



Eurasian Coalition
on Male Health

SOCIAL ACCOUNTABILITY OF STATE GOVERNING BODIES

Review

SOCIAL OFFICIALS
NGO REGIONS
ACCOUNTABILITY
NATIONAL GOVERNMENT
GOOD AMBITIONS PATIENTS SPECIALISTS
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SOCIAL ACCOUNTABILITY OF STATE GOVERNING BODIES

Review

Eurasian Coalition on Male Health (ECOM) – an international, non-governmental, membership-based association, open for non-profits and individuals working in the field of human immunodeficiency virus (HIV) prevention and treatment for gay men and other men who have sex with men, and transgender people, in the region of Eastern Europe and Central Asia (EECA).

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Recommended citation format: ECOM (2019). Social accountability of state governing bodies: review. Author Natalia Podogova. ECOM: Tallinn.

The opinions and viewpoints of the author presented in the review may not correspond with the opinions and viewpoints of ECOM.

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Acronyms and abbreviations

AIDS	Acquired immune deficiency syndrome
ART	Antiretroviral therapy
CCM	Country Coordinating Mechanism
CD4 (cluster of differentiation 4)	a glycoprotein found on the surface of immune cells
CEECA	Central and Eastern Europe and Central Asia
CESCR	Committee on Economic, Social and Cultural Rights
CSO	Civil society organization
ECOSOC	Economic and Social Council
ECHR	European Court of Human Rights
EECA	Eastern Europe and Central Asia
EU	European Union
G8	Group of Eight
Global Fund, GF	the Global Fund to Fight AIDS, Tuberculosis and Malaria
HIV	Human immunodeficiency virus
KSPH	Kazakh School of Public Health
LGBT	Lesbian, gay, bisexual, and transgender
LGBTI	Lesbian, gay, bisexual, transgender/transsexual and intersex
MDG	Millennium Development Goals
MP	Member of Parliament
MSM	Men who have sex with men
NGO	Non-governmental organization
OGP	Open Government Partnership
OST	Opioid substitution therapy
SDG	Sustainable Development Goals
UAH	Hryvnia, Ukraine national currency
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
USA	United States of America
USAID	United States Agency for International Development
USD	United States dollar
WHO	World Health Organization

From the Author: Introduction

Social accountability of state governing bodies is the accountability of these bodies to citizens and other residents of the country, for whose well-being the governing bodies were created. This is a regular and continuous process of coordination and interaction between citizens and government agencies. This process works most effectively in a democracy. Other forms of government, such as autocracy, bureaucracy, dictatorship, and others, do not imply a stable and high degree of transparency and accountability in the work of state bodies to the people.

Why is the principle of social accountability of government bodies better respected in democratic states? There is a simple reason for this: democracy is a method of collective decision-making where all citizens participate directly or through their representatives in decision-making. Social accountability is the accountability of representatives to those whom they represent. In addition, the state apparatus is supported by taxpayers' money. Virtually all of us, as citizens of our states, pay for the work of officials and parliamentarians, whom we expect to serve us for the benefit of our interests, rights and freedoms.

Let's look at the democratic processes in Eastern Europe and Central Asia (EECA). Of course, our region is not homogeneous. Our countries are simultaneously restoring their national cultures and histories, which were destroyed by the Soviet empire. At the same time, they are trying to build strategic partnerships for the future: among themselves, with the European Union, and with other political forces in the world. Despite our many differences, our countries are similar in many ways, especially when it comes to governing systems and civil society. All post-Soviet countries have declared that they want to be democratic republics. We all share a desire to live in an effective democracy. If this is the case, then we must not just wait for certain rules to be fulfilled by others, but we must also fulfill them ourselves. Everyone has the right to vote, which must be exercised. Citizens choose those who govern the state on their behalf and whom are paid by their taxes. Moreover, citizens must demand a report from their representatives.

We must recognize that in our countries a culture of democratic governance, common to all in the country, has not yet been established. This culture is only developing. Therefore, our countries are often called "countries in the process of transition", the transition from the old governing models to new ones. Some countries are transitioning from Soviet bureaucracy to Western democracy, while others, despite a declaration of commitment to the values of democracy, are instead moving towards autocracy, where there is no social accountability.

Of course, there are just as many, if not more, reasons to be optimistic rather than pessimistic. This publication aims to identify ways of facilitating interaction between state structures and civil society, in order to establish a constructive dialogue and the correct, systematic, and transparent work of state authorities.

Social Accountability of State Governing Bodies and Civil Society

State governing bodies

State governing bodies include all executive and legislative authorities in the country, including at the central and local levels. Executive authorities include governments from national or federal levels to local administrations (regions, cities, territorial entities). Legislative bodies include bodies enacting laws: parliaments, both at the national or federal level, and at the local level (region, city, territorial entity).

The government carries out activities related to implementing laws, managing public affairs, implementing budgets, enacting foreign policy, ensuring order in society, and to protecting the rights of citizens.

Parliament adopts laws and controls the executive branch. Parliament is a representative body and is formed through general elections (in federations only the lower chamber). The parliament is responsible for expressing the will of the people in government and plays a key role in the government system within the framework of the principle of the separation of powers.

Civil society

Civil society is a set of social relations of individuals, groups and associations, outside of traditional parliamentary mechanisms (if there is a parliament in the country) that defends the interests of citizens. Civil society is not part of the government and parliament (the formal system of state governance) and, most often, independent of business. Civic activists and associations are important for the timely identification of new problems and threats arising in connection with the development and evolution of society and are essential for developing and implementing actions aimed at solving these new problems and threats.

