



TYPE II PARTNERSHIPS AS A STRATEGY FOR IMPLEMENTING WSSD OUTCOMES

***Considerations to Guide Government
Decision Making***

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ACODE Policy Briefing Paper No. 2, 2004

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EXECUTIVE SUMMARY

During the World Summit on Sustainable Development (WSSD) in Johannesburg, South Africa in 2002, the then Minister of Water, Lands and Environment, Minister Ruhakana-Rugunda participated in the launching of the Partnership for Principle 10 (also known as PP10). At the launch, Minister Ruhakana-Rugunda observed that “The Partnership for Principle 10 provides a way for governments to work together with other stakeholders including civil society, development partners and others to work towards common objectives and targets to promote public participation, access to information and justice in making decisions that are likely to negatively impact on the environment.” Based on Uganda’s partnership in the launching of the Partnership for Principle 10 and its participation in subsequent events including the first meeting of PP10 partners in April 2003, Uganda is considering joining PP10 as a full partner. In addition, Uganda is likely to be invited to join many other Type II partnerships arising from the WSSD.

This policy briefing paper has been prepared to address two specific objectives. First, it is to provide general guidance on the key issues to be considered by any Government when confronted with making a decision on whether it should join or not join a partnership. Secondly, the briefing paper is intended to inform decision makers about the Partnership for Principle 10 and the likely benefits and costs of joining PP10.

It is argued that the value added of Type II Partnership is based on two key factors:

- First, type II partnerships can enhance more effective results-oriented implementation process by filling

critical implementation gaps that have emerged since the Earth Summit in 1992.

- Secondly, partnerships can mobilize the contributions of different stakeholders to a common purpose, objective and measurable outputs and outcomes. The rationale is that instead of having various actors making piecemeal contributions to addressing a particular problem, these actors would act in a concerted manner towards achieving set targets and results.

On the other hand, the overall objective of PP10 is to promote the implementation of the right of access to information, public participation and the right of access to justice at the national level as stipulated in Principle 10 of the Rio Declaration, 1992. The importance of Principle 10 of the Rio Declaration is reaffirmed in paragraph 128 of the Johannesburg Plan of Implementation. This briefing paper analyzes the potential benefits and costs of joining PP10. It is shown that the balance sheet is in favor of joining PP10. This is because, among other things, the Partnership would enhance Uganda's international image, make it a key player in international governance processes, use the PP10 as a tool to promote Her foreign policy objectives and attract financial resources and technology to deliver on Her PP10 commitments.

Finally, although this briefing paper was prepared specifically for use by the officials of the Government of Uganda, the analysis, information and conclusions are relevant to all the countries in Africa that may in future seek to join the Partnership for Principle 10

1. Introduction

The World Summit on Sustainable Development (WSSD) took place in Johannesburg in 2002. The Summit was different from other global summits in at least two important ways. First, it was the first ever global forum where a multiplicity of stakeholders² were given an opportunity to engage Governments in developing a “new” shared vision for achieving sustainable development. Secondly, in addition to the usual outcomes of such conferences³, the WSSD produced a series of partnerships⁴ bringing together a variety of stakeholders working jointly to implement specific actions to promote sustainable development. These Type II Partnerships are to be forged between governments, business, non-profit organizations, scholars, concerned citizens and other stakeholders. In a speech delivered shortly before Prep-Com IV⁵, UN Secretary General Kofi Annan described type II partnerships as “the most creative agents of change”⁶ designed to complement and augment the efforts of Governments by harnessing the expertise of business and NGOs.

During the preparatory process, Type II Partnerships became a very controversial and hotly debated issue. The debate was divided along two lines. First, there were those participants who saw Type II Partnerships as initiatives that could offer Governments an escape hatch to avoid making real commitments to sustainable development and argued that partnership initiatives represented a sugar-coated attempt to

² Broadly referred to as “major groups” under Agenda 21.

³ The outcomes of many conferences mainly include a political statement (Declaration) and an Action Plan also referred to as Type I Partnership in the WSSD language) and sometimes such as in the case of the United Nations Conference on Environment and Development, a series of legally binding instruments.

