



Pact Ethiopia

Report on the Enabling Environment for the Ethiopian NGO Sector.

Review team members:
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Executive Summary

An independent three-person review team recently completed a comprehensive examination of the enabling environment in which the Ethiopian nongovernmental sector functions. The report of the team follows. The primary conclusions it presents are that growth in the sector and enhancement of collective operational capacity over the past two years have been highly impressive and that new political realities in the country have created space for NGOs not previously found. The report finds that “the NGO sector is gaining traction and credibility at an accelerating pace due to a number of factors, but most fundamentally it is now accepted as a credible player in the country’s development efforts by the leadership of the national government.”

The progress found in the enabling environment in which NGOs form and operate in Ethiopia exceeds all predictions and assumptions from two years ago when Pact’s last report on the subject was published. Seven significant developments frame the basic conclusions found by the team:

- The number of NGOs has grown significantly and the percentage of registered NGOs being indigenous entities has eclipsed that of international counterparts;
- The act of registering for NGOs has receded as a continuous issue;
- Media portrayal of the NGO sector has undergone a radical transformation;
- Collaboration between NGOs and government agencies at all levels has exploded in frequency and importance;
- Adoption of the Code of Conduct has sent a positive signal about the ethical underpinnings of the NGO sector, provided evidence of ability of the sector to impose self-regulation, and spurred consultation and collaboration within the community;
- The mobilization of NGOs around humanitarian needs in the face of the border war with Eritrea and renewed drought has served to underscore their legitimacy and relevance in the eyes of key government officials; and,
- Within the sector, cautious optimism has replaced trepidation in anticipation of the introduction of national NGO legislation.

There are less positive factors clouding the enabling environment and there are areas of uncertainty and unevenness surrounding even the most positive developments. However, the critical assertion is that “NGOs in Ethiopia have crossed a threshold of acceptance and relevance that well places them to assume a permanent position as serious contributors to the country’s development process and its political, social and economic evolution.”

Reversal of the progress documented by the review team is of course a possibility. Ethiopia’s long history of autocratic rule offers no guarantees that the country’s current experiment with decentralization of authority, expansion of political participation and recognition of basic rights for all individuals will succeed. The report underscores the fact that continued progress pivots on the dedication of leaders to consolidating the democratic gains realized during the 1990s.

As elsewhere, NGOs function as a significant subset of actors within the larger civil society and the relative vibrancy of civil society in Ethiopia today is encouraging. Academic freedom is expanding, the media is slowly achieving increased credibility and professional organizations are growing in strength and presence. Democracy and governance NGOs focusing on civic education are more common and more effectively engaged. There are the first signals of private sector interest in collaboration with NGOs in addressing pressing social issues and the coming legislation could facilitate that collaboration by recognizing that

individual and business community contributions to NGOs are appropriate elements in tackling the country's development challenges.

There are several additional issues specifically covered in the report:

- Emphasis on building the capacity of the local nongovernmental sector by international NGOs is insufficient;
- Government agencies are increasingly submitting proposals to NGOs for training programs and there is need for a coordinated and coherent process to avoid redundancies and wasted opportunities;
- Democracy and governance NGOs are increasing visible and the approach to expanding basic human rights awareness is widening; and,
- Complicated regulations surrounding the implementation of micro-finance programs illuminate the need for revamped NGO legislation.

The report concludes with recommendations for activities or programmatic emphases seen as underscoring and expanding positive developments in the enabling environment. Attachments provide documentation of the wide range of consultations undertaken in the review process and a bibliography of pertinent published resources.

Members of the review team are indebted to the numerous Ethiopian and international NGO officials, representatives of Government of Ethiopia ministries and departments and several regional and local government agencies, USAID staff members, donor government representatives and other well-placed observers who contributed information, analysis and insight to this effort.

Introduction

Pact's last report on the enabling environment for the Ethiopian nongovernmental sector was published in 1998. That report predicted that given vast social, political and economic changes underway in the country, the environment was "likely to evidence considerable metamorphosis over even relatively short periods of time." As it was written, however, the degree of change to be realized was not adequately foreseen. The discussion that follows will describe rather fundamental shifts in the nature of the NGO sector in Ethiopia, and the larger civil society in which NGOs operate, that exceed all credible predictions and assumptions from just two years ago.

The basic objective of Pact in Ethiopia is to contribute to the strengthening of institutional capacity for the country's indigenous NGO sector as a whole¹ and to upgrade the effectiveness of individual NGOs and various affiliated NGO support groups, networks and alliances. To these ends, *The Ethiopian NGO Sector Enhancement Initiative* serves as a framework for the provision of training, technical assistance, and strategic action grants to a growing number of NGO partners with the objective of facilitating their substantive engagement in the country's evolving civil society and its development process. Further, it fosters NGO networks and forums that provide collective voices for the articulation of constituent and sector interests.

A critical element of Pact/Ethiopia's program is to encourage an improved enabling environment in which NGOs find themselves increasingly engaged in collaborative relationships with government ministries and departments, with other NGOs and various civil society players, donors and the private sector. The underlying objective is to maximize the NGO contribution to national development across the board by increasing not only NGOs' operational effectiveness but their legitimacy as anchors of a pluralistic society.

Multiple factors determine the enabling environment in which NGOs exist. As used by Pact around the globe, the phrase refers to the overall context in which NGOs operate and the elements that allow them to pursue an active role in a country's development—or, in some cases, which prevent such a role from being pursued. The legal and administrative frameworks in which NGOs function, ease of access to information and services, ethical values and principles articulated by sector leaders, and fundamental attitudes evidenced toward NGOs by government officials, the media, public and international donor community are key elements examined.

The immediate interest of Pact in Ethiopia is the progressive evolution of the NGO sector. The enabling environment for NGOs, however, relates to a larger context, the emergence of Ethiopia's civil society, and is ultimately reflective of the health of democratic culture in the country. It is hoped that this study will add to the understanding of the nature and growth of civil society and democracy in Ethiopia and the critical role being played by NGOs in this wider context.

¹ This report largely focuses on the local Ethiopian NGO community, but not to the exclusion of international groups.

Methodology

The approach of Pact in conducting this review was to ensure that multiple sources of information were tapped and that a wide range of views and opinions were solicited. It is not possible for an assessment of this nature ever to be totally comprehensive or absolutely objective, but every effort was made to get as close to that goal as possible. There was no predetermined outcome or preferred slant to the report suggested by Pact officials; instead, an independent team of consultants with considerable background in the subject matter was assembled to conduct a literature review and a series of interviews with individuals qualified to speak informatively of the state of civil society and the NGO sector in Ethiopia today. The consultants were charged with organizing and structuring the assessment and were free to pursue any aspect of it deemed relevant.

Three individuals comprised the team: Lisbeth Loughran, Jeffrey Clark and Daniel Bekele. Lisbeth Loughran is the former vice president for programs at Pact/Washington and has had considerable engagement in the Pact/Ethiopia operation over the past few years. Ms. Loughran, for example, headed the internal evaluation of *The Ethiopian NGO Sector Enhancement Initiative* conducted in February of 1998. Adding to her credentials, she previously resided in Addis Ababa and retains many independent sources of information and insight.

Jeffrey Clark has worked on various Ethiopian and wider Horn of Africa issues over a number of years and has published numerous articles dealing with different aspects of the country's humanitarian crises of the 1980s and its approaches to development and political challenges since 1991. His most recent publication is a background paper on civil society and NGOs in Ethiopia undertaken for the NGO Unit at the World Bank. Mr. Clark served on the 1998 team which conducted the previous enabling environment review and contributed important continuity to this recurring activity.

Daniel Bekele, resident in Addis Ababa, is a lawyer and a consultant long active in the NGO sphere. He has undertaken a number of studies and projects that ideally suited him for this assignment and provided critical access to a host of important participants in the sector. Mr. Bekele is a graduate student at Addis Ababa University, working on a Master of Arts degree in development studies.

The team's work commenced with a review of current literature pertinent to the subject matter. Annex A provides a bibliography of published materials that are especially useful in understanding political, economic and developmental trends in the country and in describing the current state of the NGO sector in Ethiopia.

The most critical element of the assessment was a series of interviews and consultations with a diverse group of individuals particularly well-placed to provide informed commentary on and interpretation of events central to its content. Those individuals, identified in Annex B, are both practitioners and observers—that is, they are NGO or government officials charged with working with NGOs or they are statesmen, diplomats or donor agency officials directly engaged in activities involving NGOs. All of the individuals consulted were asked to speak candidly and given assurances that comments would not be quoted with attribution in order to encourage such candor. People were interviewed individually and a number of focus groups were assembled in order to stimulate cross-fertilizing dialogue. In-country interviews were conducted in November and December, 1999; earlier, extensive consultations were undertaken in person or via the Internet in Washington, D.C., New York, the United Kingdom and Ethiopia with individuals in position to contribute to the team's understanding of trends and events.

