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# CSO Governance, Capacity and Innovation Conference

## **BALADI CAP**

Building Alliances for Local  
Advancement, Development and  
Investment – Capacity Building

February 21-22, 2019

Hosted by the  
Lebanese American  
University  
Beirut (LAU-B)

Summary Notes  
of Panel Discussions



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# About the Conference



## CSO-GOVERNANCE CAPACITY AND INNOVATION CONFERENCE BALADI CAP



FEBRUARY 22, 2019  
LAU BEIRUT CAMPUS

This national conference aimed to create a platform for the exchange of national, regional and international experiences, drawing on lessons learned and best practices to discuss the applicability and replicability of civil society organization (CSO) governance and capacity development initiatives in Lebanon, particularly in terms of innovation, impact and influence, and sustainability.

The conference featured experts from Lebanon, Jordan, and the United States who provided examples of innovative techniques being used to improve CSO governance and capacity within Lebanese CSOs, as well as accountability mechanisms and the scaling up of capacity development initiatives. Insightful discussions took place on the national legal and regulatory frameworks being used to improve CSO internal governance and accountability. Informal group discussions were also hosted on the challenges and opportunities being encountered by CSO networks,

as well as the challenging relationship between CSOs and policy and decision-makers, which generated strong participation and debates by attendees relevant to the future of CSOs and civil society development in Lebanon.

The conference hosted more than 160 participants from Lebanese CSOs engaged in national and international programs, as well as prominent law-makers, politicians, academics, sector leaders, donor institutions (public, private, international) and research centers.

### Opening Remarks LEFT TO RIGHT

Mr. Claude Zullo,  
DIRECTOR, USAID LOCAL  
DEVELOPMENT OFFICE

Dr. Joseph G. Jabbara,  
PRESIDENT, LEBANESE  
AMERICAN UNIVERSITY

Dr. Fares El-Zein,  
CHIEF OF PARTY,  
BALADI CAP



DISCUSSION  
PANEL

# 1 / Governance and Accountability

## Best Practices for Lebanese NGOs/CSOs

2

|    |                       |  |
|----|-----------------------|--|
| 01 | Dr. Salim Sayegh      | Former Minister of Social Affairs and current Dean of the School on NGO Management at Sagesse University   |
| 02 | Mrs. Dima Jweihan     | Executive Director of the Middle East and North Africa Regional Office of the International Center for Not-for-Profit Law (ICNL) (Amman, Jordan)             |
| 03 | Mr. Badri Mouchi      | Chair of the Lebanese Transparency Association (LTA)/ Lebanese branch of Transparency International and national expert on CSO and private sector governance |
| 04 | Ms. Crystelle Kasarji | Doctoral student in CSO Management at Saint Joseph University – Paper on “CSO Governance Model Promoting Sustainable Development”                            |

The speakers covered issues related to governance and accountability in CSOs and non-governmental organizations (NGOs).

The topics covered good governance and accountability initiatives, efforts of the Lebanese Ministry of Social Affairs (MOSA) to regulate the sector, the role and responsibilities

of CSOs’ board members in good governance and accountability, as well as an evaluation methodology for good governance within CSOs.

## 1.1 Main Challenges

According to the panelists, the civil society sector faces many challenges as a result of internal and external factors. The external factors are related to the lack of a well-defined criteria to classify CSOs, as well as the absence of control on the part of the MOSA, which can lead to favoritism in selecting recipients and monetary-related abuses. Across the CSO sector in general, the good governance principles are not legally enforced. As a result, CSOs can choose to forgo the implementation of these principles.

At the internal level, CSOs can be a domain for families and individuals (which then constitute the major part of an NGO's work). As such, many organizational requirements are sacrificed due to the lack of needed

skills in management when it comes to setting and implementing various policies, such as human resources, financial management and procurement. In some cases, board members are also staff of the NGO, and the original founders remain as the main decision-makers, a fact that impacts impartial internal accountability and sustainability of NGOs in general. Board members also do not know their role and responsibility for accountability and liabilities. They do not distinguish the difference between their role and that of the rest of the CSO's staff or their constituent general assembly. Cases of conflict of interest are not uncommon and the lack of well-defined and enforceable good governance standards can often lead to a lack of accountability, transparency and fairness.