⁴ In the language of the Conference, these were referred to as Type II partnerships as compared to the Type I partnership.

⁵ Prep-Com IV for the WSSD took place in Bali, Indonesia in May 2002.

⁶ www.earthsummit2002.org

privatize Government functions in the name of sustainable development. Second, there were those especially Governments who saw partnerships as a mechanism for channeling sustainable development funding to business and NGOs hence affecting the net financial flows to governments themselves. These are important considerations when making decisions at the national level on whether to join or not to join any partnership.

Commenting on these positions, the then Summit Secretary-General Nitin Desai argued that “partnerships are not a substitute for government action or responsibilities, and they are not a subterfuge for governments to avoid making the necessary commitments to move the sustainable development agenda forward.” While Secretary-General Desai made an attempt to allay the skepticism raised about Type II Partnerships, they still present a big challenge for Government policy makers who have to make the final policy choice on whether or not to join the partnerships.⁷

This policy briefing paper represents an attempt to lay out in more specific and simple terms the key considerations that policy and decision makers in Uganda, and perhaps elsewhere, should consider when faced with the need to make a choice on whether to join or not to join a particular type II partnership. We analyze some of the key issues about partnerships. We argue that in spite of the expressed skepticism during and after WSSD, partnerships are important tools that can be harnessed to implement commitments contained in the WSSD Plan of Implementation. The briefing paper identifies key elements to look for in a partnership before making a decision

⁷ At a WSSD national follow up workshop for Uganda organized by the Ministry of Water, Lands and Environment, on 5th December 2002, participants raised several questions about the nature and utility of partnerships. The participants also agreed that there was need to enhance their understanding of the partnerships further, examine the gains, trade offs and losses before decision was made to join any partnerships (personal notes at the workshop).

to join. We conclude by providing an example of an evolving type II partnership [the Partnership for Principle 10] where the Government of Uganda has been fairly involved in defining the rules, procedures and frameworks for its governance. As a case in point, we consider some of the likely gains, losses and trade offs for the Government of Uganda.

2. The nature of Type II Partnerships

As already indicated, Type II partnerships was one of the most controversial issues during the WSSD and its preparatory process. The subject still remains not only controversial but also difficult to comprehend. The problem has been compounded by the overwhelming number of invitations that are being received by Governments.⁸

Consequently, the starting point for any discussion to further the understanding of partnerships and provide guidance to governmental decision making ought to start with understanding the nature of Type II Partnerships. We need to ask ourselves: what are Type II Partnerships? Why Type II Partnerships? What value is added by joining a particular partnership? And in a way, how are partnerships developed and implemented?

⁸ As of February 12, 2003, the number of partnerships listed on the WSSD web site were 231

2.1. What are Type II Partnerships?

As already alluded to, Type II partnerships are supposed to be designed to bring together multi-stakeholder groups to undertake specific commitments consistent with Agenda 21 and the Millennium Development Goals (MDGs).⁹ Consequently, partnerships could be developed on any particular aspect of Agenda 21, the Johannesburg Plan of Implementation or the MDGs. To date for example, partnerships have been developed in the areas of energy,¹⁰ forest resources management,¹¹ Chemicals classification and labeling,¹² as well as environmental governance.¹³ While some of the 231 type II partnerships registered with the WSSD bring together all the major stakeholder groups recognized under Agenda 21, some have limited members.¹⁴ At the time of the WSSD, several ongoing programmes at bilateral and multilateral level were transformed into partnerships. Consequently, it is sometimes difficult to establish the difference between traditional bilateral or multilateral partnership arrangements from what are now referred to as partnerships. A different form of partnership is the Partnership for Principle 10 which is built around results arising from independent assessments undertaken by The Access Initiative (TAI).¹⁵

The diagram on the next page shows the cyclic and evolutionary nature of the Partnership for Principle 10.