The thrust of the interviews were with Ethiopian NGO representatives and officials with Government of Ethiopia ministries and their counterparts in regional, zonal and local government offices. The team also met with the USAID Mission Director and senior members of the Mission's program staff. The resident

representative of the World Bank conferred with a member of the team, as did the ambassador of the United Kingdom. Highly regarded elder statesmen were consulted, as were the founders, board chairs or executives of a number of NGOs, professional associations and other civil society entities. Small NGOs struggling for recognition were visited as were large and established groups and several of the regional development associations. International NGO officials were consulted. Recognized and emerging leaders of the NGO community were of special interest to the team.

The team undertook field visits to garner impressions of the NGO enabling environment in regions beyond Addis Ababa. Private sector business leaders and media representatives were included among those interviewed. Political supporters of the EPRDF² and individuals inclined to support the opposition or to be politically neutral were included to assure balance and diversity. Members of the review team jointly interviewed many individuals but additionally undertook a series of one-on-one sessions. Results of all interviews were shared within the team.

This assessment of the enabling environment is largely an interpretation of events, trends and attitudes, as portrayed by the individuals consulted and analyzed by members of the review team. The limitations of time and resources served to preclude an exhaustive exploration of all aspects of the enabling environment that presented themselves to the team—as did the operational interests of Pact. Nevertheless, it is hoped that the report presented here will be received as an analysis that was independent in its structure and broad and thorough in its reach. While the conclusions presented here will not be concurred in universally, it is hoped that they will resonate well with participants and observers prepared to see the larger political dynamics emerging in Ethiopia. Administrative bottlenecks and bureaucratic frustrations do conspire to obscure a broader perspective, as discussed in the report.

The views and conclusions expressed in this paper are those of the review team and do not necessarily reflect the positions of Pact/Ethiopia.

² The EPRDF is the Ethiopian People's Revolutionary Democratic Front, the political alliance governing the country since the transition of 1991.

The Ethiopian NGO Sector and Today's Enabling Environment

Consolidation of advances

The modern history of the NGO sector in Ethiopia was sketched in some detail in the last report in this series³ and need not be retold here. Suffice it to say that at the time of the transition of 1991, the sector was weak and ineffectual due to a number of political and historical factors and that the space for NGO operations was overwhelmingly dominated by the international relief and development groups long engaged in frantic efforts to address crushing humanitarian needs. The indigenous NGO community was small, disorganized and marginal to the country's vast developmental challenges. It enjoyed scant recognition from the new government and was an object of suspicion to the nation's media and the public at large. International donors had virtually no engagement with local NGOs—which were in fact few in number and extremely limited in operational capacity.

By any objective measurement, growth in the Ethiopian NGO sector and enhancement of collective operational capacity and relevance to advancing national development priorities over the decade of the 1990s were extremely impressive. Now steady improvement in the enabling environment in which NGOs form and operate promises to facilitate additional significant growth within the sector during the opening years of the new century. The indigenous NGO community has taken root in Ethiopia and is poised to play a gradually expanding role of central importance to the country's political, social and economic evolution.

A number of indicators support this conclusion. The central and critical factor in improvement in the enabling environment, however, is that political forces within the Government of Ethiopia and the ruling EPRDF coalition have been able to accommodate operational space for the NGO sector within their ideological perception of the nation's basic structural alignment and accept NGOs as legitimate players in its political and economic transition. This shift in attitude is not yet complete and certainly is not in place across the entire political/governmental landscape, but telltale signs are strong and convincing. The NGO sector is gaining traction and credibility at an accelerating pace due to a number of factors, but most fundamentally it is now accepted as a credible player in the country's development efforts by the leadership of the national government. The evolution in political perspective is the primary element in the notable alteration of the enabling environment for the NGO sector.

Not all observers will agree with this conclusion and there is ample room for dissension. Progress is hardly uniform or consistently observed across the spectrum of NGO operations. Too frequently, accommodation of NGO interests are based as much on personal relationships or immediate operational circumstances as on consistent application of rules and regulations. Rules and regulations themselves remain arbitrary and overly cumbersome and too often disconnected from larger goals and objectives. Nonetheless, it seems inescapable to the review team that the impressive accretion of credibility and *gravitas* displayed by the NGO sector is reflective of a fundamental political acceptance of it by the country's governing leadership.

Indicators of such an accommodation are included in the discussion below. It is important to state early in the report, however, that the corresponding and concurrent side of this development is the considerable increase in operational and institutional capacity demonstrated by individual NGOs and the sector at large. NGOs are now more widely accepted as serious and legitimate players in the country's development efforts because they

³ See Report on the Enabling Environment for the Ethiopian NGO Sector published by Pact/Ethiopia in May 1998.

are more serious and legitimate. The enhancement in skills—ability to conceptualize interventions of lasting impact, account for the expenditure of funds, monitor and evaluate program activities, form coalitions and alliances around common goals, articulate sector operating principles, and the like—shown by a growing number of local NGOs across Ethiopia is considerable and augers well for the sector taking on increasingly critical roles in the national development effort.

A number of factors frame the bottom-line conclusion concerning the enabling environment presented in this report and dominate the discussion that follows:

- The number of NGOs registered with the government has grown significantly and the percentage of registered NGOs being indigenous entities has eclipsed that of international counterparts;
- The act of registering for NGOs has receded as a continuous issue as the process has become relatively transparent and routine;
- Media portrayal of the NGO sector has undergone a radical transformation as the number of articles concerning NGO activities has increased significantly, the opportunities for journalists to pursue investigative reporting have expanded, and the editorial cast of news stories has notably shifted to more positive portrayal of those activities;
- Collaboration between NGOs and government agencies at all levels—most significantly at the regional and local levels—has exploded in frequency and importance;
- Adoption of the Code of Conduct by the NGO sector has sent a positive signal about its ethical underpinnings to critical observers, provided evidence of ability of the sector to impose self-regulation, and spurred consultation and collaboration within the community;
- The mobilization of NGOs around humanitarian needs in the face of the border war with Eritrea and drought in the northern and eastern regions has served to underscore their legitimacy and relevance in the eyes of key government officials; and,
- Within the sector, cautious optimism has replaced trepidation in anticipation of the introduction of national NGO legislation.

There are less positive factors clouding the enabling environment, of course, and as the discussion that follows makes clear, there are areas of uncertainty and unevenness surrounding even the most positive indicators. The cumulative impact of these developments, however, and the implications for the environment in which nongovernmental organizations operate can hardly be overstated given the precarious position of the NGO sector in the country at the beginning of the last decade. NGOs in Ethiopia have crossed a threshold of acceptance and relevance that well places them to assume a permanent position as serious contributors to the country's development process and its political, social and economic evolution.

It is incremental change we are seeing here and that's the way it is. There are possibilities of backward motion if too many mistakes are made. NGOs must be vigilant and work together.

Well-placed observer

The largest unknown that tempers this assessment is the risk of political reversal. Ethiopia has an unbroken history of autocratic rule that deeply affects perceptions of the rights of governors and the governed. A constant manifestation of this is provided by references to what a law or regulation allows as opposed to what it precludes. The country's current experiment with decentralization of authority, the codification of rights, expansion of political participation, altering consensus on the rights of various groups and individuals within society and other aspects of expanded democracy and improved governance is bold and exciting, but not predestined to succeed. There are daunting obstacles to be faced before the considerable progress achieved to date can be seen as irreversible.

The pivot on which continued progress rests is the emergence of a generation of leaders who will not revert to past patterns, but instead consolidate democratic gains and further the practices of rule of law, transparency and respect for the rights of all citizens. If in face of obstacles and serious challenges, these leaders point the

country's compass in a direction where the rights of free association and freedom of expression are respected, then the consolidation of advances for civil society and the NGO sector discussed here will continue.

NGOs in the larger context of civil society

Civil society and the NGO sector are not interchangeable terms. Civil society refers to the universe of nongovernmental entities found in virtually every society—labor unions and trade guilds, professional and business associations, grassroots community organizations, cultural associations, human rights watchdog groups, educational and academic groups, and the like. NGOs engaged in poverty alleviation, civic education and related areas of national development are a significant subset of actors within civil society.

Civil society in Ethiopia, never vibrant when the country was under an imperial regime, was left completely lifeless by the Dergue's⁴ authoritarian reign of terror. Professional associations, trade unions, the media, and academia were brutally suppressed by the Dergue or co-opted to suit its political purposes. "Participatory community organizations" favored by the Dergue were in fact mechanisms of political and social coercion; corruption of the concept of voluntarism during this period continues to inhibit the understanding and acceptance of civil society today. By 1991, the last year of the Dergue, formally organized civil society had been largely reduced to two groupings: international relief organizations, tolerated by necessity, and humanitarian wings of liberation fronts (e.g., REST, ORA,⁵ etc.), operating beyond its reach. Most other civil society entities were destroyed or left bereft of legitimacy, capacity or energy.

Today civil society is emerging as an increasingly visible and relevant actor in Ethiopia's political and economic revitalization. By any relative measurement, academic freedom has been restored to institutions of higher learning. The media is slowly gaining credibility as additional channels of training and exposure become available. Freedom of the press itself is expanding.⁶

NGOs are seen less as a political part of the partisan opposition than was previously the case.

Senior NGO official

Groups such as the national bar association are beginning to reconstitute themselves. Dynamic NGOs such as the Ethiopian Women Lawyers' Association are increasingly common and vibrant and professional associations are regaining strength and presence. Democracy and governance-oriented NGOs and specifically civic education NGOs are expanding in number and are more effectively involved in advocacy efforts.