Developed civil society structures and ensuring their cooperation with existing government bodies is an essential prerequisite for building a modern, efficient and rich state.

Principle of civic participation

All citizens have the equal right to influence the formation of laws and political processes in their country. In its basic form, the principle of civic participation is reflected in the right to vote for members of national and local parliaments/assemblies, and in the right to participate in referendums. In addition to choosing their representatives, citizens can actively influence the adoption of certain decisions by publicly expressing their position, or by uniting with like-minded people to influence national and local governments.

One important way of exercising one's right to civic participation is by running in elections for seats in national and local parliaments and councils.

The essence of the principle of civic participation is that, in a constantly changing society, where global challenges consist of various local problems that are not always interconnected, effective decisions can only be made with the direct participation of those affected by local problems. For example, if a problem affects adolescents living in large cities in low-income families, then it is these adolescents who should be involved in assessing the situation, determining the problem, and in planning, executing, and evaluating the effectiveness of measures aimed at solving the problem. These adolescents are the ones who will have maximum information about the problem, and the ability to quickly and meaningfully influence its resolution.

Civic participation is a completely rational and practical concept that allows for the quick identification of social problems and challenges, and the formulation of effective responses to address them.

A transparent and effective system of elected representatives should exist not only at the national level (such as the parliament, which should be open to community representatives, coordination councils at ministries, etc.), but also at the municipal level (municipal meetings open to community representatives, local coordination councils on HIV or other topics, etc.). At the local level, a similar system is also needed: in all large institutions, there must be a person in charge of communication with patients/clients and the public, and who is responsible for working with local activists.

What is social accountability?

Social accountability of state governing bodies and structures is a process of horizontal cooperation of these bodies and structures with civil society. At the heart of such cooperation lies the idea that we all live in one society, and that the well-being of each of us depends on the well-being of society as a whole. As part of this process, there is a division of responsibility in solving problems common to all in society. Structures and initiatives are developed in such a way that allow for the improvement of everybody's life.

In essence, social accountability is a mechanism for the interaction of state bodies with leaders, activists and civil society associations, which helps the state system to respond in a timely and effective manner to existing and arising, local and global challenges and opportunities.

Mechanisms of Accountability for Governing Bodies: Internal (State) and External (Social)

Social accountability mechanisms are initiated and maintained by government bodies, citizens, or both. In all countries, there are certain mechanisms to ensure the accountability of the government. Such mechanisms are always linked with systems/channels of internal mutual reporting between government organizations, and with the use of the information that is collected/distributed through these internal channels. The following are examples of internal accountability systems/channels of state governing bodies:

- political mechanisms (for example, constitutional restrictions, separation of powers, legislative and investigative commissions);
- fiscal arrangements (for example, formal audit and financial accounting systems);
- administrative mechanisms (for example, hierarchical reporting, codes of conduct for government officials, rules and procedures regarding transparency and public oversight);
- legal mechanisms (for example, anti-corruption agencies, ombudsmen and judicial bodies).

Mechanisms of social accountability - the interaction of civil society and government institutions - are sometimes called "external" accountability mechanisms (since civil society structures are not included in the structure of government bodies). One of the most important "external" accountability mechanisms in democratic states is **elections**. However, elections do not provide citizens with the opportunity to express their preferences on specific issues, meaningfully participate in making specific decisions, report on specific problems, or to encourage or hold governments accountable for specific decisions or actions.

Citizens, communities, civil society organizations and independent media can use a **number of formal and informal incentives and sanctions, including pressure from the public**, to express opinions outside the framework of elections. The means of expressing the opinion of civil society depends on a number of factors, including: the nature and purpose of the actions that civil society activists/initiatives want to achieve; the experience and the means of those who demand accountability; the availability of formal means of encouraging or requiring state

structures to meet the demands of civil society. Informal incentive mechanisms or sanctions usually rely on creating public pressure, for example:

- (positive or negative) articles and comments in media and social networks,
- public demonstrations of support or protest,
- public meetings between citizens and officials,
- petitions, etc.

When necessary, groups of citizens may use formal means to impose sanctions on government representatives or to force changes, for example:

- presenting evidence to anti-corruption authorities (complaints to the prosecutor's office, for example),
- appeals to ombudsmen¹,
- filing a lawsuit in court.

It may seem that most of these actions are aimed solely at punishing civil servants and other employees of state institutions. Appealing against wrongful actions of state structures and demanding compensation for damages from these actions is important for affected citizens. But it is equally important and useful for the government agencies themselves: all people make and will make mistakes, and it is important to have an effective system for detecting and correcting these mistakes in order to avoid them in the future. Thus, citizens' complaints can be important feedback for government agencies in general and help to improve the quality of their work.

Critical factors for effective social accountability include access to and effective use of information about the work of government agencies, and the ability of civil society and government institutions to develop synergies with each other. These factors, as well as the extensive use of data collection and analysis tools based on the joint participation of civil society and state bodies in recent years, have led to the creation in the EECA region of a **new generation of social accountability mechanisms that ensure the interaction of civil society with government structures, and that promote openness and transparency in strategic decision-making at the state level for the benefit of society.**

These mechanisms include:

- increasing the level of citizens' knowledge on how to interact with government bodies (for example, by educating the public about their rights and about available services through the websites of public services and other communication and educational channels);
- civilian monitoring and evaluation of the provision of public services;
- thematic Country Coordinating Mechanisms (CCMs) (for example, on the control of HIV and tuberculosis);
- open public procurement processes;
- state social contracts (purchases of services by state structures from non-governmental, non-profit organizations);
- increasing the transparency of the activities of state structures, for example, through the participation of citizens in public commissions and public hearings, advisory councils of citizens, supervisory commissions, ethical research committees, etc.;
- integrating civil society advocacy² into social accountability systems as a feedback mechanism.