⁹ See Millennium Declaration, September 2000

¹⁰ e.g. Energy and Environment Partnership with Central America led by Finland

¹¹ Forest Management and Conservation in the Congo Basin led by South Africa

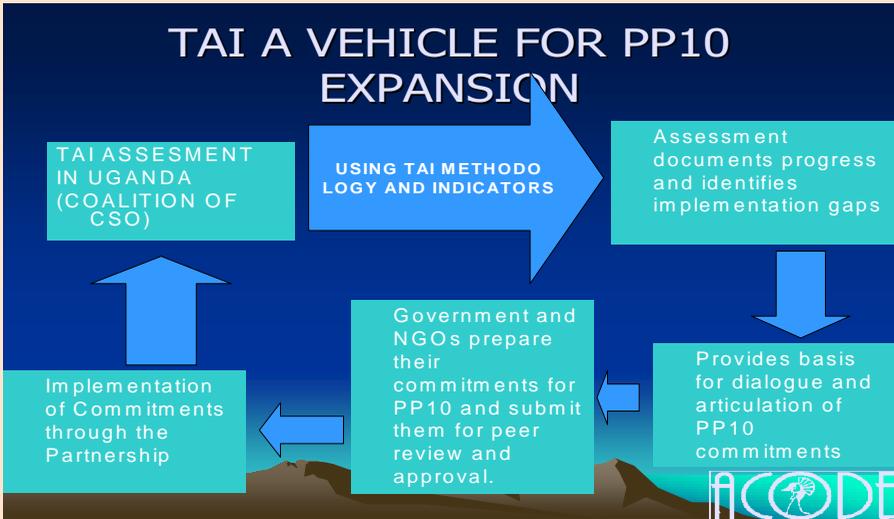
¹² Global Partnership for Capacity Building to Implement the Globally Harmonized System for Chemical Classification and Labelling (GHS) led by United Nations Institute for Training & Research [UNITAR]

¹³ The Partnership for Principle 10 led by the World Resources Institute

¹⁴ For example, at its first official meeting, the Partnership for Principle 10 considered the need to accept industry and the private sector as members but opted to postpone the discussion on the issue to a future date.

¹⁵ The Access Initiative www.accessinitiative.org is a coalition of civil society organizations around the world committed to tracking progress and promoting implementation of Principle 10 of the Rio Declaration and the associated WSSD outcomes.

Figure 1: An illustration of process driven Type II Partnership



2.2. Why and what is the value added of Type II Partnerships?

Generally, the literature suggests that there are two important reasons why Type II Partnerships are important in the context of the implementation of the Johannesburg Implementation Plan.

First, it is suggested that type II partnerships can enhance more effective results-oriented implementation process. Partnerships should fill critical implementation gaps that had emerged in the follow up process for the Earth Summit.

Secondly, partnerships can mobilize the contributions of different stakeholders to a common purpose, objective and measurable outputs and outcomes. The rationale is that instead of having various actors making peace meal contributions to addressing a particular problem, these actors would act in a concerted manner towards achieving set targets and results. In this way, the partnership becomes a vehicle for achieving

complementarities, avoiding duplication and creating a mechanism for horizontal accountability among the partnership members.

2.3. How are partnerships developed and implemented?

Generally, there are no specific procedures for developing Type II Partnerships. During the preparatory process for WSSD, the Commission on Sustainable Development (CSD) essentially developed general guidelines that focused more on defining the nature of the partnerships. Those procedures also alluded to the registration process of the partnerships and did not address issues of how these partnerships should be developed.

Consequently, prior to and during WSSD, a number of actors mainly international organizations and developed country partners announced the launching of various partnerships. The “sponsoring” organizations or States then invited other actors to join the respective partnership. It has been argued that the nature of these partnerships and the lead actors reflect the fact that they are largely supply-driven rather than demand driven.¹⁶ If this is the case with many of the existing partnerships, there are two important factors that need to be highlighted. First, it means that States have to be careful to ensure that they join those partnerships that address a felt need and fills real implementation gaps rather than jumping on the agendas of other actors.

