

Minutes from meeting in the Council for Development Policy 27 February 2019

Present:

- Members:
- Professor Emeritus Georg Sørensen, University of Aarhus (Chair)
 - International Director Gunvor Bjerglund Thomsen, The Danish Youth Council (Vice Chair)
 - Director Thomas Bustrup, Confederation of Danish Industries
 - Head of Projects Tine Bork, SMEdenmark
 - Director Jan Laustsen, The Danish Agriculture & Food Council
 - Partner Marina Buch Kristensen, Nordic Consulting Group
 - General Secretary Birgitte Qvist-Sørensen, DanChurchAid
 - Director Mads Bugge Madsen, The LO/FTF Council
 - Associate Professor Michael Wendelboe Hansen, Copenhagen Business School
 - General Secretary Rasmus Stuhr Jakobsen, CARE Danmark
 - Senior Researcher Lars Engberg-Pedersen, Danish Institute for International Studies
- MFA:
- Minister for Development Cooperation Ulla Tørnæs (agenda item 4)
 - Under-Secretary Stephan Schönemann, Centre for Global Development and Co-operation
 - Head of Department Mikael Hemniti Winther, Technical Quality Support
 - Head of Department Lotte Machon, Development Policy and Financing
 - Adviser Mette Brink Madsen, Department for Technical Quality Support
- Agenda item 2: Ambassador Mette Knudsen, Deputy Head of Mission Henrik Larsen and Programme Officer Anne Angwenyi, Embassy Nairobi
- Agenda item 3: Ambassador Morten Jespersen and Special Advisor Søren Høgsbro Larsen, UN Mission Geneva

Agenda item no. 1: Announcements

The Chair welcomed new member, Rasmus Stuhr Jakobsen, as well as Gunvor Bjerglund Thomsen, who had taken up the position as Vice Chair in the Council.

Agenda item no. 2: Follow-up after mid-term review: Kenya Country Programme

For discussion

(Embassy Nairobi)

The Council for Development Policy took note of the status after the mid-term review

The Embassy in Nairobi briefed the Council on the recent mid-term review (MTR) and on the changing political context in which the country programme had been implemented so far. Elections and re-elections had been particularly destabilising factors. In many ways, the programme had been adapted to the changing context, but had also suffered delays. While the political environment seemed momentarily stable, the Embassy would keep a close eye on political developments, which could continue to influence programme implementation. That would include parties' and presidential candidates' positioning for the next elections in 2022, but also a possible Referendum on the Constitution, perhaps already this year, with the purpose of re-arranging the executive structure, as well as the up-coming census. Furthermore, it was underlined that devolution, as it unfolded in years to come, could become one of the most important game changers in Kenya in terms of continuing on a path towards a more deeply rooted democracy with greater equality for Kenyan citizens.

The Council congratulated the Embassy on a positive review. However, the Council noted that the thematic programme on green growth seemed to be lagging behind. The Council supported the Embassy's continued efforts in trying to make improvements within the private sector and asked how the Embassy would handle the Government's apparent lack of priority of the green agenda. The Council noted that private sector engagement seemed particularly difficult in the poorest parts of the country and recommended to engage with INGOs working within this field.

The Council asked about the effect of reduction of funds to Government partners through the reallocation proposal. Furthermore, the engagement with the Ministry of Health through technical assistance and Danida Fellowship Centre (DFC) was questioned due to the freeze of funding following a health corruption scandal in 2016.

The Council noted that the link to the SDGs seemed quite weak in the description of the country programme and recommended a stronger focus on the SDGs in the upcoming country programme. The Council further called for information on how to handle the shrinking civic space in a programmatic context, also in relation to the new country programme. The Council also asked about the experience regarding the work on the humanitarian-development-peace-nexus (HDP).

It was noted that the review was very focused on processes, capacity, challenges and financial management, whereas the context in which the programme was to be implemented was not touched upon and an inclusion of context in future reviews was recommended. The Council further called for more information in relation to the Embassy's work with the M&E contractor.

The Council asked whether the review had commented on the employment part of the green growth programme and whether social partners had been consulted. In continuation of this, the Council invited the Embassy to include relevant partners, including trade unions, in the discussion of a future programme as well as considering a focus on SDG8 in the upcoming programme.

The Embassy explained that, regarding green growth, the MTR had emphasised that progress varied across the different engagements. This was due to implementation through a variety of partners. This had enabled the programme to achieve important results even when engagements with Government were lagging behind. The Embassy still prioritised support to the enabling environment for the green agenda and was refocusing support to aspects, including through focusing on fewer Counties, where concrete wins from Government would be achieved within the remaining programme period.