LEFT TO RIGHT

Mr. Joseph Haddad,  
FACILITATOR

Mr. Badri Mouchi,  
CHAIR OF THE LEBANESE  
TRANSPARENCY  
ASSOCIATION (LTA)

Dr. Salim Sayegh,  
DEAN OF THE SCHOOL  
OF NGO MANAGEMENT  
AT SAGESSE UNIVERSITY



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## 1.2 Main Trends

The main trends identified under this panel were mostly related to the organization of the civil society sector using international standards and compliance systems, mainly borrowed from the governance and internal management systems of the private sector. In addition, the

trend is to move towards the adoption of universal principles of good governance within CSOs as a way to limit many of the abuses currently happening because of the lack of expertise and experience in CSO governance and management.

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## 1.3 Way Forward

The panelists suggested some corrective measures encompassing and influencing structural as well as behavioral adjustments. They included the empowerment and capacity development of CSOs. These kinds of initiatives could be supported through the cooperation and collaboration of international NGOs (INGOs), donors, as well as the MOSA. Due to their status, INGOs and donors can provide incentives and a motive for local NGOs to cooperate. The MOSA also needs a tool by which it can classify NGOs engaged in service delivery provision. All three can cooperate in promoting and establishing the fundamentals of good governance, accountability and transparency, as well as impact the structure of NGOs and CSOs.

CSOs need to adopt clear and precise functions for their boards. The

mission of the board should be policy-making, oversight and planning. The board should, in addition to its mission, focus on values, resources and planning. Some standard practices in the private sector should be applied to NGOs, such as distinctive roles and responsibilities from the top all the way down. Qualifying for board membership should be well-defined and include independent, executive and non-executive members.

Therefore, USAID can push for the adoption of policies and procedures, as well as implement strict compliance standards, including a comprehensive code of ethics based on good governance principles, and its evaluations should take into account both external as well as internal variables of NGOs.

DISCUSSION  
PANEL

2

# Scaling Up CSO Interventions

## at the National-Level for Long-Term Sustainability

|    |                      |   |
|----|----------------------|---|
| 01 | Mr. Hisham Jabi      | Technical Director and International Scaling Up Expert, Management Systems International (MSI – Washington, D.C.) |
| 02 | Mr. Ramzi Hage       | Capacity Strengthening Program Manager, Catholic Relief Services, Lebanon Country Program                         |
| 03 | Mrs. Samar El Yassir | Country Director, American Near East Refugee Aid (ANERA)  |
| 04 | Mrs. Nadia Mekdashi  | Director, SKOUN, Lebanese NGO   |

During this session, the panelists discussed the importance of scaling up successful civil society initiatives, as well as the problems facing CSOs when it comes to expanding the implementation of projects. They addressed a wide variety of issues CSOs face when scaling up, such as sustainability, government contributions or lack of, and the inability to engage the private sector in the area of social development.



LEFT TO RIGHT

Mr. Hisham Jabi,  
TECHNICAL  
DIRECTOR, MSI

Mrs. Samar El Yassir,  
COUNTRY DIRECTOR,  
ANERA

## 2.1 Main Challenges

The panelists concluded that CSOs mostly implement pilot projects that are designed for a limited period of time and not initially planned to be scaled. Many CSOs work on the same issues with no cooperation amongst them, hence they do not engage in any form of knowledge sharing, and this is a deterrent factor when it comes to scaling up project initiatives and interventions. The context, i.e. the local system (policies/laws/

institutions) where the project is implemented, is often complex and is not taken into account during the design phase, while the project is intended to ignite change for long-term sustainability. Often, donors assume that a local government budget will carry on a program after their funds stop, but this not usually the case due primarily to issues related to revenues and human resources.