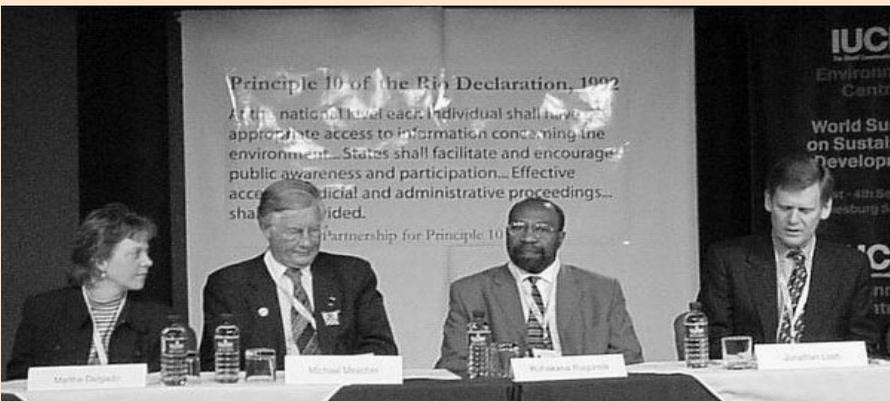
Secondly, it is clear that many of the current type II partnership initiatives have not yet developed governance structures, monitoring indicators and reporting procedures. This presents an opportunity for new comers in these partnerships to be able to influence the way such partnerships are managed and developed.

¹⁶ See Liliana B. Andonova and Marc A. Levy, 2003. *Franchising Global Governance: Making Sense of the Johannesburg Type II Partnerships*. The Earth Institute/Center for International Earth Science Information Network (CIESIN).

3. Making a Decision to Join a Type II Partnership: Some Key Considerations

Over the next several years, Uganda will continue to receive invitations to join one partnership or the other. As we have already noted, there are significant advantages in making early decisions on which partnerships to join. This is because it gives us as a country an opportunity to influence the direction, governance and other details of these partnerships and placing our own national agendas and priorities within the scope of these partnerships.

It is important to note that currently there is no information about Uganda's involvement in the development of any partnership during the WSSD preparatory process.¹⁷ However, during the Summit, representatives of the Uganda Delegation participated in a series of Type II Partnership related events.



Minister Ruhakana Rugunda (third from left) at the launch of the Partnership for Principle 10 in Johannesburg, South Africa.

¹⁷ During the process leading up to WSSD, the Advocates Coalition for Development and Environment (ACODE) a Ugandan based independent policy think tank undertook a national assessment of implementation of Principle 10 of the Rio Declaration. Similar assessments were conducted in 8 other countries around the world and these assessments provided the basis for the Partnership for Principle 10. See Tumushabe G.W., Bainomugisha A., et al, Sustainable Development Beyond Rio + 10: Consolidating Environmental Democracy in Uganda through Access to Justice, Information and Participation. ACODE Policy Research Series, No. 5, 2002. ACODE. Kampala.

At a Press Launch organized by the Partnership for Principle 10, Minister Ruhakana-Rugunda (the then Minister of Water, Lands and Environment) affirmed Uganda's interest in Type II Partnerships noting in the case of PP10 that "The Partnership for Principle 10 provides a way for governments to work together with other stakeholders including civil society, development partners and others to work towards common objectives and targets to promote public participation, access to information and justice in making decisions that are likely to negatively impact on the environment."¹⁸

Indeed, making the right choices to join any partnership requires the government official making such a decision to ask the relevant questions. If those questions are not well defined in advance, there is a danger of making the wrong decisions, delaying the decision making process or losing some potentially useful partnership opportunities.

Consequently, in order to facilitate decision making, it is important that Government adopts a set of principles to guide its decision making on whether to accept or reject a particular invitation to join a partnership. Such guidelines should be based on at least two considerations: First, the Government official(s) required to make the decision ought to take into account some general elements that are a precondition for a partnership to work meaningfully and be beneficial to all the partners. Second, it should be based on key national policy priorities and considerations.

In this section, we provide some guidance on what we think are those key generic elements and specific considerations of a national nature.

¹⁸ Talking points by Hon. Ruhakana-Ruganda, Minister of Water, Lands and Environment of the Government of Uganda- Johannesburg, August 2002.