Regarding the reallocation, the funds from green growth would be reallocated to the Ministry of Health (the support to primary health care through the Counties) thus remaining in Government books. The Embassy agreed that language on the SDGs was not very prominent in the current country programme. This was simply because the formulation of the country programme predated the SDGs. While the current programme clearly supported the SDGs, the language in this regard would be much stronger in the upcoming country programme.

The issue of shrinking civic space continued to be an important topic for dialogue with Government. With the relatively calm political atmosphere after the "handshake" between Government and Opposition, there was a window of opportunity for civil society to manifest itself more strongly. However, this could quickly change, not least as the next elections came closer. The Embassy had initiated dialogue meetings between CSO partners under the country programme, Danish strategic partners, and the Embassy to ensure continuously active interaction.

Regarding the freeze of funding to Ministry of Health, the Embassy underlined that no Danish funds had been affected by the corruption scandal and that no funds were flowing to the Ministry. However, with substantial Danish support to Universal Health Care, it was deemed necessary to provide the Ministry with some technical assistance and a minimum of competence development through DFC. The engagement with the Ministry of Health was closely coordinated with other development partners in the health sector.

As regard the HDP nexus, the Embassy was considering this a learning experience. The Embassy had first and foremost insisted on only working within already known sectors of expertise (water to communities in and around Kakuma and Kalobeyi refugee camps) or through intermediaries (Water and Livelihoods Programme in and around refugee camps through the World Bank). The Northern Rangelands Trust engagement was also active in this field. The Embassy was constantly developing its working relationship with the M&E contractor, which had been established to

strengthen the Embassy's approach to M&E and to supplement the Embassy's M&E work to reach even more partners and sub-partners.

Summing up, the Chair underlined that the Council was pleased to have had a possibility to discuss the MTR, as it was a good opportunity to revisit the country programme. However, the Council had noted a number of issues in relation to problems within the green growth programme, choice of partners - that being Government vs. others, including civil society - problems in relation to employment, the HDP nexus, and in relation to the SDGs.

Agenda item no. 3: Organisation Strategy for United Nations Office of the High Commissioner for Human Rights 2019-2022

For discussion and recommendation to the Minister
(UN Mission Geneva)

Summary:

The strategy for the cooperation between Denmark and the United Nations Office of the High Commissioner for Human Rights (OHCHR) forms the basis for the Danish contributions to OHCHR, and it is the central platform for Denmark's dialogue and partnership with the organisation. The strategy's annual budget of DKK 60 million is a quadrupling since 2013. The strategy sets out Danish priorities for OHCHR's performance within the framework of the "OHCHR Management Plan 2018-2021". Based on "The World 2030" and the analysis in the strategy, the following priorities have been selected: Strengthened implementation of the outcomes of the international human rights mechanisms, mainstreaming of human rights in development and in peace and security, and action for organisational effectiveness. Across these, Denmark will support OHCHR's focus on expanding civic space, emerging technologies, and women and young people. In addition, Denmark will prioritise cooperation and dialogue with OHCHR on fight against torture, indigenous peoples, freedom of religion or belief, and LGBTI persons. These priorities will guide annual high-level consultations. Monitoring and reporting will be based on selected OHCHR indicators.

The Council for Development Policy recommended the organisation strategy for approval by the Minister for Development Cooperation.
--

The Council welcomed the increased support from Denmark for OHCHR in light of the increasing pressure that human rights were under in many parts of the world and the underfunding of OHCHR. The strategy was found to be clearly formulated and well written.

Concerning the distinction between civil and political rights on the one side, and economic, social and cultural rights on the other side, the Council found that human rights should be seen as one inseparable package. Historically, a focus on the latter set of rights had been preferred by some countries in order to give less priority to the former set of rights, which called for careful attention to the balance between the two also today. While a stronger focus on economic, social and cultural rights could be a constructive way to engage more countries in human rights dialogues, the Council cautioned against too much pragmatism, as this could be a slippery slope.

The Council found that the links between human rights and the SDGs of Agenda 2030 were important, and should not be reduced to “leave no one behind”. Human rights were the foundation for Agenda 2030 and reached further. However, the Council cautioned that tying human rights closely to the SDGs might both dilute the Universal Periodic Review (UPR) system and weaken the consensual support for Agenda 2030. The Council encouraged close cooperation with the Danish Institute for Human Rights on human rights and Agenda 2030, as well as other relevant topics.

