for CSOs in the Republic of Congo, Equatorial Guinea, Gabon and Togo has also been quite challenging. The Lusophone countries of Angola, Guinea-Bissau, and Mozambique have all experienced extended periods of civil conflict.

initiatives, demonstrating that poverty, conflict and stalled democratisation do not necessarily prevent the emergence of CSO self-regulation.

**Table 4: Self regulation initiatives by category and region**

	<b>Total number of initiatives</b>	<b>Codes of conduct / ethics</b>	<b>Certification schemes</b>	<b>Information services</b>	<b>Working groups &amp; self-assessment tools</b>	<b>Awards schemes</b>
<u>Regions with high levels of CSO self-regulation</u>						
<b>Western Europe</b>	81	40	22	8	9	2
<b>USA &amp; Canada</b>	62	28	25	6	3	-
<u>Regions with emerging self-regulation</u>						
<b>Central &amp; Eastern Europe</b>	36	22	1	9	1	1
<b>Sub-Saharan Africa</b>	33	23	2	4	3	1
<b>Latin America</b>	16	10	3	1	2	-
<b>South Asia</b>	15	7	5	1	1	1
<b>Southeast Asia</b>	9	7	2	-	-	-
<u>Regions with limited self-regulation</u>						
Australasia & Pacific Islands	5	3	1	-	1	-
Middle East & North Africa	5	3	-	2	-	-
East Asia	4	3	-	1	-	-
Central Asia	3	2	1	-	-	-

South Asia provides a mixed picture of CSO self-regulation development. India clearly has the most vibrant CSO self-regulatory initiative growth with five initiatives currently identified, while Pakistan has one of the most well-established NGO certification schemes in the developing world. Initiatives have also been identified in Afghanistan, Bangladesh, and Nepal, demonstrating that self-regulation is on the agenda in the region.

Self-regulation of the CSO sector in Latin America has begun to take root in some countries, but has not yet permeated the region. Civil society organisations have been active in Latin America since the 1980s post-authoritarian political transitions. Today, most countries in South America have one active self-regulatory initiative or initiatives in development, but only in Brazil and Columbia have multiple initiatives yet emerged. Without a regional self-regulation leader, this Spanish-speaking region has remained isolated from wider quality and accountability debates in global civil society. However, anecdotal evidence suggests that self-regulation is increasingly on the CSO agenda in the region.

### ***Countries and regions with limited self-regulation***

There are several possible explanations for CSO self-regulation remaining largely absent in other regions of the world. In the Middle East and North Africa, Central Asia, and to a lesser extent Southeast Asia, democratisation processes have generally proceeded more slowly and governments have maintained relatively greater control over CSO activities. This is nowhere more the case than in Central Asia and the Middle East where authoritarian regimes limit the scope for meaningful CSO self-regulation. Furthermore, in these regions, CSOs are not yet as politically influential, so there has perhaps been less pressure on them to self-regulate. In the Middle East and North Africa, as well as Indonesia and Malaysia, there is, however, a very active Muslim charity sector which provides social services such as education to a large segment of the population. Perhaps due to the strong religious mandates surrounding alms-giving which many may perceive as sufficient regulation, no initiatives to regulate Muslim service providers have yet been identified in the region.

In the case of Southeast Asia, the overall low level of self-regulation hides strong variation between countries. While the Cambodia and the Philippines each have three initiatives, including one well-established certification scheme apiece<sup>32</sup>, only Indonesia and Singapore have any other initiatives. Our research has not identified any CSO self-regulation in Laos, Malaysia, Thailand, or Vietnam, for example.

Interestingly, our research in Central Asia uncovered that a number of initiatives that had been spearheaded by donors as part of their civil society strengthening efforts have subsequently disbanded. The failure of these initiatives to take hold points to the importance of self-regulation being firmly rooted in the CSO sector within a country. Donors can play an important role in setting them up, but the motivation and drive needs to come from within the sector.