3.1. Key generic elements to make a Type II Partnership work

At a broad level, the key element that is required to make partnerships work is that they **ought to be based on clear guidelines and should be directly linked to particular objectives of Agenda 21 or the Millennium Development Goals**. Partnerships should be based on transparency and all partners should have equal say in setting the agenda of the partnership. During the WSSD preparatory process, the Summit Secretariat invested considerable amount of time developing detailed guidelines for partnerships. The guidelines, among other things, emphasize the need to demonstrate the link between the partnership with the objectives of Agenda 21 as well as the Millennium Declaration. Partnerships should have **specific targets and time frames for achieving those targets**. Each partnership should set out details of agreed funding arrangements while bringing out specific arrangements for technology transfer.

The guidelines also require that there are **clear linkages between Type I and Type II outcomes** and among Type II partnerships on similar issues. As far as Governments are concerned, the broad sustainable development commitments are contained in the Johannesburg Action Plan. Consequently, future reporting will be based on the implementation of this plan. Type II partnerships will therefore be useful if they are directly linked to achieving progress with respect to Type I outcomes as set out in the WSSD Plan of Implementation.

At the national level, it is also important to **ensure that the decision making process is such that the country subscribes to join Type II Partnerships on similar issues**. For example, Type II partnership on tourism, wildlife management and forestry may contribute to achieving related national policy

objectives and priorities. The rationale here is to minimize costs while maximizing benefits and impacts.

3.2. National specific guiding principles

At the national level, it is important that while making a decision on whether to join Type II Partnerships or not, the following elements be taken into account.

- **A strong participation from a wide range of stakeholders;**

Partnerships are intended to blend together a multiplicity of stakeholders to implement agreed actions within agreed timeframes. Each partner ought to set out its commitments towards the common objective of the partnership.

For example, in a partnership on sustainable agriculture, development partners may opt to provide funding for the partnership, business and industry may opt to provide available technologies, farmer groups may chose to disseminate the technologies while NGOs could undertake to initiate and implement capacity building programmes for farmers.

- **Trusted and neutral participation;**

The success of each partnership will depend on whether they can ensure that participation is based on trust and neutrality. If one is to make the necessary decisions, it is important to ask a question as to whether the partners are those that can be trusted. The feeling of "being used" by any of the partners can either destroy or diminish the value of the partnership. For Uganda, this is particularly important since Government has not taken leading roles in any of the existing partnerships.

- **Funding;**

Partnerships should be based on very clear targets and should have clearly defined timeframes for achieving agreed targets.

When making a choice to join a partnership, the government official making the decision should ensure that there are firm commitments for funding the activities under the partnerships. The important question to ask is whether the commitments under the partnerships would require additional funding to be provided for under the partnership or mere realignment of existing government funding priorities.

For example, a partnership whose objective is to increase the use of renewable energy sources may only require Government to implement already existing renewable energy programmes. In such cases, a decision to join may be based on the fact that some partners may provide new technologies on concessional terms or the partnership would assist in setting targets and time frames.

The decision-making process should also consider how much financial resources will become available from other sources other than government to implement the commitments under the Partnership. For example, the Partnership for Principle 10 is targeting at delivering up USD10 million in capacity building for Governments and civil society organizations to improve the public access system.

- **Relationship of the Partnership with existing country-led process**

Government decision makers ought to ask themselves questions as to how the commitments and actions proposed under the type II partnership contribute to national policy priorities, action plans and strategies. For example, in the case of Uganda, it is important to ask ourselves whether any of the proposed actions and commitments under a particular

partnership contribute to the achievement of any of the pillars of the Poverty Eradication Action Plan (PEAP)¹⁹