¹ Ombudsman - a civilian or in some states an official who has the function of monitoring compliance with the rights and interests of citizens in the activities of government bodies.

² Advocacy is a regular activity or campaign aimed at representing and protecting the rights and interests of a particular social group or solving a problem or advancing public interests in government bodies (including parliament) to effect structural changes in the interests of the group or to solve a specific problem.

Motivating State Governing Bodies to Be Socially Responsible

What can encourage officials, government managers, government representatives and legislators to be socially accountable to society, what motivates them to appeal to civil society, to be open? Motivating factors and causes may be different. By studying the motives of civil servants and politicians, can help us to turn them into partners and allies, and to develop and strengthen existing partnerships. Below are a few examples of motivating factors that range from self-serving to altruistic.

Denis Kamaldinov,

Chairman of the Board, Novosibirsk Regional Public Organization "Humanitarian Project", Russia:

*"Sometimes it is important for the official to show the result, not to civil society, but to the higher authorities. An example is the **implementation of a national program and indicators**. For example, thanks to the indicator of the federal ministry in 2017, we received federal money for the first time in 2017, which was distributed through grants at the regional level. The indicator was to allocate a certain percentage of the budget to support NGOs working in the field of HIV prevention, including among vulnerable groups. It was one of the first times funding was provided to projects aimed at key groups, including MSM. We conducted a seminar for activists and peer counselors from key groups and managed to train specialists from the region to work in mobile testing vans, which we now have four of in the region. In addition, part of the funds was allocated to a low-threshold resource center for different groups, which funds various projects including one for trans people and their relatives, two groups of people living with HIV, an anonymous drug addicts' group, and an emerging group for MSM.*

*The mechanism of protection against attacks and criticism works well. In Novosibirsk, until recently, there were 32,000 people living with HIV registered by the AIDS Center, which had long queues and a heavy load on doctors and medical staff. The AIDS Center decided to decentralize, opened centers in other districts, and solved the problem. They came to solve the problem themselves, with the help of **reports in media and dialogue with the community**."*

Vinay Patrick Saldanha

Director of the UNAIDS Regional Support Team for Eastern Europe and Central Asia:

*"Officials are divided into two categories, classical and advanced with regard to HIV. Classical officials by default deny any problems, and do not have contacts with representatives of communities; they are not interested. The few progressive officials who work on the issue of HIV do wonders, they are not shy about taking responsibility. You do not need to be a minister to see that the situation in the region is deteriorating. We must run ahead of the train, and not fall under it - listen to the protests from the community, from the voters. It is better to be one step ahead. There are few such officials in the region, but they exist. And such officials win because they understand that it is **much better to find a common language with the community than to confront it**."*

Oleg Eryomin

ECOM National Expert, Belarus

*"Another example of motivation is when top officials participated in international events, after which the order to work with public associations and report back came down from the top. **Guidance from high-level governance bodies is***

important if, at that level, there is an understanding of the need to work with civil society.

The state takes the *90-90-90 strategy*³ very seriously and is seriously concerned about the level of commitment at the Ministry of Health. The treatment is already started when a patient's CD4 cell count is 500 cells/mm³.

Adilet Alimkulov

Head of Advocacy & Partnership Department, Public Association "Kyrgyz Indigo", Kyrgyzstan:

"Motivation, for example, for one of our deputies with whom we actively communicate is *working with other key population groups*. Experience with these groups has a positive effect on work with LGBT organizations. And from our side, the community side, the work of organizations of all key population groups as allies greatly influences our work with authorities.

We must pay tribute to UNAIDS - the organization has established very effective communications in Kyrgyzstan to promote the *90-90-90 strategy*, they are actively working to popularize the issue of HIV and the strategy itself, which undoubtedly helps its promotion and contributes to *the special efforts of the state to fulfill its obligations*.

Kyrgyz officials, in principle, can be commended for their *openness to new knowledge, new information and for their readiness to discuss new topics*."

Maxim Demchenko

Executive Director, Charity Organization "Light of Hope", Ukraine:

"The *accession to the European Union* for North Macedonia and the *processes of European integration* for some countries of the region, such as Ukraine, Moldova, and Georgia, can serve as a serious motivational factor for officials. NGOs can actively use this."

An official of one of the ministries of the Russian Federation:

"The Ministry of Finance of Russia calculated that in the last 10 years funding for the social sphere increased, but the number of social services did not increase, and the quality of services did not improve. It became clear that the *existing system of public services in the social sphere is not effective*. You must create a competitive environment, where the best service provider is chosen, which can be done by *outsourcing some social services to NGOs*. This is the motivation, which is in fact a pragmatic and rational approach. There are many ambitious regions in Russia that want to do cool things, and they understand that NGOs will help them solve a number of problems. A system of support for socially-oriented NGOs⁴ is operating, and a favorable framework has been developed, in which the state agrees that NGOs should provide services to key populations, however such opportunities are not fully utilized. And let the market of NGOs is not yet so developed, nobody has canceled evolution."

³ [UNAIDS strategy 90-90-90: An ambitious treatment target to end the AIDS epidemic:](#)

- by 2020 90 % of all people living with HIV will know their HIV status;
- by 2020 90 % of all people with diagnosed HIV infection will receive sustained antiretroviral therapy;
- by 2020 90 % of all people receiving antiretroviral therapy will have viral suppression.