## 2.2 Main Trends

Trends identified under this panel were mainly related to the tools utilized for scaling up that have been recently developed, such as a conceptual framework and a step-by-step guide for CSOs to follow. Lessons learned also pinpointed the importance of ensuring strong

partnerships when undertaking any sort of expansion or scaling up. Continuous research and evaluation are also key for a successful scaling up endeavor, as the goal of scaling up is not to scale up a CSO as an institution, but to optimize the impact that the CSO's pilot model or intervention

has on the community and its beneficiaries. Successful trends have also recognized the reconceptualization of a training provision, as scaling up requires going the extra mile to support the capacity development of organizations and initiatives beyond

one-shot training workshops, in favor of more tailored and customized coaching, mentorship and shadowing to ensure that the knowledge acquired is being properly translated into a cultural and behavioral shift within the organization.

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## **2.3** Way Forward


Maintaining strong alliances and coordinating efforts when working on the same kind or related issues is paramount when considering scaling up similar or related models or interventions. Projects marked for scaling up should be designed to provide for long-term sustainability and should be backed by the financial commitment of donors or investors, as well as long-term scaling up plans. Intermediary management is also typically needed for scaling up successful projects.

Local context and its complexities should be considered at all levels of the scaling up process that ensure changes can be accommodated during all phases to insure its adaptability and acceptance within the local context. As such, evaluation and the need to create an environment for project growth should accompany scaling up. Ongoing

assessment and intermediary management should also be included as part of the design when the scaling up phase is being started.

The goal of scaling up should not be to scale up the CSO; the goal should be to scale up the impact of the CSO's model or intervention on the community and its beneficiaries. In other words, it is not just about deliverables but also about making an impact on the local system. Projects are usually undertaken in areas where governments have done little or no work, such that effective advocacy is needed when scaling up a successful project so that the government can be persuaded to incorporate the project approach into its policies and planning. Scaling up can receive a boost especially if the beneficiaries and would-be beneficiaries are included in the campaign.

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DISCUSSION  
PANEL

# 3 Trends and Innovations

## in CSO Capacity Development and Sustainability

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|    |                       |  |
|----|-----------------------|--|
| 01 | Ms. Lea Yammine       | Director of Publications, Lebanon Support Project  |
| 02 | Mrs. Frances Abouzeid | Former Chief of Party of USAID/Jordan's Civil Society and Civic Initiatives Support Programs (2008-2018) |
| 03 | Dr. Fares El Zein     | Chief of Party, USAID/Lebanon's BALADI CAP Project   |
| 04 | Dr. Makram Oueiss     | Political Science Professor and Dean of Students, Lebanese American University (LAU), Jbeil campus       |

The panelists addressed trends and innovations in CSOs in the sphere of capacity development and the use of technological tools in the field.

They also discussed the needs of the recipient organizations and the best way to implement meaningful capacity-building programs, including

the question of donor priorities and requirements versus the need for localization and contextualization of capacity development interventions.

### 3.1 Main Challenges

The imbalance in the donor/CSO relationship is frequently tilted in favor of the former, which can hinder the desired or optimum outputs. In most cases, training topics are pre-set by international actors and imposed by international donors without adaptation to the local needs and capacities of the beneficiaries. The predesigned, one-size fits all model of some capacity-building programs do not take into account the application and its effects during implementation, which can lead to ignoring the need for customized or individual tailoring. As a result, human

and material resources are often squeezed in order to accommodate the requirements of the capacity-building projects.

The trend of innovation through the use of technology is another challenge to innovative capacity-building of CSOs due to the maintenance costs and an attitude that technology is a goal not a means to an end. Innovation requires up-to-date, qualified trainers, and well-designed and sustainable capacity development programs: both are in short supply and costly when not included or required as part of grant provisions.