Additionally, there are a wide range of traditional small-scale autonomous networks and community associations in Ethiopian society not regarded as NGOs that fall almost entirely outside the formal regulatory framework. These groups are too diverse and numerous for discussion in this report, but it is worth noting that one study indicates that "there are over 199,000 civil society associations that are not registered under the Ethiopian Civil Code but represent the rich associational life one can see in Ethiopian society."⁷

⁴ The Dergue ("committee" in Amharic) was the Armed Forces Coordinating Committee that came to power in 1974 with the overthrow of Emperor Haile Selassie; the Dergue was headed by Colonel Mengistu Haile Mariam from 1977 until May 1991, when he fled Ethiopia in the face of mounting military defeat and civil unrest and the Dergue collapsed.

⁵ REST is the Relief Society of Tigray, affiliated with the Tigrayan People's Liberation Front during the armed struggle against Mengistu's government, while ORA is the Oromo Relief Association, affiliated with the Oromo Liberation Front during the same period.

⁶ Members of the review team were somewhat startled to see an article in an Addis Ababa newspaper during their consultation which suggested Emperor Haile Selassie as 'the man of the millennium.' The growing ability of the country's press corp to initiate coverage of events or concepts not suggested by government press releases is notable.

⁷ See Constantinos Berhe-Tesfu, "The Registration Process on Non-Governmental, Community-Based and Civil Society Organisations." Centre for Human Development, Report CHE/96/0003-cbt-APLHA. 1996.

The private business sector is growing rather dramatically and, with it, business associations. The Addis Ababa Chamber of Commerce is now a dynamic organization providing multiple services to its membership. Its membership, which had dropped to about 1,700 when association was made voluntary by the new government in 1991, has risen to more than 7,000. Unlike the Dergue, the present government makes no attempt to control the business community via the Chamber, its members assert, and the Chamber is free to set and pursue its own agenda.

In short, civil society as a whole is gaining mass and legitimacy in the country. While it would be misleading to describe civil society in Ethiopia as robust, it is increasingly diverse and alive. It is reflective of a country where the economy has grown notably since the transition of 1991 and where the expansion of political freedoms now incorporates elections for federal and regional government positions on a regular and predictable basis.⁸ The right to challenge government policies is at least formally recognized, as is the right to form political parties. The ability to pursue independent ventures and interests in the country continues to expand while indicators of basic mistrust between the government and the governed continue to recede.

It is within this context of an increasingly independent and lively civil society that the NGO sector of Ethiopia is realizing improvements in its enabling environment and its internal strength and coherence. The improved enabling environment for the NGO sector is reflective of the relative strength and autonomy of civil society; the real and perceived growth of the sector in turn reinforces the vibrancy of the larger civil society and the concept of democracy evolving in the country.

It is necessary to underscore the word relative in this discussion of Ethiopian civil society. To observe that civil society is relatively strong and active does not discount problems that remain. The media, for example, remain weak by most absolute measurements and overly concentrated in government hands. Advocacy on public policy issues remains a poorly understood concept. The distinction between political and partisan remains overly fuzzy for many in and out of government. Professional associations have not uniformly advanced in terms of coherent management and the provision of services and those beyond Addis Ababa for the most part remain weak and marginal. Application of the rule of law remains uneven. Many serious challenges remain before it could be asserted the Western concept of democracy is fully in place in the country.

The important point, however, is recognition of the progress witnessed since 1991 and of the clear signs of the expanding operational space afforded various civil society actors that provide the basis for optimism regarding continued if uneven advances. Illustrative of those signs, the team was told by well-informed observers that in several critical areas the government was genuinely seeking civil society inputs, via various consultations, on the formulation of important public policy. A telling example is the consultative process underway of late surrounding the establishment of a Human Rights Commission and separately the Office of the Human Rights Ombudsman within the federal government structure. It was stated by one observer that the government was open to the idea of civil society monitoring of the Human Rights Commission to be established—a stance hard to envision only a few years ago.

This embryonic but significant pattern of consultation is also being followed in the formulation of uniform “family laws.” The Speaker of Parliament was quoted as advocating the NGO monitoring of upcoming national elections. There is growing interest in development of a code of conduct for journalists in the country. These and additional signs of growth and strength underscore the conclusion that civil society at large in Ethiopia is making notable recovery from the dormant state rendered by the Dergue years.

⁸ Ethiopians in fact seems to be approaching upcoming elections for Parliament with comparatively minimal apprehension surrounding the electoral process itself.

Primary indicators of change and key issues

The number of NGOs registered with the government has grown significantly and the percentage of those registered being indigenous entities has eclipsed that of international counterparts. Statistics on the number and origin of NGOs officially registered with the federal Ministry of Justice speak loudly on the improved enabling environment. When the previous review in this series was undertaken in 1998, there were 240 NGOs registered with the government and of those 120—exactly half—were international groups. At the end of 1999, there were instead 565 NGOs registered, with virtually the entire increase being accounted for by Ethiopian-based entities. Local groups now account for three-fourths of the total!

To put the numbers in historical context, at the time of the national transition of 1991, there were sixty operational NGOs in the country, eighty percent of them expatriate. The growth throughout the decade has been remarkable and the acceleration of that growth over the past two years especially notable. 565 NGOs operating in a country the size of Ethiopia is not by itself impressive—the number is small relative to other African countries and developing countries in general—but the rate of increase in the NGO population nevertheless is telling.

NGOs have flourished in my seven years in this job. Not just in number, but in capacity.

Senior regional government official

Further, the number is a net count and reflects the fact that some groups have ceased to exist or have lost their registration status for whatever reason or reasons, indicating a relative burst in the number of NGOs being formed or officially launched. Clearly, the perception is that the environment for structuring an NGO in the country is an improving one.

The act of registering for NGOs has receded as a continuous issue as the process has become relatively transparent and routine. At the time of the last enabling environment review, frustrations with the NGO registration process dominated consultations. Virtually every conversation centered on registration and the despair associated with it within the sector.

Today, registration has largely evaporated as a central concern. The criteria for registration are widely recognized and respected as being transparent and fair—if unnecessarily burdensome in some cases—by most players. The requirements for registering are disseminated and adhered to by officials at the Ministry of Justice. Not a single assertion of political bias in the awarding of registration status was heard by the review team. Indeed the possibility that a particular civic education NGO recently de-registered had been denied official status for political reasons was roundly dismissed by numerous well-informed observers. “There is no credibility to the idea that their closure was in any way political. That idea is just nonsense,” one NGO sector leader stated. That sentiment was common and reflective of a new sense of confidence with the NGO community.

Registration for NGOs has become a bureaucratic requirement that is understood, accepted and met without particular resistance or trepidation. The annual re-registration for many groups appears to be impressively quick and straightforward as long as requirements for certified audits and similar standards are met.⁹ NGO officials are largely comfortable with the process and the Ministry of Justice administrators seem relatively efficient at overseeing it.

Serious frustrations remain with the registration process. It frequently takes too long to have an initial registration application approved; the bureaucratic requirements for the filing of various associated documents are numerous and consume inordinate time and resources. Registration is on an annual basis, rather than

⁹ The fact that the re-registration process works fairly smoothly does not make it inherently logical. The time and resources devoted to the annual registration of groups in good standing seem to be largely wasted on a process with minimal purpose or point.

multi-year or indefinite as found elsewhere, and thus requires a yearly commitment of time on the part of NGO officials that seems unwarranted. This is particularly true when paired with the effort required to obtain project approval agreements with federal and regional governmental agencies once registration itself is achieved.

Another issue is that there is no effective mechanism for appealing decisions on the granting of registration to NGOs or of the revocation of registration status beyond the Ministry of Justice. The court system, which works at a glacial pace at best, is administered by the Ministry.

The withering away of registration as a continuous issue results from changes on both the government and NGO sides of their relationship: greater efforts at self-regulation on the part of the NGO sector; more streamlined registration procedures; and, better communication and greater general agreement on the need for a partnership to meet common development goals. The mid-1990s naming of the Ministry of Justice as the coordinating regulatory agency for NGOs was not smooth or easy—in fact, it was the opposite—but the designation of the Ministry appears in hindsight to be logical and sound. The consolidation of registration authority into a single entity within the government in fact has been positive for the NGO sector and has contributed to making the registration process far more transparent and consistent than was the case.

NGO leaders told the review team now that there is a system in place at the Ministry of Justice, the system works. They appreciate the clarity of that system and the elimination of many ambiguities previously hampering the registration process. (This sentiment was echoed strongly by micro-finance groups in reference to the National Bank of Ethiopia, their coordinating agency within the government: the Bank, it was asserted, offers clear guidelines for micro-finance schemes that are quite straightforward in their implementation.)

There is more space for NGO operations now that processes are in place.

Senior NGO official

Perhaps most critical to the altered interaction surrounding registration has been a steady enhancement of skills within responsible Ministry offices. Concurrently, there has been a change in attitude that moved from notably negative and narrowly legalistic, in particular toward advocacy or civic education NGOs, to a more understanding stance with the appointment of a new Minister of Justice in 1997. A contributing factor to these developments was the impact of donor- and international NGO-sponsored study visits abroad where comparable NGO registration systems were examined. (Pact has been a major sponsor of such tours.) Simple exposure to and interaction with a broad range of NGOs also made a major difference.