⁴ "Socially oriented NGOs are considered not only as objects of state support, but also as subjects of interaction with the state that can provide these services in a number of areas more efficiently and of higher quality than state and municipal institutions" - <http://nko.economy.gov.ru/Files/NewsDocuments/ef54d172-13a8-43a2-ae4b-a7fe7becade7.pdf>

Darko Antik

Coordinator for monitoring and analysis of budgets, Association for Emancipation, Solidarity and Equality of Women – ESE, North Macedonia:

*"If the government operations are mostly shaped by the political parties' programs, a useful approach of advocacy would be **working closely with these political parties**, especially in the period before the elections. In 2017, before the last parliamentary elections took place in the Republic of North Macedonia, some CSOs were engaged with the political parties and made suggestions to the political party programs. The successful example of such collaboration is the agreement signed by the HIV/AIDS platform of CSOs. All political parties, except the ruling one at that time, agreed to ensure the sustainability of HIV/AIDS programs and allocate funds for HIV prevention from the national budget. After the elections, the new government did allocate some funds from the national budget to finance those services.*

*Political parties from the opposition used the opportunity to build coalition with CSOs and use their capacities for establishing their political agendas. Working with political parties can be risky, especially because the **parties can use the capacities of the CSOs before the elections and not take on their suggestions after they come to power**. Also, these relations can affect the independency of CSOs. I am pointing this out because some of the promises made by the political parties didn't come true after the elections. That's why CSOs should mostly work with citizens in order to build their capacities to hold the government accountable, participate and influence the governmental decision-making process to ensure sustainable and long-term changes in public system operations."*

Nino Bolkvadze

Legal Specialist, NGO "Equality Movement", Georgia:

*"Motivation, for example, for the police and law enforcement agencies is **the fear of violating human rights**. This would put them in a bad light to voters. **The fear of losing one's job** also works, which can happen to any official in Georgia regardless of status. For example, some time ago in Georgia, one of the deputy ministers of internal affairs was fired, tried and sentenced to a year imprisonment for disclosing private information.*

*Judges want **to look qualified** in order to develop their careers. Many people are very eager to **move up the career ladder**, so they strictly follow instructions. In Georgia, young and progressive specialists can now be found in all government bodies.*

*There are officials who would like to have an **international career**. For example, Sopo Japaridze, Advisor to the Prime Minister of Georgia on Gender Equality and Human Rights, is very helpful and helps the community and human rights defenders quite a lot. He recently campaigned to be an ECHR justice.*

*Sometimes the official cooperates due to the fact that their **personal values coincide**, although this is very rare."*

Nenad Micov

Program Coordinator, Stronger Together, Association for Support of People Living with HIV, North Macedonia:

"The motivation is to demonstrate openly that the state cooperates with civil society, that they are doing something useful. But, of course, it all depends on the political situation. 2017 was a turning point in North Macedonia, when the political crisis that lasted for the past 10 years was resolved by a protracted 6-month election and a new government came to power, which is still very open to civil society. However, they are quite possibly just trying to earn political points, it is too early to judge. In any case, the new government is more liberal than the civil society took advantage of, putting a number of problems before the government that were never considered at all, or the response measures to them were not adequate.

North Macedonia has been a candidate for membership in the European Union since 2005, but accession negotiations were blocked by Greece due to disputes over the name of the former Yugoslav Republic. Nevertheless, sooner or later the country will become a member of the EU: EU membership and transatlantic integration are goals of the new government. And then, whether officials want it or not, they will have to bring all laws and regulations in line with EU norms and legislation. The country is already undergoing a series of reforms in accordance with EU norms and regulations. With the old government, we were forced to use aggressive methods of civil protest. With the current government, we can sit at one negotiations table and discuss the most acute problems related to HIV."

John Macauley, Regional Programme Specialist, Regional HIV, Health and Development Programme, Eastern Europe and Central Asia, United Nations Development Programme (UNDP): "In some cases, the motivation is the duty to protect the rights of its citizens, as well as the need to report under various international obligations."

The Most Effective Mechanisms Based on the Joint Participation of Civil Society and the State in the Context of HIV

Country Coordinating Mechanism (CCM)

Country Coordinating Mechanisms (CCMs) were introduced by the Global Fund to Fight AIDS, Tuberculosis and Malaria (GF) in the GF grant recipient countries as mechanisms for cooperation between all stakeholders and for decision-making based on wide participation in the management of national diseases. CCMs should strive for the meaningful involvement of all stakeholders involved in combating the three diseases in their national context, including representatives of civil society, people living and/or affected by these three diseases, as well as people representing key populations.

Gennady Roschupkin

Community Health Systems Coordinator, Eurasian Coalition on Male Health (ECOM):

"The CCM is a mechanism of social accountability, since the work of representatives of state structures in it becomes transparent for civil society, and representatives of civil society have the opportunity to participate meaningfully, that is, to influence both the specific actions of the state and evaluate the effectiveness of the work being done. The programs funded by the GF enable organizations of communities of key populations to directly participate in the implementation of programs and projects.

And all this happens with the direct consent of the government - one way or another, under pressure from the GF or without it, but the governments created these mechanisms and spaces for cooperation, where more effective feedback became possible and the efficiency of resource use increased.

At first, CCMs played a huge role in building cooperation between state and civil institutions, contributing to the modification of post-Soviet medical systems into a modern health care system. Now, CCMs play a vital role in the processes related to the transition from GF grants to national funding."