### 3.2 Main Trends

Panelists provided examples and their experiences in implementing capacity development programs, in which they were able to induce an actual learning curve within organizations

through the provision of a tailored set of skills and a mid-to-long term capacity development program. It was also shown how the initiation of such a process inside an organization can

LEFT TO RIGHT

Dr. Fares El-Zein,  
CHIEF OF PARTY,  
BALADI CAP

Mrs. Frances  
Abouzeid,  
FORMER CHIEF OF  
PARTY OF USAID/  
JORDAN'S CIVIL SOCIETY  
AND CIVIC INITIATIVES  
SUPPORT PROGRAMS

Dr. Makram Oueiss  
DEAN OF STUDENTS, LAU





be extremely important so the organization develops a sense of ownership and buy-in to the capacity development program. The main trend today is to provide a comprehensive capacity development plan based on a well-developed and thought-out assessment tool, and within the vision of institution-building rather than a series of one-shot training workshops.

### 3.3 Way Forward

Panelists also considered that the creation of modules for the accreditation of trainers was key for ensuring high quality and consistency of the capacity strengthening modules.

The panel pinpointed the importance of pursuing the Human to Institutional Capacity Development (HICD) model of capacity strengthening, while taking into account the importance of a well-developed assessment tool to identify the level, types and areas of intervention for

This has become more and more part of in-grant requirement for capacity development and has frequently focused on incorporating technology as a means for CSOs over more traditional approaches. Other trends include substantive capacity strengthening in monitoring and evaluation, procurement and human resource management systems.

CSOs, which needs to be accepted by the recipients themselves to ensure ownership and buy-in during the capacity development process. In addition, incentives should be provided for CSOs in order for them to commit to the assessment, training and progress monitoring process. The above measures must be taken with the consideration of scalability and sustainability in mind, and the program should be designed with the aim of creating a change at the national level.



DISCUSSION  
PANEL

4

# Comparative Analysis

## of NGO Laws and Regulatory Frameworks

|    |                       |   |
|----|-----------------------|---|
| 01 | Ms. Dima Jweihan      | Executive Director of the Middle East and North Africa Regional Office of the International Center for Not-for-Profit Law (ICNL)(Amman, Jordan) |
| 02 | Mr. Ghassan Mokheiber | Former MP in Lebanese Parliament  |
| 03 | Mr. Nabil Moawad      | Director, Rene Mouawad Foundation (RMF),<br>Lebanese CSO  |

This panel focused on a comparative analysis of the trends and best practices in CSO and NGO laws and regulatory frameworks that contribute to a progressive civil society enabling environment, including mechanisms for engagement with the private and public sectors.



## 4.1 Main Challenges

The panel pointed at the absence of data and information concerning CSOs and the overlap between organizations in terms of both grants and project implementation. The lack of complementarity between national strategies and donor-funded projects often makes it difficult for local NGOs to compete with international NGOs.

The panel also shed light on specific laws and decrees that could be used to hinder or restrict the work of CSOs. One such decree was recently issued by the Lebanese Ministry of Interior and Municipalities (MOIM) in which the ministry grants itself the right to exert increased control over NGOs, especially in regard to

their board elections and financial statements, which constitutes an unlawful scrutiny beyond the scope of the existing law. This decree violates the right of assembly and the principle upon which the operation of NGOs was built, namely that an NGO can operate upon giving a notification of its formation to the proper authorities. The decree, which could be used to supervise or restrict the work of certain NGOs, is not only an infringement on the freedom of NGOs, but it could also be used to dissolve non-compliant or unfavorable NGOs, which is the prerogative of the Council of Ministers and some specialized courts.

## 4.2 Main Trends

According to panelists, the presence of progressive laws does not always ensure that CSOs can work in a harassment-free environment. Today, trends show that the threats to civic freedoms in a number of Arab countries are quite similar, independent from the laws. A recent study conducted in Morocco, Tunisia, Lebanon, Jordan and Kuwait showed that public perceptions of civic freedoms, as well as specific challenges

during CSO registration and the provisions of the laws for the right to participate in national policy and legislative processes, were almost the same in all five countries. For example, the study showed that the challenges faced in Tunisia, where the laws are the most developed not only in the Arab World, but also on a global level, are as restrictive of rights as the ones in the Gulf region.