A final element has been the attention devoted to increasing the understanding of the NGO sector by government officials shown by bilateral donor agencies and an *ad hoc* grouping of Western ambassadors. The ambassadors, under the leadership of the British envoy, have established a forum for NGO leaders and senior government officials, led by the Minister of Justice, to meet on a regular basis in an ongoing dialogue on legal and operational issues.

Media portrayal of the NGO sector has undergone a radical transformation as the number of articles concerning NGO activities has increased significantly, the opportunities for journalists to pursue investigative reporting have expanded, and the editorial cast of news stories has notably shifted to more positive portrayal of those activities. Signs of a significant increase in news media awareness of and interest in the NGO sector in Ethiopia are unavoidable at present. The number of news articles describing various NGO initiatives in newspapers is notable: on several days during their assignment, team members counted up to half a dozen NGO articles and a review of newspaper archives at Pact offices revealed a steady flow of similar coverage over the past several months. The articles concerned the launching of specific projects, convening of various NGO forums, results of various interventions and expressions of gratitude by members

of affected communities and, frequently, favorable testimonials on the impact of projects by concerned government officials.

Not only has coverage of the NGO sector increased, the attitude of writers and editors about NGOs and the nature of their work demonstrated in the articles is now straightforward, in fact largely upbeat and appreciative. Previously, the focus of most news media coverage of NGOs centered on charges of corruption or abuse of privilege but seldom on accomplishments. The contrast is glaring.

There are different explanations for the change. In the first place, increasingly positive coverage is reflective of more positive attitudes on the part of government officials. The media in Ethiopia is hardly so autonomous in Ethiopia that such sustained focus on the benefits of NGO activities can be assumed to sit in sharp contrast to the prevailing stance within the government. Secondly, as suggested above, NGOs are getting better coverage because they are seen as having enhanced credibility and relevance across the board and pro-active moves like the adoption of the Code of Conduct have furthered that impression.

The change is also reflective of new opportunities for journalists to pursue investigative reporting. Skill levels for many Ethiopian journalists remain low and considerable training and work remains to be done in this area. The basic professionalism of journalists is gradually increasing, however, and there is now more initiative demonstrated by writers to genuinely investigate a story and not rely solely on press releases for information. Examples of such investigative reporting were cited to the review team by practicing journalists even as they acknowledged continued timidity to criticize government programs. They also gave evidence of a better understanding of the responsibility they have to be fair, thorough and balanced. The team was told that a story concerning allegations of wrongdoing within an NGO not supported by multiple sources would most likely not be printed today.

Additionally, the improved coverage is a factor of increased exposure and interaction. NGO officials are learning the basics of public relations and the benefits of demonstrating the practical impact of their activities. Pact and other groups engaged in capacity building within the sector have sponsored a number of successful efforts to both point journalists to interesting aspects of the NGO world and help NGOs better package and present their stories. Initiatives by Pact in this area were widely praised by media professionals as well as NGO officials. The results of these efforts are obvious and enormously beneficial in altering the perception of what NGOs are and what they do.

Lingering suspicions remain and NGOs have to redouble efforts to be seen as connected to their communities and constituents. Enormous progress in the education of the country's news media has clearly been made, however, and additional inroads are now possible.

Collaboration between NGOs and government agencies at all levels—most significantly at the regional and local levels—has exploded in frequency and importance. The degree of cooperation and coordinated programming between NGOs and government agencies as they tackle various aspects of national development in Ethiopia today is nothing short of stunning. The level and depth of collaboration between official state agencies and NGOs is accelerating at a pace completely unpredictable. This collaboration is cementing solid operational relationships across a broad front in a manner all but guaranteed to secure an increasingly strong voice for NGOs in the formulation of development policies and strategies.

Examples of such collaboration were provided repeatedly by both government and NGO officials. The federal Ministries of Health and Agriculture are now calling upon NGO officials for consultation as policies and programs are shaped. The Region Fourteen Labor and Social Affairs Bureau has existing programmatic relationships with fifty-four NGOs and reports that ninety-three NGOs in total are registered and working with various government agencies in the region (greater Addis Ababa). Of the fifty-four NGOs engaged with the bureau, forty-six are indigenous groups. The counterpart agency in the Southern Ethiopian People's Region reported similar though smaller scale interaction with NGOs, both international and local.

Through the initial leadership of Pact and continued efforts by CRDA,¹⁰ regional NGO/ governmental forums have been established in Oromia and Addis Ababa and a parallel structure is now being established in the Southern Ethiopian People's Region. A senior official with the NGO Coordinating Office in that region's Planning Bureau told the review team his government considers NGOs to be "development partners" and said that there were now seventy-five NGOs operating in its jurisdiction. A senior NGO official based in Addis Ababa referred to his agency's "very strong relationship with a number of government agencies." Another indicated that his NGO was "geared toward a cooperative stance with government agencies" and that this attitude was returned in kind by most government officials. The Amhara region in particular was described as an area where there was "considerable" collaboration between the regional government and the NGO sector.

Catalytic efforts by Pact to facilitate increased collaboration between government offices and NGOs have returned major dividends. Through various forums, joint training sessions, exposure tours and the like Pact has sponsored, essential working relationships have been built and reinforced and provide a substantial foundation for complementary approaches and activities.

Look everywhere! Government and NGOs are working together.

Well-placed observer

A senior official with Region Fourteen's Agricultural Bureau stated: "NGOs have flourished in my seven years in this job. Not just in number, but in capacity." The same official could not cite a single serious problem his office experienced in working with NGOs. "Some NGOs need help with project proposal preparation. But, then," he added "that problem is equal with officials here in this agency."

The budding cooperation between regional and local government agencies and NGOs is in many ways directly reflective of the lack of operational capability found within government structures—a shortfall freely admitted by many officials—and the growing reliance on NGOs in meeting official development targets. Official long-term development plans now routinely project assumptions of NGO inputs.

The marriage of efforts is being encouraged if not forced by the lack of trained personnel and adequate administrative structures found across the whole of regional and local government structures. There is a glaring lack of computers and computer skills and resources for transportation and communication, project oversight and related activities faced by senior government administrators in every region of the country. Such is one dilemma—a crippling lack of operational capacity by regional and local government—encountered as a result of Ethiopia's genuinely bold experiment with decentralization of authority.

Lack of capacity in many government offices spurs escalating cooperation between government and NGOs. It also results at times in resentment toward NGOs and frequently in inordinate delays in having NGO operational plans approved or evaluations of projects performed—there is simply not enough expertise to process the paperwork or undertake required consultations. This problem is being increasingly addressed through the inclusion of regional and local government officials in training and orientation sessions offered NGOs by groups such as Pact and CRDA. Many government officials now eagerly seek out such training for their professional staffs. In addition to the accretion of skills, such training sessions group staffs of NGOs and government agencies and facilitate increased communication between them.

Lack of capacity is hardly limited to government offices, it should be emphasized. The steady build-up of skills within the indigenous NGO community over the past few years has been considerable and impressive. Nevertheless there remain many NGOs incapable of writing coherent project proposals and this adds considerably to the tasks of government officials in granting required permits and approvals. This point was made numerous times to team members by frustrated government officials. The need for ongoing training on

¹⁰ CRDA is the Christian Relief and Development Association, the oldest and largest membership body for NGOs in Ethiopia and an organization now largely focusing on capacity building for its members.

both sides of the equation is considerable and will remain a programmatic priority for those engaged in sector capacity building for a number of years.

Relationships between government and NGOs are not uniformly harmonious. Far from it. Not all officials truly understand the basic concept of NGOs and remain suspicious and leery of motivations. There is resentment on the part of many officials over the resources deployed by NGOs. A strong sense of the need to control activities of NGOs lingers within many government offices. There were references in some consultations to local officials occasionally demanding the loan of vehicles or other resources from NGOs. NGOs not seen as contributing to sanctioned development plans are frowned upon, as are many international groups seen as promoting religious conversions rather than development.

At the same time that certain international NGOs are resented, it is not uncommon to encounter senior government officials who have an unmasked bias in favor of foreign entities seen as importers of financial resources and valuable commodities. These same officials display a corresponding lack of regard for less wealthy local counterparts. This is primarily found at the federal level and reflects in part traditional patterns of working together during humanitarian crises. The country's mounting humanitarian requirements at present may serve to exacerbate the bias. The attitude is regrettable and blinds some officials to the growing potential of the indigenous NGO sector to become a serious player in national development efforts.

The bias in favor of wealthy international groups displayed by some officials at the federal level is not readily detected in the regions. Regional government officials encountered by the review team tended to see the comparative advantages of local and international NGOs in providing different forms of assistance and access to intended beneficiaries. They spoke convincingly of partnerships between government, local and international players.