The Council found that core funding was important for OHCHR, and asked for further details concerning the earmarked Danish funding. The Council asked about the balance between Danish support for OHCHR’s mandate to promote and protect all human rights on one side, and selecting only some of OHCHR’s priorities for the Danish strategy on the other side, as such a selection could indicate a less than a whole-hearted support of OHCHR’s mandate. Furthermore, the Council asked for examples of concrete results of OHCHR’s work.

The Council saw many opportunities in new partnerships between OHCHR and the private sector, for example concerning land rights, but highlighted the need for safeguarding OHCHR’s independence. Furthermore, the focus of such partnerships should include labour rights and capacity building. The Council also highlighted the strategic importance of the rights to freedom of association, assembly and expression as fundamental for other rights, and found that the private sector had a key role to play in that context. The Council inquired about the description in the strategy of the role of the private sector in Danish development cooperation in relation to human rights. Finally, the Council proposed to make full use of information from civil society organisations in relation to the UPR.

The Mission responded that Denmark fully supported OHCHR’s independence and its mandate to promote and protect all human rights for all people. The selection of some of OHCHR’s priorities for the strategy was an indication of topics of particular Danish interest, which would guide dialogue with OHCHR. The earmarking of part of the Danish funding reflected a Danish interest in strengthening implementation of human rights at country level, including through mainstreaming. The Mission had explored the possibility of seconding senior advisors to OHCHR, but OHCHR had, as a matter of principle, kindly declined the offer in order to safeguard its independence, which was a healthy sign. Concerning concrete results, the Mission highlighted capacity building as well as monitoring of critical human rights situations. Strengthening of OHCHR’s communication of the outcomes of its work featured in the regular dialogue between the Mission and OHCHR.

The Mission found that progress in implementing the SDGs would also strengthen the implementation of human rights, and seeking to strengthen the links between the two was a sensible way to go. However, the Mission noted that civil and political rights would expectedly receive less focus in this context and that it was important to be attentive to this. The Mission agreed that not least the rights to freedom of association, assembly and expression were fundamental for other rights.

The Mission highlighted the United Nations Guiding Principles on Business and Human Rights (UNGP) as the basis for engaging the private sector further in the promotion and protection of human rights and noted the relevance of UNGP also for furthering labour rights. The Mission would review the wording in the strategy on the role of the private sector in Danish development cooperation in relation to human rights. The Mission assured the Council that Denmark would continue to use information from civil society organisations to inform Danish recommendations under the UPR, and expressed appreciation for any inputs received.

The Chairman concluded that the Council supported the strategy and the increased Danish funding for OHCHR, and that the Council could recommend it for approval by the Minister. It was underlined that the Council found that core funding was generally preferable to earmarked, that human rights should be seen as one inseparable package, and that the links between human rights and Agenda 2030 were important.

Agenda item no. 4: Status on the implementation of Denmark's strategy for development cooperation and humanitarian action "The World 2030"

Discussion with the Minister for Development Cooperation

The Minister for Development Cooperation provided an overall status on the implementation of the Danish strategy for development cooperation and humanitarian action within each of the four strategic aims areas of the strategy: 1) peace, security and protection, 2) migration, 3) inclusive, sustainable growth and 4) human rights, democracy and gender equality.

Across all four strategic aims of the strategy, the Minister noted continued, massive challenges. These included, among other things, an increased number of refugees and internally displaced persons worldwide, shrinking civic and political space, as well as increased challenges to the rights of girls and women in developing countries. In response to these developments, Denmark had chosen to increase its financial support to humanitarian assistance to a total of DKK 2.6 billion as part of the Finance Act for 2019 - the largest sum ever. The purpose was to continue Denmark's commitment to work on the humanitarian-development nexus and to place a special emphasis on education in long-term conflicts by being the largest donor for the Education Cannot Wait Initiative. Furthermore, the peace and stability funds would be increased in order to continue addressing the root causes of migration through the EU Africa Trust Fund - to which Denmark is the third largest donor. Furthermore, there would be increased funds for national repatriation efforts. Denmark would support the forging of partnerships with the private sector through P4G, the IFU SDG Fund, the Danida Market Development Partnerships, and the sectoral authorities' cooperation with a current total of 25 commercial advisors deployed to 17 countries. Finally, additional funds had been allocated for promoting the rights of girls and women as part of the Finance Act of 2019.

The Minister further described positive developments with respect to the fight against corruption where an international momentum had been built in the follow-up on the International Anti-Corruption Conference in October 2018, as well as progress on promoting the youth agenda and

the TechVeloPMENT agenda. Finally, the Minister underlined that the multilateral system was crucial in relation to the handling of global challenges, and that Denmark strongly supported reforms within the UN.

The Council welcomed the presentation and found that the strategy had proven to be a flexible instrument, which continued to be a relevant framework for Danish development cooperation and humanitarian action.