Vinay Patrick Saldanha, UNAIDS:

"The role of the CCM is very important, firstly, in almost all countries there was an active representation from civil society, and secondly, most countries viewed the CCM as a national forum or platform or coordinating mechanism for all of the country's AIDS work. Originally, CCMs were created to submit an application to the Global Fund and monitor the grant. But many officials supported initiatives to convert CCMs into full-fledged national forums for making decisions about HIV at the national level, given the broad level of representation of NGOs and the community, officials and, where relevant, international organizations. Now in different countries - Kazakhstan, Uzbekistan, Tajikistan, Kyrgyzstan, Ukraine - these platforms are called by various names. But since 2016, we have moved into a new era - we no longer have to fight AIDS, we must conquer the HIV epidemic once and forever, we must end tuberculosis and malaria by 2030, and a number of other diseases within the Millennium Development Goals. Therefore, it is possible to extend the power of the CCM to a number of other problems and diseases, and to develop the platform within the framework of public health. And the experience of the functioning of the CCM on HIV should be used for the

solution of other problems. This is beneficial to officials, since such a body will discuss several related issues at once with a wide representation.

The world is changing rapidly, issues of migration, climate, and employment are more present in the international agenda than HIV. Therefore, we also need to be ready to change. We need to strengthen our experience and relationships with all partners, and we are ready to include more partners in our platform, and to spread our experience to other issues. Now is the time to rethink our mechanisms and directions so that we are ready, based on our experience in AIDS, to expand our range of interests and tasks.

I want to give a couple of positive examples of interaction between the state and civil society in the framework of the CCM. In Kazakhstan, Nurali Amanzholov, formerly the President of the Kazakhstan Union of People Living with HIV, and now the President of the Central Asian Association of People Living with HIV, is the Deputy Chairman of the CCM. This is an excellent example of the state recognizing dialogue with representatives of civil society on an equal basis with others.

In Ukraine, the Chairman of the National Coordination Council is the Prime Minister, but civil society is widely represented in the Council. For many years we have seen difficult interactions between civil society and state officials in Ukraine, as the conditions for a dialogue within the national Parliament were not met. Now it is much better for the government to have Dmytro Sherembei and his "100% Life" at the negotiating table as equal partners than hundreds of people living with HIV protesting on Grushevskogo street⁵. Although protests are definitely an important tool, constructive dialogue is a direct way to solve problems."

Bauyrzhan Baiserkin

General Director, Kazakh Scientific Center of Dermatology and Infectious Diseases:

"The CCM is committed to the principles of broad participation of all stakeholders, democratic decision-making, transparency, joint public-private partnership, and efficient operation. The CCM of the Republic of Kazakhstan includes representatives of all key populations, which is at least 40% of the total number of CCM members."

Oleg Eryomin, Belarus:

"To implement the recommendations of the plan on transition to national funding, the Belarusian CCM now combines two issues - HIV and tuberculosis and plays a coordinating role for all programs and projects on HIV and tuberculosis funded by the Global Fund in the country. Under the Ministry of Health, there is a National Interdepartmental Commission on HIV, but it exists only on paper, in fact it has not been assembled for a long time - with a sufficiently strong and effective CCM, there is no need to duplicate the coordination actions of yet another body."

Nino Bolkvadze, Georgia:

"The CCM in Georgia is the only platform where all members of key populations affected by HIV and tuberculosis can openly identify themselves. Moreover, the CCM is the place where, perhaps, the most difficult issues concerning key populations are openly discussed."

⁵ The Ministry of Health of Ukraine is located at Grushevskogo Street, 7 in Kiev.

For all the importance of the CCM, there are still a lot of areas for improvement. Thus, a February 2016 audit of CCMs⁶ performed by the Office of the Inspector General (OIG) revealed several key weaknesses related to the CCM's oversight, consultation and feedback functions:

- 10% of the 50 countries reviewed did not have the required oversight committee;
- more than half of the countries did not have specific information on roles, timelines, and budget in their oversight plans, or they had oversight plans that were outdated;
- 62% of the CCMs were non-compliant with the requirement of seeking feedback from non-CCM members and from people living with and/or affected with the disease;
- more than half of the 45 CCMs that have oversight bodies did not adequately discuss challenges with the PRs to identify problems and explore solutions;
- 58% of the CCMs had not shared oversight reports with country stakeholders and The Global Fund Secretariat in the previous six months; and
- 26% did not share the oversight reports with relevant stakeholders in a timely manner that could have ensured appropriate remedial action.

The audit also raised specific concerns about the limited sustainability of CCMs in countries where the Global Fund has already transitioned out of funding disease programs. A lack of sustainable CCMs might adversely impact advocacy for the three diseases, resource mobilization, and the continued meaningful engagement of civil society and affected communities in those countries following the exit of the Global Fund.

Nevertheless, since the creation of the Global Fund, CCMs have played and will continue to play a central role in partnership with the Global Fund. Today, in order to better implement the Global Fund's strategy for 2017–2022, the CCM model is evolving.

In May 2018, the Global Fund Board approved the first stage of the evolutionary approach⁷ and additional funding for 2018 and 2019 to strengthen the first CCM group to better fulfill its functions. It also approved a code of conduct for CCM members and an updated CCM policy⁸.

Coordination and Consultative Bodies, Targeted Discussion Platforms

In EECA countries, there are a number of coordination and consultation platforms and structures at the national level. Some of them, for example, national HIV commissions of governments or ministries of health, exist in parallel with CCMs. The same people often participate in both structures and discuss the same issues. Nevertheless, there is a tendency to optimize resources by using only one coordinating mechanism with an expanded agenda (for example, by including several infectious diseases in the scope of work, covering all key populations, or addressing the topic of public health in general).