The biggest problem faced in the relationship is the cumulative impact of many opportunities and much time being wasted by the crushing requirements for project approval by overlapping and uncoordinated government bureaucracies, most extremely weak in administrative capacity. NGOs face months of delay in implementing projects as they await approval by agencies not equipped to process the very approval processes they have established. The time lapse from initiating the registration process to gaining the first project implementation approvals can add up to nine months or even a year for any given NGO. Significant opportunities are wasted as NGOs are forced to ignore prospects for augmenting activities or shortening implementation schedules in order to rigidly adhere to approved project implementation plans. In a country facing as many urgent development challenges as Ethiopia, such systematic waste of resources and human talent is terribly frustrating to witness.

There is nothing particularly unique about this situation for the NGO sector, however, it must be stressed. The state bureaucracy of Ethiopia is consistently weak across the board and actors in other spheres experience parallel hurdles. And there is no basis for assuming that NGOs are a major priority for the government as it struggles with civil service reform. Significant improvement across the board will be a long and slow process.

The critical observation is that the on-the-ground cooperation between government agencies and NGOs is growing rapidly and the appreciation of NGOs and their impact by key government officials is spreading and is being more frequently articulated in public.¹¹

Such collaboration is bringing about a fundamental shift in attitude about the place and the importance of NGOs in society. Regional government officials eager to increase NGO engagement in development activities are portrayed by some observers as anxious to move regulation of the NGO sector from the federal to the regional level in order to facilitate such engagement. Increased exposure and the practical benefits of

¹¹ Illustratively, one recent press report in a government-run newspaper quotes a regional government official as saying that 212,000 individuals had benefitted from a set of NGO activities in Oromia.

cooperation are contributing significantly to the cementing of a more positive relationship between NGOs and government agencies in all regions of the country.

Adoption of the Code of Conduct by the NGO sector has sent a positive signal about its ethical underpinnings to critical observers, provided evidence of ability of the sector to impose self-regulation, and spurred consultation and collaboration within the community. Over the years, the NGO community in Ethiopia has been little noted for the collaborative stance of its members in working together or speaking with a united voice. Suspicions and rivalries inflamed by the competition for scarce resources have dominated inter-sector relationships. A sense of common purpose has been elusive. These underlying dynamics appear to be shifting, however. The effort to formulate and adopt the NGO Code of Conduct has spurred a positive turnaround that sees the formation of networks and forums increasingly frequent. Greater cohesion of the sector gives hope that more effective advocacy work around critical public policy issues can be realized and that the sector can become more assertive and proactive.

The struggle to forge consensus around what the Code should attempt to accomplish and produce a document that would have substance and impact but also enjoy wide acceptance was long and hard. However, organizations not used to working together—nor particularly inclined to—dedicated themselves to the task and stuck to agreements on how to collectively formulate the

Code over a two year period of time.¹² The Ad Hoc Committee which drafted the NGO Code of Conduct saw its long efforts rewarded when the manifesto was approved in March of 1999 with an initial 165 signatories (soon joined by fifteen additional groups, then others).

The Code of Conduct—essentially a statement of operating principles—sent a clear and important signal to the government, media and donor community about the commitment to ethical standards of the Ethiopian NGO community and its capacity for self-regulation. Its adoption by so many of the leading NGOs in the country underscored the sector’s call for transparency and accountability for its members and its proactive determination in this regard. It served as a common statement that the ethical problems of a few within the sector—purposefully exaggerated in magnitude by foes on occasion—were not the accepted norm for the larger community.

We need to be under scrutiny. It enforces transparency and the Code makes a major contribution to that end.

Veteran NGO sector leader

The Code’s adoption was clearly welcomed by senior officials across the governmental structure. Even officials who initially assumed that the process somehow should be directed by the government signaled strong approval of the Code in discussions with members of the review team, as they have elsewhere. “We welcomed the Code and thought it good,” said a senior official at the Disaster Prevention and Preparedness Commission (DPPC). Similar comments were heard repeatedly in discussions with federal and regional government officials.

Implementation of the Code will be difficult, certainly initially. Oversight mechanisms are now being put into place and members of the adherence committee are struggling for the right balance between enforcement and education approaches. (“The dilemma we face is how to enforce the Code without risking the destruction of an organization which has made an innocent mistake,” one member of the Ad Hoc Committee told the review team.) Funds for a secretariat are not yet in place. Skeptics will need proof that the Code has effect beyond symbolism.

¹² A more detailed description of the effort to craft the Code is offered in the 1998 enabling environment report.

In fact the Code and the process by which it was adopted have already had impact beyond symbolism, it is now clear. First, there is the impression made with government, the media and the donor community. Second, there is a greater sense of commonality present within the sector.

A number of examples are illustrative of the increasing collaboration within the NGO community. There is a newly formed network of NGOs engaged in micro-finance credit services, as there is for those working with children and on non-formal education. There is a consortium of democracy and governance NGOs working on voter education for upcoming national elections. Thirty-six NGOs belong to COFAP, the Consortium on Family Planning. During the period of the review team's in-country consultations, leaders of the sector were engaged in a series of meetings charged with producing draft NGO legislation for presentation to Parliament. The Ad Hoc Committee on the Code of Conduct still functions as it structures adherence to guidelines. Other examples of NGO networking and joining in forums abound and speak loudly about increasing coherence within the sector.

Not all of the newly formed networks will survive. Some are temporary in nature. All suffer from lack of resources and the lack of clarity in government policy on granting official recognition to NGO networks and alliances. (Government policy basically is that the law does not provide for registration of associations of associations, *i.e.*, umbrella groups; nonetheless several groups associational in nature are registered. Such inconsistency serves as an example of how too frequently things are done by exemption or on a case-by-case basis and as to why updated NGO legislation is needed. As the current law is silent on the issue, why networks or umbrella groups would not be allowed to register was a question without an answer, as far as the team could determine.)

Important to note is the gathering cohesion within the sector and the mounting sense of an NGO community with common interests and values. The growing ability of that community to advocate collective positions on public policy, impose self-regulation, and forge operational coalitions around critical programmatic interventions is notable and indicative of sectoral maturing. This slow but certain positioning of the NGO sector as a coherent unit—in conjunction with an altered view of NGOs within government and a steady enhancement of institutional capacity—bodes well for its voice being more often heard in discussions on national development.

What now seems possible is the NGO sector as a whole becoming more assertive and proactive in the articulation of the needs of constituents and of the legislative and regulatory reforms required for its members to be more effective contributors to society.

The mobilization of NGOs around humanitarian needs in the face of the border war with Eritrea and drought in the northern and eastern regions has served to underscore their legitimacy and relevance in the eyes of key government officials. Soon after the transition of 1991, the new government launched a concerted effort to redirect the general focus of NGO activities away from relief activities to long-term development priorities. The shift was reflective of the realities in the country and of the government's strong desire to end the cycle of food emergencies decimating the Ethiopian people through comprehensive development efforts. It was roundly applauded by many in the country, the donor community and other quarters and was met with minimal resistance even by international NGOs prominent in the relief field.

Events of late, however, have laid bare the fragility of food security in the country and the need for flexibility in the programming of development resources. The border war between Ethiopia and Eritrea that ignited in the summer of 1998 and crop shortages after successive years of drought in large areas of the country have renewed significant relief needs for displaced and disadvantaged populations and revealed the excessive optimism of some that emergency operations were largely a thing of the past.

The background of the border war with Eritrea and details of the food shortages brought about by drought in eastern and northern regions of Ethiopia are beyond the scope of this paper and can be discussed only in very

broad terms within limited space. Of note to this analysis is an observation that the mobilization of NGOs to the unexpected relief needs has been welcomed by the government and served to further the expansion of positive relations between government and NGOs seen in general over the past few years.

According to informed observers, there was a rallying of popular support for the government in the face of the outbreak of hostilities with Eritrea that took the EPRDF by surprise. Prominent citizens not seen as political allies of the government expressed clear support for its position *vis à vis* the fighting along the border and applauded a strong response to what was widely seen as aggression against the nation.

Parallel to this general show of support, the NGO community in Ethiopia—international and indigenous groups—mobilized to meet the relief requirements. While it could not be suggested that the NGO community favored war with Eritrea—such a stance would be highly contrary to the nature of NGOs—many individuals associated with the sector were nevertheless rather nationalistic in their individual positions and took somewhat public supportive stances not unnoticed by the government. Leaders of groups initially viewed as being somehow suspicious by many in government were both indicating support for its national security policies and organizing relief efforts to meet growing relief needs. Government officials were soon asking for NGO inputs to relief efforts.

International NGOs are prominent in the current relief efforts due to their historical engagement and expertise in this arena and capacity to raise significant funds from external sources (donor governments, religious and civic organizations in Western countries, etc.). Local NGOs have considerably smaller capacity to mount relief operations, but nonetheless have been devoting resources to the needs of the displaced and the hungry. (As an indication of the maturing of the NGO sector in Ethiopia, one prominent leader of it referred approvingly of Catholic Relief Services as an NGO that “spanned the definition of being an international or an indigenous organization” while discussing CRS relief operations in Tigray. Traditional divisions between international and local groups are beginning to fade, in some cases.)

A well-placed observer of the NGO scene told the review team that an indirect outcome of the Eritrean border war has been “an improved view of NGOs by the government. There is more trust and confidence now.” He referred to the efforts of NGOs in reaching out to government as “now bearing fruit” as better channels of communication have facilitated the sector’s response to relief priorities. As needs mount, government officials know NGOs can deliver.