Several Council members acknowledged the prioritisation of private sector involvement as part of the strategy. However, members pointed to the involvement of Danish small and medium-sized enterprises (SMEs), specifically, as an area in need of improvement. The Council found that, while there was increased interest from SMEs to do business in Africa and a willingness on the side of the MFA to work with these businesses, not enough had been accomplished in this field. Council members argued that there was a need for more risk willingness on the side of the IFU as well as a need to develop new financing instruments for SMEs. In addition, members pointed to the importance of improved framework conditions and stable, democratic institutions for fostering private sector investments in developing countries.

The Council supported the strong focus placed on the SDGs as well as key Danish stronghold issues as part of the strategy and pointed to the importance of stability as well as the need for a long-term development effort. The Council further acknowledged the results achieved in terms of maintaining the focus on youth embedded in the strategy. Additionally, the Council found that there was an opportunity to highlight climate change mitigation and sustainable business solutions as a Danish stronghold issue to be pursued in the future.

The Council inquired about the impact of the focus on the SDGs in the strategy at embassy level and the extent to which it guided the day-to-day work of the MFA. The Council also asked about under-financing of the SDGs at a global level and the role of taxation in the least developed countries. In this regard, the Council called for further information on the strategy's prioritisation of combating tax havens and illegal capital flows. The Council asked how discussions in the EU evolved around development, inequalities and migration, and finally, the Council asked whether the World Bank's increased focus on human capital issues should be a source of inspiration for Denmark.

The Minister acknowledged the points raised by the Council and added that the inclusion of SMEs in Danish development assistance was a priority. This was a long-standing issue, which the Ministry remained committed to continue to improve in cooperation with relevant partners. The Minister further explained that the strategy's focus on the SDGs had been incorporated into programming and general implementation efforts at embassy level. P4G, SRHR and gender equality engagements, as well as many other initiatives implemented at the local level, were strongly related to individual SDGs and a key indication that the SDGs had impact on implementation. However, the Minister added that there were cross-country variations related to, among other things, the extent to which the priority countries had taken ownership of the SDG agenda.

Furthermore, the Minister agreed with the Council that a long-term perspective was key to achieving lasting results and that this, in turn, created a need to communicate clearly the results of Danish development assistance. With respect to the under-financing of the SDGs, the Minister pointed to IFU's SDG Fund – in which 60 percent of the funding came from the private sector – and P4G as initiatives that helped finance the SDGs. Furthermore, Denmark worked with tax authorities in, among other places, Tanzania to provide financing. Additionally, the Minister acknowledged the World Bank's increased emphasis on human capital and expressed support for this change. Finally, the Minister welcomed an enhanced focus on climate change mitigation and business solutions and noted that it could possibly be pursued as part of the P4G initiative.

The Chair concluded that the Council had expressed support for the implementation efforts and highlighted initiatives such as the increased emphasis on areas and regions neighbouring conflict as well as the overall emphasis placed on the SDGs. The Council had also expressed concerns about the shrinking civic and political space in many places around the world as well as with respect to the future of the rules-based international order.

Agenda item no. 5: Discussion of possible topics for future thematic discussions

The Council discussed possible topics for future thematic discussions and the following topics were suggested:

- *Private sector engagements*, including a discussion of expectations to the private sector and experiences within the sector. Furthermore, a discussion of the role of Danish commercial interests was called for.
- *Multilateral development cooperation*, including a horizontal discussion regarding the different organisations and considerations behind the Danish support, possibly also including support through the EU.
- *Learning and M&E*, including a discussion on how the Ministry adapts to changing resources, how programmes are adapted, how M&E is carried out and how experience and learning is reflected in the Ministry.
- *SDGs, climate and financing*, a discussion leading up to UNGA2019 with its three themes; the SDGs, climate and financing.
- *The SDGs*, a discussion on how to work with the SDGs, possibly focusing on one SDG.
- *Civic space*, a discussion of shrinking space for civil society, possibly as a follow-up on the international conference “Claiming civic space together”.
- *Human rights*, a discussion of developments within Danish politics, how do changes in Danish politics affect Danish development cooperation.
- *Governance*, including a discussion of experiences with engagements within governance and how to work with governance in different contexts.
- *Integration of bilateral, multilateral and civil society engagements at country level*, a discussion of how to improve integration.
- *The role of China*, a discussion of China's engagement in developing countries.
- *Taxation*.

- *Climate.*

It was decided that the Ministry and the Chairmanship should present a consolidated list of thematic discussions at the next meeting.

Agenda item no. 6: AOB.

No points were raised.