There are a number of consultative bodies in countries — in addition to the above-mentioned national or government commissions, these can be various kinds of expert councils, interdepartmental or coordination councils, thematic advisory groups, and public councils. The difference between national commissions and any other coordination structure is that the deliberative bodies are primarily aimed at providing a discussion platform for a wide range of partners, and the decisions that the consultative bodies take are only advisory in nature. They do not coordinate anything and are not responsible for anything. Nevertheless, the participation of high-level officials, other decision makers, celebrities, and the entire spectrum of representatives of key populations in such consultative bodies raises the status and weight of such structures and ensures the attention of all levels of government to their recommendations or of the recommendations of individual members. Any coordinating and

⁶ Audit Report of The Global Fund Country Coordinating Mechanism (GF-OIG-16-004 25 February 2016) ([English](#) | [Русский](#))

⁷ https://www.theglobalfund.org/media/7455/ccm_evolutionphasedapproach_presentation_en.pdf

⁸

https://www.theglobalfund.org/media/7421/ccm_countrycoordinatingmechanism_policy_en.pdf?u=636917015900000000

advisory body should be formalized (be founded by or a part of some other body), and have provisions on its membership/participation, goals, tasks and functions.

There is another category of coordination or deliberative platforms, which are created temporarily and aimed at solving a single task or are created for one project or program. In countries of the EECA region, such platforms usually exist in the form of thematic round tables and **public hearings**. Public hearings are a permanently available, traditional mechanism used at all levels of government (for example, public hearings as part of municipal self-governance) for involving civil society in decision-making processes.

Gennady Roschupkin, ECOM:

"The difference from CCMs or other committees and commissions is that meetings within public hearings and other work using this mechanism are carried out on demand, when there is a need for broad discussion on socially important issues. Not all issues are strategic, and it is not always possible to maintain regular working communication with everyone who could or may have an interest in or be affected by a certain issue, therefore, both communication and mediation are conducted sporadically when necessary. However, this mechanism is permanently available, is prescribed by law, and is ready for use as soon as the need arises."

Any citizen, a public association, a state institution or a government body can initiate such a platform. For example, in Kazakhstan, in 2016, UNODC and public organizations initiated and conducted public hearings on the topic of substitution therapy with the involvement of officials, community representatives, members of their families, and representatives of international organizations. The outcome of the hearings was that the government began providing support and state funding for OST programs.

Bauyrzhan Baiserkina, Kazakhstan:

*"As part of the implementation of the President's order to establish a state accountable to the population and to ensure the broad participation of public institutions and citizens in decision-making processes, in November 2015, the Law of the Republic of Kazakhstan "On Public Councils"⁹ was adopted. **The Public Councils** working in local administrations in akimats since January 2016 have become a new public institution and dialogue platform for expressing the views of civil society on a wide variety of issues of public interest, taking into account the rights, freedoms and duties of citizens, and ensuring more operational feedback between citizens and the state. The tasks of the Public Councils include: representing the interests of civil society and taking public opinion into account when discussing and making decisions at the republican and local levels; and developing interaction between central and local executive authorities. Public councils are created as a form of public participation and control. Although their decisions are advisory in nature, they must be considered by state bodies and the public has the right to be informed about and monitor them. Evaluations of the activities of public councils are used in Kazakhstan to determine the rating of state bodies.*

***Reporting meetings of ministers**, called "akims", are held quarterly¹⁰, where they report on the progress of public work, and where orders are given to officials to resolve problematic issues. AIDS centers interact with local NGOs of key populations. **Various types of communication platforms are also organized, such as round tables, meetings, etc.** Through NGOs, representatives of key populations can participate in discussions about amendments to regulatory acts, seminars and trainings. There are also **Patient Councils**, where people living with HIV participate."*

⁹ https://online.zakon.kz/Document/?doc_id=36800092

¹⁰ This mechanism is worth attention - in Kazakhstan, few people know that once a quarter any person can communicate with any minister at his reporting meeting with the population, and the meetings are broadcast online.

An official of one of the ministries of the Russian Federation:

"The main coordination platform in Russia is *the Coordination Council on HIV/AIDS at the Ministry of Health*, a fully working body, which, in addition to officials, includes representatives of NGOs, who therefore have a direct influence on decision-making processes at the state level. There are still several organs where you can discuss the problem of HIV. Members of *the Public Chamber* are elected for 3 years from citizens, representatives of regional chambers and all-Russian public associations. The Chamber interacts with public authorities and local governments in order to take into account the needs and interests of citizens, protect their rights and freedoms in the formation and implementation of state policy, as well as to exercise public control over the activities of government bodies. All socially significant bills must undergo examination by the Public Chamber. There is also *the Public Council under the Ministry of Health*."

Andrej Senih

Executive Director, Stronger Together, Association for Support of People Living with HIV, North Macedonia:

"Even before the 2017 elections, we worked mainly with political parties, because during the election campaign they were ready to take on certain obligations. We had a *round table with representatives of several parties*, at which a declaration was signed with the obligation to allocate adequate amounts to finance programs for key populations and to establish a long-term financing mechanism in case of their election. The civil society initiative was for this declaration to ensure the effective collaboration between the incoming Government and the entire pool of organizations working with key populations. The openness of politicians to civil society was a challenge for the old regime.