Officials at the DPPC referred to NGOs as their “very valuable” allies in meeting relief requirements and it is clear that NGOs are carrying a large burden in the effort. There appears to be a clear recognition of this reality in many circles in the government. Somewhat ironically, in an effort to expand the contributions of these groups to the relief efforts, senior officials of the government have traveled abroad to urge donors to support NGO relief efforts in Ethiopia. Within the country, government leaders have directly called upon the NGO community to mobilize resources for the relief efforts—more than a tacit acknowledgment of its importance.

The future scope and direction of the renewed relief operations in Ethiopia are unknowable as this paper is written. Consequently, it is important not to read too much into the dynamics brought into play by the border war and renewed drought. Newly established channels of cooperation and mutual support may fray once the emergencies recede. Unforeseen events can alter the connections. For the present, however, it seems inescapable to conclude that the general opening of communication and collaboration between government and NGOs across the board in Ethiopia has been reinforced by the necessities of national crises. The public support offered the government by many in the NGO community and the government’s corresponding call for inputs from NGOs in the face of emergency provide strong indications of an altered enabling environment for the nongovernmental sector.

Cautious optimism has replaced trepidation in anticipation of the introduction of national NGO legislation. Two years ago, the Ethiopian NGO community almost universally dreaded the introduction of legislation updating the 1960 law which first authorized and recognized their operations. Many leaders now instead welcome the prospect and express at least guarded optimism that such legislation will serve to modernize the legal and regulatory framework in which they operate and underscore their basic rights. It is not the progress in the formulation of the NGO legislation itself—there is only indirect evidence of progress—that fuels the optimism, but instead the altered dynamics in the relationship between government and NGOs. Many leaders of the sector have moved from viewing the legislation as a crude lever of control by the government to seeing it as an opportunity for delineating their rightful place in a pluralistic society.

The change in perception reflects both the improvement in government/NGO relations and the clear increase in self-confidence within the NGO sector. NGO officials are now more sure of their place in society, see considerable evidence of enhanced institutional capacity across the sector, have a better relationship with the news media and donors, and have the success of the Code of Conduct to bolster their esteem. They have reason to believe that the legislation will be positive.

The intent of the legislation is to maximize impact of NGO resources... to create pools of resources for common goals. It is not to restrict their operations.

Senior government official

NGOs in Ethiopia function under the original law put into place by Haile Selassie's government. Regulations stemming from that law were issued by the government in 1966, then updated in the mid-1990s with the issuance of Guidelines for NGO Operations. Clearly a law written when there was but a handful of NGOs operational in the country, many of them foreign entities, is out of date. Further, the basic nature of NGOs has changed radically over the past forty years. In 1960, Ethiopian NGOs were oriented to charity and served as implementing agents for various benefactors and patrons.

The increasingly sophisticated NGO sector of today is oriented to development, not charity and to partnerships, not patronage. In this regard, the Ethiopian NGO sector is in stride with counterparts around the globe. The review team was struck by the vocabulary used by government officials and critical observers to describe NGOs and their orientation. The words used repeatedly emphasized the role of NGOs as development partners, not as practitioners of "good deeds."

What many leaders of the NGO sector seek is a law that is clear and precise on their rights to form and operate as independent civil society entities. That the law will also spell out their responsibilities for transparency and accountability is assumed and welcomed. There is need for the legislation to clarify the fiscal rules under which NGOs operate. At present, no specific regulations guarantee the tax exemption of NGOs, though in reality income and profit taxes are not imposed upon them. Similarly, current law is silent on the issue of tax credits or other incentives for donations of cash, commodities or services by businesses or individuals. NGO exemptions from tariffs and other user fees need to be standardized.

The law, it is hoped, will spell out the purposes and requirements of the registration process and guarantee the right of an NGO meeting basic criteria to be registered without undue delay. The law could concurrently address the current baffling and inefficient project approval process. Federal versus regional government authority over NGO operations needs to be clarified.

Critical will be detailing the rights of NGOs to form associations, coalitions and networks and having these groups recognized by government. At present, this is an area of much confusion and inconsistency. The fundamental right of nongovernmental groups to lobby on public policy issues and the concerns of their constituents has to be established, as does the ability of democracy and governance NGOs to engage in basic civic and human rights education activities.

The critical question is whether the law moves toward establishing and protecting the fundamental rights of NGOs or if it simply strengthens governmental control. It is in this area that one detects increasing optimism from sector leaders and well-placed observers. The delay in introducing the legislation—which was thought to be imminent when the previous enabling environment report was published—is generally seen as a silent blessing by many. “The delay has been good. The long process all but guarantees a better bill,” commented one senior NGO sector leader. “The climate is better in every significant regard for NGOs in this country and that will be reflected in the legislation.” These sentiments were echoed by many.

The basis for common understanding now exists. There is a better understanding of roles. I expect the legislation will set a broad framework, with the government’s role regulatory, but not overly directive. The government realizes it cannot do everything; it will allow autonomy.

Well-placed observer

“We can’t be certain what to expect in the draft, of course, but with the improved environment, we certainly do not expect any reversals,” stated a senior Western diplomat. The consensus view appears to be that the basis for a law which recognizes and codifies the rights of NGOs to operate freely—within recognized channels and with established responsibilities—now exists and that the senior leadership within the government will ultimately shape a bill along these lines.

The timing of introducing the legislation remains unclear. There are reports of draft legislation having been prepared that the government is ready to have vetted by outside experts. There are periodic guarantees that the government will allow considerable opportunity for the NGO sector to comment on the legislation before it is introduced in Parliament. A growing sense that the legislation will move forward in the near future is present. As this paper is written, however, the timetable for its consideration remains unknown.

The NGO community will have to be vigilant and skillful to ensure that the legislation is a major step forward, observers caution. There is little opportunity to shape bills once they have been introduced in Parliament and it will be critical that the community move as quickly as possible to agree upon key elements desired in the legislation and facilitate having that consensus shared in appropriate forums with senior leaders in the executive branch and Parliament. It will be important to hold the government to its pledges to allow ample consideration of the draft bill by the NGO community and genuine consideration of the community’s inputs and modifications to it.

A long-term perspective on what contributes most to the continual growth of civil society and the NGO sector is essential as legislation is considered. Immediate expediencies will correspondingly have to be avoided. Suggestions by some that the bill segregate developmental and democracy and governance NGOs, for example, will have to be firmly resisted if fragmentation of a sector finally realizing cohesion is to be avoided. It has been forty years since the initial NGO legislation was put into place; there is no reason to believe that this opportunity will be present again in the near future. The view taken should be one looking long into the future.

Additional issues

Beyond the primary indicators of an altered enabling environment for the Ethiopian NGO sector, the review team examined numerous additional topics pertinent to this analysis. Limitations of space preclude a full examination, but the importance of several factors merits discussion. The most significant are:

- Emphasis on building the capacity of the local nongovernmental sector by international NGOs remains scattered and insufficient;
- Government agencies are now submitting proposals to NGOs for training programs, providing both a welcome signal of faith in their merit but also the need for a coherent and transparent process to avoid conflicts of interest;
- Democracy and governance NGOs are increasing visible and the approach to expanding basic human rights awareness is widening; and,
- Complicated regulations surrounding the implementation of micro-finance programs illuminate the need for revamped NGO legislation.

Brief discussions of these points follow.

Emphasis on building the capacity of the local nongovernmental sector by international NGOs remains scattered and insufficient: There are now more examples of international NGOs devoting attention to building the institutional and operational capacity of the indigenous Ethiopian NGO sector than previously. Unfortunately, there are not enough. The movement of the international groups to emphasize enhancing the skills and resources of Ethiopian civil society entities remains far too gradual relative to the absorptive capacity of the latter. Indigenization of field operations is an overly distant and vague concept for many expatriate groups. For some, capacity building is rhetorical nod not supported by concrete measures.

Consultations with local and expatriate NGOs did reveal identify several partnerships to strengthen indigenous groups through training programs and related interventions. These partnerships remain too occasional and have too few sponsors, however. Diverse NGOs surfaced basically the same short list of international groups devoting substantial attention to this objective. It is clear that the few showing determination in this area are reaping impressive results. Their leadership is impressive.

Local NGO officials indicate that they see the capacity building efforts of their international counterparts as being “too meager” and that training and technical assistance inputs are frequently “too repetitive and with too much duplication in terms of participation.” They stressed the need for the development of a widely shared plan of action that would better target the interaction of domestic and international groups.

We can't raise money and thus have to rely on international donors. This creates dependency. How do we break out from this cycle?

Senior NGO official

Pact and CRDA are the primary providers of training and technical assistance inputs for Ethiopian NGOs. Efforts to ensure complementarity between their interventions are given mixed reviews by participants. In some cases, international NGOs are now sponsoring training for local partners via Pact or CRDA—a welcome development that has positive implications. Of considerable interest to local NGO officials is a mechanism for the coordination of capacity building efforts by all international players. The objective would be to allow better planning and more rational decision-making on allocations of staff to various training opportunities.