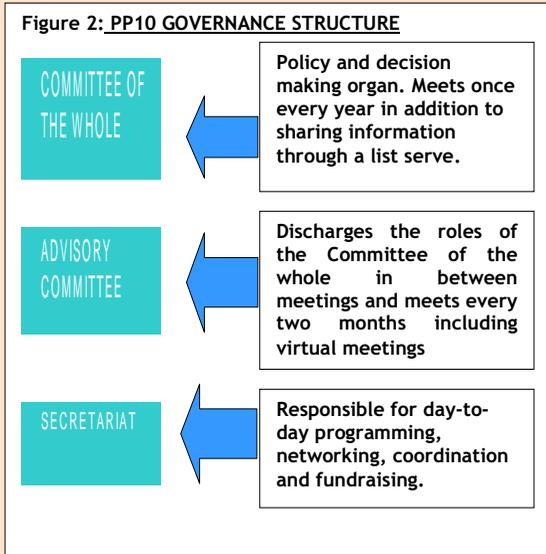
Finally, the person making a decision to join or not to join a partnership ought to ensure that the proposed partnership has a **strong follow up process, clear reporting guidelines, and clearly defined benchmarks for assessing progress towards delivering on the WSSD commitments.**

These elements mean that meaningful Type II partnerships should be based on a shared understanding of their purpose and added value. They should focus mainly on the final outcomes rather than outputs, on impacts rather than process, and on performance. In the case of Uganda, the outcomes, the impacts and the performance should be based on the national development policy framework which is the Poverty Eradication Action Plan.

4. An example of a Type II Partnership

To better understand the key elements of a potentially workable type II partnership, we have described the partnership for Principle 10 which was launched at the World Summit on Sustainable Development in 2002. We have selected this partnership because the Government of Uganda has been involved in one way or the other in the process leading to its launching and design of its governance and reporting procedures.

¹⁹ The PEAP 2001 has the following pillars: Pillar 1-Creating an enabling environment for rapid and sustainable economic growth and structural transformation; Pillar 2-Strengthening good governance and security; Pillar 3- Increasing the ability of the poor to raise their incomes; and Pillar 4- Improving the quality of life of the poor. See Republic of Uganda (2001). Poverty Eradication Action Plan (2001-2003), Volume 1. Ministry of Finance, Planning and Economic Development, Kampala.



Partnership for Principle 10:
www.pp10.org

“Principle 10 of the Rio Declaration: Environmental issues are best handled with the participation of all concerned citizens, at the relevant level... At the national level, each individual shall have appropriate access to information

concerning the environment... and the opportunity to participate in decision-making processes... Effective access to judicial and administrative proceedings ... shall be provided.”

The Partnership for Principle 10 is a cooperation of governments, international organizations, and civil society organizations committed to accelerating the implementation of Principle 10 of the Rio Declaration at the national level. The “pioneer” participants in the partnership held their first official meeting as a type II partnership in Lisbon, Portugal in April 2003.²⁰ At the Lisbon meeting, the partners agreed on the objectives and strategies of the PP10. The meeting also agreed to an elaborate procedure on how to become a member of the PP10.

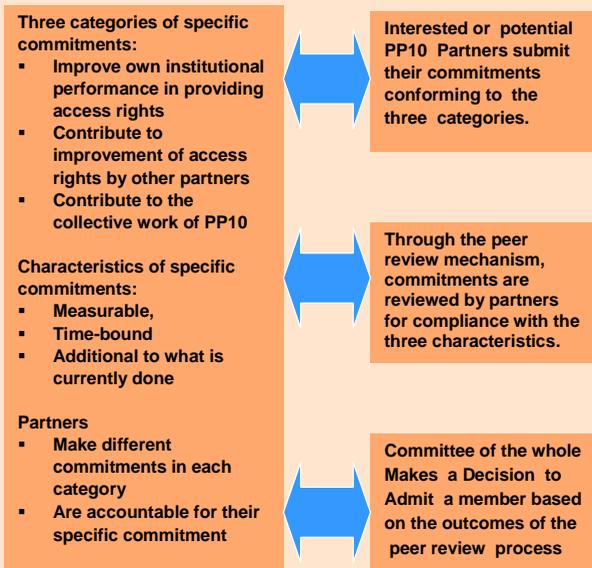
²⁰ The Government of Uganda was represented by Mrs. Edith Kateme-Kasajja, Commissioner for Planning and Quality Assurance, Ministry of Water, Lands and Environment.

The objective of the PP10 is stated as to “**promote national-level implementation of Principle 10 of the Rio Declaration and Paragraph 128 of the WSSD Plan of Implementation so that decision-making at the national level is transparent, inclusive and accountable.**” The Partnership is to act as an accountability mechanism for agreed commitments, mobilizing resources to enable partners meet their obligations to the partnerships, and act as a mechanism for learning.