In North Macedonia, the initiative to create any mechanisms for joint work never came from the government; these have always been initiatives of either civil society or UN agencies. Now the new government, which came to power in the summer of 2017, is re-establishing *the National Commission on HIV*. This is a very important body, which in the past was not very functional, while the CCM was operating, however the CCM completed its work in early 2018 following the closure of the Global Fund projects. The Ministry of Health understands that civil society should be involved in the work of the Commission - this is a public statement by the officials. It will be a platform within which decisions based on evidence, facts and figures will be made. Of course, the final word will be left to the Minister, since the Commission is convened by the ministry, and therefore has more of an advisory function. But, we have at least the opportunity to take part in expert discussions at the national level on the priorities of the national HIV policy, and this is a forum in which we can make influence."

Maxim Demchenko, Ukraine:

"Coordination or consultative platforms should be created out of mutual interests, for a specific purpose - for monitoring of the national program, developing the national program, introducing new mechanisms, developing draft laws, etc. *Target platforms* are more efficient. What mechanisms work? Each country, each region, each city is different, civil society should have a whole set of mechanisms in their arsenal: *personal meetings, consultative platforms within government bodies, public discussions in social media, collaboration with the media, etc.* For example, we launched a campaign against gender-based violence, which was first discussed at the social media communication platform for 4 months, the problem was raised, and then we sat down at the negotiating table and began discussing ways to solve the problem with officials."

Denis Kamaldinov, Russia:

"The NGOs themselves should be used as platforms for dialogue. Examples of the Humanitarian Action Foundation from St. Petersburg and a consortium of NGOs working with key population groups in the Republic of Tatarstan confirm that if there is a dialogue, in other words, connections and trust, this can be an entry point for further work with officials. Mechanisms of interaction include openness and exchange of information and holding round tables with invited experts from other regions to share their experience and demonstrate their expertise. The media and the community must be involved."

Oleg Eryomin, Belarus:

*"NGOs participated in **round tables of interdepartmental councils** throughout the country, the results of working with MSM were heard everywhere, and so far, there is no aggressive rhetoric regarding MSM at the executive level."*

Adilet Alimkulov, Kyrgyzstan:

*"The director of our organization, Daniyar Orsekov, is a member of **the Coordinating Council on Public Health of the Government of the Kyrgyz Republic**, representing the LGBT community, his alternate is another representative of an LGBT organization. We actively participate in all country processes and working groups: endorsing programs and budgets, developing a roadmap for the transition to state funding for HIV activities, developing a matrix of monitoring indicators, and evaluating program implementation. Standards of services are being prepared for key populations so that NGOs can receive funding under the law on state social contracting. We actively cooperate with the Republican AIDS Center to implement pre-exposure prophylaxis, rapid testing and other services. We participate in work on budget advocacy in order to include and expand funding for HIV in the state budget."*

*Civil society actively participates in **the working group on state social order**. Thanks to this work, the law on state social order will enter into force, and the state will be able to announce and endorse tenders. A needs assessment survey was carried out. The working group is preparing a program on state social order, which will also include service standards and a tool for quality management. Further public hearings will be conducted. According to the program, the state will already be able to issue grants – with the system being piloted in 2019."*

John Macauley, UNDP:

*"As part of the UNDP and USAID "Being LGBTI in Eastern Europe" project, aimed at supporting the rights of the LGBTI community in Albania, Serbia, Bosnia and Herzegovina and North Macedonia¹¹, we were able to help the government and civil society, for example, in Albania to develop and adopt an action plan approved by both parties in relation to the protection and the fight against discrimination. The work was led by the Ministry of Labor and Social Affairs in collaboration with relevant organizations and partners, the role of UNDP was in **creating a platform for a dialogue**. In addition to the action plan, a monitoring system was created with the inclusion of specific indicators in the action plan. One of the results was the creation of an online platform with access to all information not only at the national level, but also to international documents."*
Work with Ministries of Health

¹¹ http://www.eurasia.undp.org/content/rbec/en/home/library/democratic_governance/being-lgbti-in-eastern-europe--albania-country-report.html?cq_ck=1511872189984

If, in principle, there is direct access to the Ministry of Health apparatus, most often the staff of the apparatus will be open to cooperation. Such interaction will save a lot of time, as there is an opportunity to voice the problem and offer a ready-made solution directly, bypassing coordination and advisory bodies. When determining mutual interests (officials are assigned a task for which civil society is ready to offer a solution), this form of cooperation may turn out to be the most effective. But one must be very sensitive in determining entry points, competent in offering assistance to officials, and very proactive and effective in communication.

Nenad Micov, North Macedonia:

"We have a positive example of working with the staff of the Ministry of Health. After the Minister made a public statement on the need to allocate national funding to HIV programs as part of the transition, we understood that, in practice, this may not mean anything substantial. But we took advantage of the opportunity, or rather, of the fact that a high-level official publicly voiced his political will to fund HIV programs and decided to act through the Ministry's staff. Together with the Ministry of Health, we prepared a document for the Cabinet of Ministers with information about the need to replace the Global Fund funding with an adequate level of national funding. The document outlined the priorities, why it matters, what the key populations are, and what the outcome will be for the national response to HIV. The document was submitted to the government, discussed, and the government decided to establish a long-term funding mechanism for the HIV program for key populations from the national budget. This happened in September 2017. And although the budget allocated not the same amount of funding as before, we are conducting an assessment of the funding gap and an analysis of the cascade of services to better understand our needs.

The years 2016-2017 were transitional due to the withdrawal of the Global Fund from North Macedonia. And we are one of the first countries in the Balkans who can say that we have had a steady transition, because there has not only been the necessary political will, but also a government decision. Our main task is to create mechanisms and build a system that will operate sustainably, and further develop services. Now we are in a win-win situation, and positive cooperation is taking place in the country."