There is a point in the discussion of local NGO capacity building beyond the altruistic. A primary interest of the Ethiopian government *vis à vis* NGOs centers around the resources that these entities can mobilize to meet the country's development challenges. A realization of the ability of NGOs to provide net increases in the nation's development arsenal has already directly contributed to the general warming of relationships

between government and the NGO sector.¹³ There is little unique to Ethiopia in this equation: groups that can contribute to a nation's development tend to earn the attention and favor of governments everywhere.

Capacity building inputs for indigenous NGOs—in conjunction with legal reform that will facilitate local fund-raising potential, income generation and fees for services—will increase the ability of these groups to generate financial and human resources and their value in the eyes of government. The connection seems inescapable.

Government agencies are now submitting proposals to NGOs for training programs, providing both a welcome signal of faith in their merit but also the need for a coherent and transparent process to avoid conflicts of interest. Joint training for government and NGO officials in various management areas has expanded dramatically over the past two years. Pact and CRDA in particular are providing ever-increasing levels of training for government officials at all levels and in multiple fields. The need for managerial training for government officials is considerable, as repeatedly emphasized by senior officials in federal and regional ministries, departments and bureaus and echoed by NGO officials, donors and observers. Training is required in multiple areas of program management, among other reasons, to provide balance between government and NGO expertise and capabilities. Compatible skill levels on joint programming is in some circumstances a prerequisite for meaningful cooperation between government and NGOs.

The expanding inclusion of government officials in NGO training sessions parallels the more frequent participation of these officials in various forums, workshops and seminars sponsored by or for the NGO community. Increased exposure of government and NGO officials one-to-the other is central to building trust and confidence between them and has already paid major dividends in this regard.

The lead taken by Pact and CRDA in incorporating government officials into relevant NGO training sessions is being emulated by others interested in capacity building and supported by donors. The concept is clearly welcomed by senior officials within government, many of whom clearly state their interest in securing additional training for their staff from NGOs.

This development is a genuine breakthrough in NGO/government relations and is applauded by all participants. At the same time, there is a need for coordination of joint training initiatives as their frequency increases. The need is there in general to provide cohesion and clarity on who is providing what training for what target audience at what time to reduce redundancies and wasted opportunities. As well, it is necessary to avoid conflicts of interest between government agencies and NGOs before they develop. NGOs are dependent upon various arms of government for a host of work permits and project implementation approvals. A situation should not develop where the issuances of those permits and approvals becomes in any way dependent upon inclusion of government officials in particular training sessions.

The review team heard no claims of conflicts of interest surrounding training opportunities.¹⁴ The concern is simply cautionary: care needs to be exercised in the expansion of joint NGO/ government training to avoid abuse or confusion in the future. At the regional and local levels of government in particular there is an inconsistent understanding of policies and methodology in the implementation of programs that prompts the concern. Dialogue on this topic is possible through a number of appropriate channels now well established.

¹³ A few EPRDF officials once seemingly harbored the idea that if sufficiently pressured donors would channel international NGO assets through government agencies; such assumptions evaporated long ago.

¹⁴ The experience of Pact in the provision of training for government officials has been a highly positive one, in fact. The training has been rated as highly effective by participants and deemed the same by Pact staff members. The provision of this training is immediately relevant to Pact's mission in Ethiopia and the participation of government officials in appropriate training courses is welcomed.

Democracy and governance NGOs are increasing visible and the approach to expanding basic human rights awareness is widening. There are perhaps twelve-to-fifteen democracy and governance (D&G) NGOs active in Ethiopia, not a large count but an increase from recent years. The groups are active in civic education activities and are mainly focusing their activities in regions beyond Addis Ababa. A number are actively participating in voter education programs associated with upcoming national elections; six have formed a consortium to coordinate election process education efforts.

D&G NGO leaders speak of an improved environment for their operations. “Things are changing for the better,” the review team was told by the head of one. “The government is coming to grips with the fact that NGOs like ours are a fact of life. We and others are now involved in real advocacy work for the first time. We are engaged in civic education, basic human rights education.” The official then indicated that his organization was “being encouraged” by the government to undertake voter education projects—certainly a departure from the official stance of a few years ago.

In addition to civic rights and responsibilities orientation and voter education, D&G groups and other NGOs are slowly expanding the awareness of basic human rights in Ethiopia. Their approach to human rights is in many ways indirect, which is proving to be more effective than the confrontational tactics employed by some in the past. The emphasis is on public education and orientation to the rights and responsibilities of Ethiopian citizens under the country’s constitution. Groups having the most impact seem to concentrate on themes such as eliminating discrimination against women or ethnic minorities. Political participation by all is urged.¹⁵ Much of the work appears to be welcomed by government officials.

As well, international human rights documents are being translated and disseminated. Radio and television programs are presented which dramatize the sanctity of basic rights for every individual—and thus the unacceptability of sexual assault against women, for example. Human rights journals are being published and offered as the basis for community dialogue on the evolution of rule by law in Ethiopia. Democracy and governance and human rights activity in general has expanded notably over the past two years through the work of NGOs.

Ethiopia has a distance to go before adequate protection of the rights of all its citizens is in place. The tyranny of the past and the lack of democratic tradition in society guarantee a slow evolution. The current efforts to establish a national Human Rights Commission and establish the Office of the Human Rights Ombudsman, however, provide encouraging evidence of progress. That milestone potentially will be reinforced by adoption of legislation which ensures the rights of NGOs to be full and effective players in the country’s civil society and overall development effort.

If the human rights structures are established by law and if the NGO legislation proves to be as progressive as some now think positive, then rights of association in Ethiopia will be confirmed and expanded. The NGO sector will be well-placed for additional growth and the already significant work of the D&G groups will expand in impact.

Complicated regulations surrounding the implementation of micro-finance programs illuminate the need for revamped NGO legislation: Micro-finance schemes are covered by different government proclamations than the development or democracy and governance activities of NGOs; governmental oversight rests with the National Bank of Ethiopia rather than the Ministry of Justice. NGOs are not in fact allowed to directly implement micro-finance programs, for reasons obscure to the review team. NGOs can establish separate affiliates which undertake micro-finance activities and several have done so.

¹⁵ Political participation is indeed expanding beyond traditional patterns. More women than men now vote, the review team was told.

These activities remain small in scale, but boast a solid record of success. The majority of clients are women and repayment rates of ninety-eight percent over the three year life of the loans provided are not uncommon. Loans are provided for enterprises in various sectors: food production; retail operations; non-formal education; livelihood promotion; and, the like. The income generating impact of these loans appears to solid and sustained.

One issue facing NGO-affiliated micro-finance programs stems from government rules and regulations that seemingly favor the credit programs administered by the regional development associations. Different rules in effect allow the latter to amass considerably more capital for lending purposes, and make larger loans, and consequently charge lower interest, thus providing very formidable competition to the smaller NGO affiliates. Many regional development associations have micro-finance budgets of 40-50 million birr, while the NGO-affiliated programs typically have budgets hovering around one million birr.

Donors, the review team was told, are major contributors to the inequity seen in the micro-finance sector as they direct the bulk of their assistance to the regional development associations credit schemes. This issue may grow in importance; however, the recent formation of a micro-finance network provides a framework for expanded dialogue around it. Facilitating such dialogue is a prime function of networks, presumably.

NGO micro-finance affiliate representatives expressed frustration that there is little coordination between various government agencies involved in overseeing their credit programs. They referred to “endless processes” and the need for consolidation of procedures and oversight. “We need definition here,” one stated.

The basic problem is that micro-finance programs are not covered by up-to-date legislation or supportive regulations and that too many government offices have a voice in their oversight—hardly a unique situation in the country today, of course. Until these issues are addressed, a development intervention with demonstrated impact and a natural area of NGO expertise will continue to be artificially limited in scope.

Expanded opportunities

Improvements in the enabling environment for the Ethiopian NGO community, as well as lingering or newly emerging problems, suggest a number of activities and initiatives now appropriate for Pact and others supporting institutional capacity building for the sector. The activities differ in complexity, but all are important to continued environmental enrichment.

The suggestions that follow are not detailed. They are ideas and concepts for development by those within the NGO sector—and supporters in the donor community—committed to enhancement of its capacities and confirmation of its rightful place in the pluralistic society emerging in the country.

Pact and others should expand the recent emphasis on fostering government/NGO collaboration, in particular at the regional level. There may be no better return on investment to be made by those pursuing an improved enabling environment for the Ethiopian NGO sector than fostering collaboration around developmental interventions. When engagement moves from the theoretical to the practical, the value of NGO contributions tends to escalate notably in the eyes of government officials facing daunting developmental challenges.

Likewise, the suspicions between government officials and NGO counterparts tend to ebb when forums and channels for frequent and candid communication are erected. Proof rests in the virtual explosion of joint NGO/government activities over the past few years and the dramatic increase in favorable testimony on the value of NGO inputs provided by government officials. At the regional level, an admitted dearth in technical expertise in government offices makes expanded collaboration especially possible and desirable.