## 4.3 Way Forward

The panelists provided a number of recommendations and suggestions to remedy and improve the legal status of NGOs. They recommended amending as well as developing new laws related to CSOs in a way that meet their needs, such as ensuring that CSOs can participate and have a say when it comes to legal or legislative changes related to the civil society sector. Efforts must also be made to repeal the Lebanese MOIM's latest decree of November, 2018.

In order to move forward on these and other issues, knowledge and awareness about freedom of associations and other NGO-related issues need to be improved. Learning about NGOs' experiences in other countries is one way towards that goal.

On the level of the NGOs themselves, however, there is a need for classifying and organizing NGOs operating within the sector. In addition, the forum for Lebanese NGOs (not a legal entity yet) should be activated on a national level, including

the formation of a new lobbying body or alliance for the proper implementation of the law. An in-depth workshop can also be organized, featuring specialists from different domains, to highlight the basic challenges and organizational needs, as well as relevant amendments to the laws.

Finally, controls should be exercised within an NGO rather than being imposed by the government, which could possibly open up the possibility for government intervention, intimidation and reprisals. These forms of control should be done by the NGO members themselves as part of their internal governance and monitoring processes. Financial controls can also be exercised through the regulations that the donors impose on grantees. The third effective control is by monitoring the income taxes, so that the association cannot hide any commercial work, particularly when the NGO is declared for public utility.

Opening Remarks  
LEFT TO RIGHT

Mr. Ghassan  
Mokheiber,  
FORMER MP

Mr. Nabil Moawad,  
DIRECTOR, RMF

Ms. Dima Jweihan,  
EXECUTIVE DIRECTOR,  
ICNL (MENA)



DISCUSSION  
FORUM

# 5 / CSOs and Policy Makers: A “Love/Hate” Relationship

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MP Yassine Jaber

MP Alain Aoun

MP George Okkais

This facilitated panel discussion addressed questions of increased transparency of the legislative process vis-a-vis the work and interests of CSOs, increased access and participation of CSOs in the legislative process, and accountability challenges and potential mechanisms.

## 5.1 Main Challenges

The members of parliament (MPs) and conference participants discussed the need for increased transparency in the legislative process and the insufficiency and availability of current information coming out from the legislative institutions. The lack of a specialized legislative media channel, or access and availability to the MPs’ voting records, and the confidentiality of committee meetings were all subjects of discussion.

On the issue of access, the lack of open and non-discretionary access by CSOs to draft laws and legislation being discussed and to deliberations during committee meetings was raised. Attendees highlighted the need to have the chance to provide comments and inputs, as well as attend hearings on laws that are controversial or those that affect the lives of CSOs and their constituents.

On the issue of accountability, discussions revolved around having enough information on the performance of MPs, parliamentary blocks and political parties within the parliament, so that voters could hold them accountable to their platforms and mandates at election time.

On the issue of transparency, the U.S. Congress and English Parliament were raised as examples of transparency, specifically the congressional media unit and a specialized TV channel to broadcast live parliamentary hearings and deliberations.

Under access, the U.S. practice of allowing for a 6 month notice to

provide comments on specific rules or regulations proposed by executive agencies was also quoted as a model for potential parliamentary practices in Lebanon, so that interested CSOs have a chance to participate in the legislative process.

Finally, on the issue of accountability, the idea of establishing a Parliamentary Observatory for CSOs was proposed, in order to provide for a two-way communication channel between parliamentarians and CSO constituents, so that both parties could better showcase their positions and opposition to certain draft laws or even national issues of interest to public opinion.



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LEFT TO RIGHT

Dr. Fares El-Zein,  
CHIEF OF PARTY,  
BALADI CAP

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MEMBERS OF  
PARLIAMENT  
PANELISTS:

MP Georges Okkais

MP Yassine Jaber  
(lead)

MP Alain Aoun

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## **5.2** Way Forward

The conference participants generally agreed that there needs to be a more collaborative relationship between the decision-makers within the parliament and the CSOs and civil society sector in Lebanon. This kind of a collaborative relationship, rather than the more confrontational model adopted now, could contribute to rebuilding the limited trust between the parliamentary institutions (and through them to the government as a whole) and the Lebanese voters, as observed by the MPs and participants.

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