Countries with smaller populations and where the size of the CSO sector is more limited may also play a role in explaining why self-regulation has not emerged in some countries and regions. In the Caribbean and Pacific Islands, for example, the small populations and size of national CSO sectors result in knowledge of the behaviour and quality of CSOs being much more accessible and widespread. Perhaps as a consequence, interest in self-regulation has been limited, a trend that holds true for small countries in all regions, including many Central Asian countries whose populations are spread over vast areas with limited means of communication.

### **Conclusion**

Research into the state of CSO self-regulation globally has highlighted several key findings. First, the landscape of CSO self-regulation is much more populated than we thought. Previous attempts to map self-regulatory initiatives have focused on particular sectors or regions and thus only ever touched the surface of what currently exists; our detailed analysis has uncovered a range of interesting and innovative initiatives that provide significant scope for learning and sharing across contexts.

Second, CSO self-regulation is a rapidly evolving field with many initiatives having emerged in the past five years, the vast majority over the past decade and many still currently in development. Developments need to be monitored closely and globally in order to keep pace

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<sup>32</sup> The NGO Good Practice Project Certification scheme is run by the Cooperation Committee for Cambodia while the Philippine Council for NGO Certification assesses NGOs in the Philippines.



with these changes. The One World Trust's database of CSO self-regulatory initiatives will serve as a focal point for this monitoring at [www.oneworldtrust.org/csoproject](http://www.oneworldtrust.org/csoproject).

Third, our research has identified a diversity of ways in which CSOs are regulating themselves. While codes of conduct/ethics followed by certification schemes are by far the most common, information services and peer working groups, make an important contribution to raising standards as well. What is clear is that the form self-regulation takes is shaped by the context in which CSOs operate. It is influenced by factors such as the level of development of civil society, the resources that are available, the level of debate on quality and accountability issues and the nature of relations with the state. There are no one size fits all approaches.

Finally, CSO self-regulation has not permeated the sector evenly. Anglophone countries and those in Europe are much more likely to have well-developed initiatives, perhaps due to stronger linguistic and cultural ties between these groups of countries in addition to the relative wealth of these countries. Countries and regions where government remains largely authoritarian and the space for civil society to operate remains limited, self-regulatory initiatives tend not to have developed. Countries that are experiencing extensive civil conflicts also tend not to have developed CSO self-regulatory initiatives; many post-conflict countries are just beginning to develop CSO umbrella organisations.

### ***Future research***

What has been presented in this paper has been a broad overview of CSO self-regulation. We have offered some cursory explanations for current patterns recognising, however, that each country and regional context is different. Political and cultural factors, as well as the financial capacity and size of the CSO sector, shape pressure on the sector, the nature of the accountability debates and the form of self-regulation. These issues will be explored in more detail in future papers.

To follow up on our initial research the One World Trust will be publishing a publicly accessible online database of CSO self-regulation worldwide in July 2009. This database will include descriptions of each initiative identified, analysis of its contents and compliance mechanisms, and contact information for the sponsoring organisation. To accompany the database, the One World Trust will be publishing Working Paper #120, *Strengths and Weaknesses in CSO Self-Regulation*.

Subsequent briefing papers on CSO self-regulation are planned throughout 2009 and into early 2010. The first of these papers will address government-CSO competition and cooperation, examining cases which blur the line between self-regulation and government regulation. Future papers will examine compliance mechanisms, CSO self-regulation in conflict and post-conflict societies, and regional and thematic papers among others.

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Civil society organisations (CSOs) are facing increasing pressure to demonstrate their accountability, legitimacy and effectiveness. In response, a growing number are coming together at national, regional and international level, to define common standards and promote good practice through codes of conduct, certification schemes, information services, working groups, self-assessment tools, and awards. However, CSOs, donors and other potential users are often unaware of their existence or what distinguishes one initiative from another, making it difficult for to make choices around which initiative best suits their needs. The One World Trust's CSO self-regulatory initiatives project provides the first comprehensive inventory of such civil society self-regulatory initiatives worldwide.

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