Joint training sessions, shared participation in forums and workshops and exposure trips abroad, mutually supportive communication with the news media, and, now, the prospect of more cooperative approaches to the adoption of NGO legislation increase the opportunities for collaborative initiatives. Beyond the general benefits realized from joint undertakings, an ultimate goal is more streamlined operations for NGOs. The complex and contradictory requirements of the project approval and evaluation processes imposed by various bureaucracies are the biggest obstacle to greater effectiveness currently faced by NGOs in Ethiopia. The key to reducing those burdens is having them regarded as obstacles by government officials eager to work with NGOs. Increased collaboration on multiple fronts advances that goal.

In a related sphere, there should be a push for development of clear, fair and flexible NGO regulations at the regional level. In at least some regions of Ethiopia, there are impulses by government officials to move the coordination of NGO activities away from central government agencies. Their interest is to capitalize on NGO inputs to regional development plans. Several regions are considering implementing new NGO regulations—as envisioned under the new federalist alignments of governance in the country.

This prospect presents both opportunity and danger. On one hand, the desire of regional governments to work with NGOs without, as they apparently see it, undue interference from the central government, can only be applauded. The danger, however, is enactment of overlapping, conflicting, unclear and too hastily conceived guidelines which complicate rather facilitate operations. The last thing needed in Ethiopia are additional bureaucratic requirements superimposed on those already suffocating the NGO sector.

The NGO community needs to be proactive and strategic in working with regional government officials and craft prototype guidelines that further mutual interests. It needs to seize the present opening in attitude found at the regional level that will allow the codification of rules and regulations that simplify not complicate life. The standardization of regulations across regional lines is highly desirable.

A coordinated and comprehensive effort has to be sustained as long as necessary to ensure that the revision of national NGO legislation is as positive a development as is possible. Prospects for the long anticipated NGO

legislation being progressive and supportive of the NGO sector have never been brighter. A positive outcome is not guaranteed, however, and a concerted effort by multiple players is required to obtain the best possible outcome. Pact and others need to continually nudge sector leaders into a proactive and thoughtful approach to the legislation and a united stance that communicates the sector's resolve on its rights and responsibilities.

What is needed is legislation that uses broad definitions, asserts the right of association, is clear and unambiguous, provides a delineation of federal, regional and local government roles *vis à vis* NGOs. A long-term view has to guide the thinking of what the bill before Parliament contains and short-term contingencies avoided. As noted, it has been forty years since the original law was passed. One particular danger to be avoided is artificial categorization of NGOs along D&G *vs.* developmental lines.

Equally critical in the legislation will be articulation of the ability of NGOs to raise resources domestically and engage in income-generating activities. The ultimate goal has to be facilitating the emergence of a strong and viable Ethiopian NGO sector and that requires the ability to generate funds locally and gradually reduce dependence on international donors and sponsors.

Elements of the coordinated effort required include a national consultative process that allows the voices of the many interested parties to be heard and builds consensus behind the NGO sector's view of the legislation—a view which the government has pledged to consider. Exposure tours and Internet consultations that expand the understanding of how NGO laws have been structured elsewhere need to be supported. Forums for publicly discussing sector legislative drafts have to be established. Sector spokespersons have to be identified and readied to testify before Parliament, perhaps with extremely short notice.

Assuming legislation is passed, USAID and others in the donor community need to help the government “roll it out” and facilitate discussion and understanding of what the new law is and what it accomplishes. The fuller the discussion and the broader the understanding of what the legislation is, the sooner its presumed advances can be realized.

By working collaboratively within the sector and cooperatively with government as this legislation is crafted, the NGO community has a rare and vitally important opportunity to help define and improve its enabling environment for years to come. The considerable enhancement in government/NGO relations over the past few years and in the institutional and operational capacity of the NGO sector creates an opening which cannot be lost.

The donor community should continue the very effective forum for dialogue underway the past few years with the Minister of Justice even after NGO legislation progresses through Parliament. Regardless of what transpires in the adoption of new NGO legislation, the consultative forum around regulatory and operational issues central to NGO/government relations should continue. New legislation will hardly resolve all outstanding issues or eliminate misunderstandings. The ongoing interest of the donor community in NGOs and civil society needs constantly to be underscored. The forum has directly resulted in several breakthroughs in understanding and contributed significantly to the improved climate in general found in the enabling environment. It should continue.

Pact and CRDA should explore mechanisms for “scaling up” training via partnerships with international NGOs and donors. The volume of capacity building training now available to NGOs and government officials in Ethiopia is impressive. However, continued and increased emphasis on training is needed as was made very clear in all aspects of the analysis supporting this review. Officials responsible for implementing various phases of development projects—within NGOs, within government offices—simply lack required technical skills in many instances. More training has to be provided to more individuals in more units of government and divisions of NGOs. Significant progress does not mean that all goals have been accomplished.

Pact and CRDA are the major providers of the training. They of course face financial and manpower resource limitations in structuring training courses. One remedy to that obstacle is the structuring of collaborative arrangements with international NGOs and donor agencies which allow these entities to in effective become the sponsors of—*i.e.*, cover the costs of—training provided by Pact and CRDA experts. The approach has several benefits: it avoids redundancy in effort and managerial infrastructure and it invests more international players in sector capacity building efforts. There are a few preliminary examples of such partnerships already that serve as the base for an expanded effort.

Concurrent with expanding training opportunities, mechanisms need to be structured to better coordinate them. Expansion of capacity building efforts for the Ethiopian NGO sector is clearly needed. Also needed are more effective coordination mechanisms to avoid unnecessarily repetitive training being offered to too few individuals on a repeating basis. While Pact and CRDA attempt to make training sessions complementary, more needs to be in this area and other providers need to be incorporated in the coordinating mechanisms. An annual comprehensive training agenda for the sector needs to be fashioned to avoid the wasting of resources and opportunities.

The coordination of training for government officials in particular needs to be orchestrated in order to avoid any potential conflict of interest. A transparent structure needs to be put into place to ensure that training sessions offered government officials are as coherent and valuable as possible and that decisions about who participates are fair and unbiased.

NGO leaders should move as soon as possible to explore prospects for structuring a forum for the discussion of mutual interests between the NGO community and the Addis Ababa Chamber of Commerce. There are obvious benefits of nurturing collaborative relationships between the private sector and the nongovernmental community in Ethiopia. The Addis Ababa Chamber of Commerce provides a natural and efficient channel for initially pursuing this interest. The Chamber is an impressive organization with a growing membership of various businesses located in the national capital, some of whom are already expressing interest in community improvement efforts. There is reason to believe that some members would welcome the concept of working with local NGOs engaged in efforts such as HIV/AIDS awareness and prevention campaigns.

Pact could play an important role in getting the discussion between the Chamber and the NGO sector underway. It need not assume a high profile role in order to make a major contribution in this effort. Pact is well positioned to be catalytic in this initiative. It has already conducted a study on the culture of giving in Ethiopian society and training on domestic resource mobilization. A panel discussion on the results of the study was convened and included private sector representatives. That session resulted in the formation of a committee charged with examining issues related to individual and corporate support for NGOs.

All of these efforts relate directly to the question of long-term sustainability of the nongovernmental sector. Sustainability is ultimately dependent upon reforms in the legal framework that will facilitate the mobilization of resources from within the country.

The World Bank has a deepening interest in the role of NGOs in Ethiopia's national development; Pact should explore prospects of working closely with the Bank to further their mutual interests. The World Bank's Resident Mission in Ethiopia has clear intentions of expanding its engagement with the Ethiopian NGO sector and exploring mechanisms for greater collaboration with NGOs in its support of national development. Its increased interest in this arena offers potentially important support for the sector capacity building goals of Pact, which is well-placed to work with the Bank in identifying effective areas of engagement. Bank readiness to work with Pact should be seen as a significant opportunity.

NGO communication efforts pay a large return on the efforts invested in them and need to be expanded. The proactive effort of the NGO sector over the past few years in expanding its outreach to the

media, government and public through expanded communication programs has made considerable impact. Clearly, improved communications have contributed to the better understanding of NGOs now found. Pact has been a sponsor of such efforts and should consider means of expanding its support.

Radio programming on topics highlighting NGO activities is an area where relatively inexpensive inputs can provide immediate results—say, for example, in the area of public health. Strategic placement of newspaper columns written by leaders of the NGO community could also be explored. Press kits provided by NGOs are better received by news media outlets today and their use should be expanded. Videos which can effectively demonstrate the human impact of NGO programs are especially well received and useful. The recommendation is that Pact look at practical ways of expanding its support of NGO communication skills enhancement and dissemination of communication products.

To acknowledge and underscore the improved environment for the NGO sector in Ethiopia, Pact should explore with various partners the establishment of a National NGO Day. In an effort to build sector cohesion and solidify the improved atmospherics in NGO relations with government and the media, establishment of a National NGO Day celebration should be considered. The point of NGO Day would be to provide a forum for showcasing the multiple NGO contributions to development in Ethiopia; better familiarize government, journalists and donors with its increasingly sophisticated profile; frame structured discussions on various topics of wide interest; and, provide linkages between diverse NGOs. The recent national HIV/AIDS Day provides an illustration of how such efforts can capture the attention of the news media.

Incorporated in the celebration could be demonstration projects in which NGOs mobilize volunteers around specific community improvement initiatives. These initiatives—construction of community water supplies, for example—provide tangible examples of NGO contributions to development that could be captured by journalists and broadcast across the national media to great effect.

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