By joining PP10, the partners essentially commit themselves to support the accelerated implementation of Principle 10 of the Rio Declaration at the national level and in their own internal policies and practices related to access to information, public participation and access to justice. The Partnership is defined by a set of core values and shared commitments.

All the members of PP10 agree to three principle commitments. These are:

- Encouraging credible and independent assessments of policies and practices;
- Collaborating with partners to improve policies and practices, and enhance performance; and
- Contributing to the collective work of PP10.



Admission for first members will depend on the preparation and submission of specific commitments which is to be done by August 1, 2003. These commitments will be peer reviewed by all the participating institutions and final submissions made by December 1, 2003.

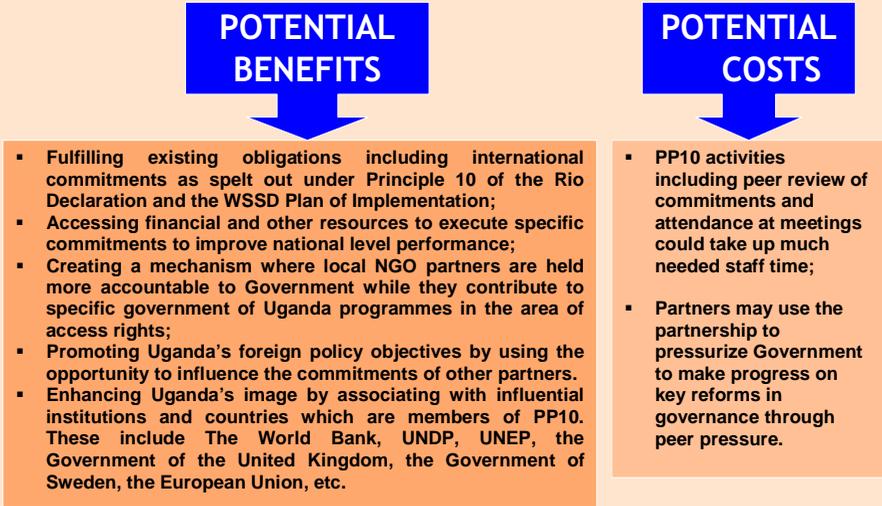
4.1. What are the potential advantages or costs for Uganda in Joining PP10?

Over the last 10 years, Uganda has made significant progress in developing legislation on the right of **access to information, public participation and access to Justice**. In an independent assessment conducted by ACODE and first published in 2002, a number of implementation gaps, especially in terms of practice were identified. The report notes that there is sufficient room for making further progress. The report further notes that improved access to information, public participation and access to justice can increase gains in two ways.

First, it would increase efficiency and cost-effectiveness in environment and natural resources management while creating new economic opportunities for the poor resource dependent communities and boosting national economic growth and development.

Secondly, it is argued that in addition to improving efficiency and cost-effectiveness in environment and natural resources management, decision making based on the three pillars of access to information, public participation and access to justice will create a stable and predictable investment environment for business.

Therefore, in general terms, the diagramme below summarizes the potential costs and benefits for Uganda if decisions were made to join the Partnership for Principle 10.



On the other hand, there may be some losses or trade offs that could be inevitable by opting to join the Partnership for Principle 10. In particular, local resources may need to be channeled to implement some of the commitments that may not be covered by financial resources provided in the context of the partnership. Secondly, unless States effectively participate in defining the structure and scope of the commitments, partnerships could become vehicles for imposing conditionalities especially as they relate to governance.

5. Conclusion

In this briefing paper, we have attempted to identify key factors that should be considered when a Government official is confronted with making a decision on whether to join or not to join type II partnerships. We have argued that decision making on such partnerships should be made on a case by case basis. It is also important to conclude that as Government, there is need to identify those partnerships that may be helpful in attaining our sustainable development objectives and consider joining those partnerships at this early stage. By delaying, we may deny ourselves an opportunity to influence the governance structures and reporting requirements and procedures of those partnerships that we may after all consider to be beneficial.



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