Civil Society Forums

There are civil society forums in many countries of the region. The strength of these initiatives is that coalitions are established through such platforms, and civil society can discover (or re-establish) that the problems in most communities are the same: financing, transparency of management systems, legislation, sustainability of services and organizations themselves, lack of qualified personnel, etc. Moreover, communities can achieve more by supporting each other and working together, regardless of the social orientation of the organizations, than by working alone. Several examples are provided here: the civil and thematic forums. ***The All-Russian Civil Forum***¹² is a large, annual platform for public organizations, activists and experts. Unfortunately, those involved in HIV services have not yet widely used this platform. Meanwhile, Belarus hosts ***the International Forum of HIV Service Organizations*** (with the support of UNAIDS¹³), which brings together annually not only national activists, but also representatives of regional networks and international organizations. Since 2016, ***forums of people living with HIV***¹⁴, ***people who use drugs***¹⁵, ***sex workers***¹⁶ and ***men who have sex with men***¹⁷ are functioning in Russia. The forums bring together representatives of key populations

¹² <https://civil-forum.ru/en/>

¹³ <https://www.belaid.net/tretij-mezhdunarodnyj-forum-po-voprosam-vich-infekcii-itogi-raboty/>

¹⁴ <http://rusaids.net/ru/dokumenty-foruma-lzhv/>

¹⁵ <http://rusaids.net/ru/dokumenty-foruma-lun/>

¹⁶ <http://rusaids.net/ru/dokumenty-foruma-sr/>

¹⁷ <http://rusaids.net/ru/category/forum-msm/>

communities and are created as communication platforms for the development of consolidated advocacy strategies.

Social contracting

The term "social contracting", which is widely used in the countries of Western Europe, refers to the mechanism of implementing state social programs, intersectoral cooperation in the provision of social services to solve social problems. These services, as a rule, are paid at the expense of budget funds and are provided by organizations based on the results of an open competitive selection (tender) conducted by the state (or on its behalf), followed by the signing of agreements (contracts). An obligatory condition for social contracting is the state delegation to the specified organizations of resources and powers in amounts sufficient for the implementation of the assigned social programs, as well as their commitment to responsibility for the effectiveness and quality of their implementation. But it should be noted that the state has the function of quality control of the services provided.

In other words, social contracting is a contractual relationship between the state (the customer) and the entity implementing social programs (the contractor) for the fulfillment of the task entrusted by the customer, in particular the provision of social services by financing (full or partial) from the state or local budgets.

There are several basic social contracting mechanisms:

- public-private partnership is one of the forms of interaction between the public and private sectors of the economy, when the state and business unite to implement large-scale socially significant projects. Procurement procedures (qualification and competitive selection) take place according to the terms of procurement for public funds;
- state provision of resources for NGOs necessary for the implementation of social programs. One of the most common practices are: the provision of premises on preferential terms of rent from the fund of communal property; the provision of cars; the organization of preferential travel to social workers, and others;
- state social order - the practice of announcing a competition at the national or local levels, as a result of which the winner receives budget money for the implementation of certain works, services, projects;
- procurement of services - competitive bidding through the electronic procurement system, the winner of which is determined on the basis of the lowest price and compliance with the qualification criteria of the tender documentation of the customer;
- financing of the statutory activities of NGOs - the allocation of budgetary funds from local targeted programs to finance the statutory activities of NGOs that are engaged in countering a particular problem;
- financing of workplaces in NGOs through employment centers and municipalities - financing of rates on the basis of NGOs at the expense of employment centers and local budgets in order to fill these rates with representatives of key populations. This practice contributes to improving the financial stability of clients/patients and the development of their adherence to treatment;
- city projects - the practice of competitions of projects at the city/regional level, the winner of which is selected on the basis of a set of votes of local residents. Winning projects receive budget funding for implementation.

As part of this review, the state social order is considered in more details - a mechanism that is already used in EECA countries in the framework of the national response measures to HIV and the involvement of NGOs in the implementation of these measures.

State Social Order

In many countries of the EECA region, HIV primarily affects members of key populations: sex workers, gay men and other men who have sex with men, trans people and people who use drugs. These populations require targeted (i.e., tailored to the specific needs of the group) support and treatment services for HIV and other health risks. 15–20 years ago, civil society organizations from these communities took the lead in promoting health care for their communities, working on a peer-to-peer basis, acting as a liaison with existing state health services, and creating new services with the financial support of international donors. The economic growth of developing countries, coupled with the slow recovery of the economies of donor countries after the recent global crisis, has led to a change in traditional approaches to the provision of international assistance. In recent years, there has been a clear downward trend in funding from international donors for middle-income countries. Since 2015, the EECA region has suffered the most from these changes, since at the present time all countries in the region, with the exception of Tajikistan, are classified as middle-income countries¹⁸.

The level of international assistance is likely to continue to decline. Now most countries in the region are at one stage or another of the transition from international to national funding, and the success of transition processes will largely depend on how the sustainability and effectiveness of HIV services targeting key populations is ensured.

In countries where the main activities for a sustained response to the HIV epidemic were carried out by civil society and funded by donors, social orders can be an effective mechanism that countries can use to maintain and strengthen the national response with a focus on key populations.

Social order is a relatively new term that appeared in the post-Soviet region as a result of the translation of the English-language concepts of commissioning social services and social contracting. A social order can be understood as the process of engaging civil society organizations in the provision of services by providing them with funding and assigning them responsibility for the provision of certain services traditionally provided by state bodies, or for the provision of new services that were not previously provided by the state. A social order may have a broader definition, for example, a process in which civil society plays a larger role by participating in the planning, provision and evaluation of services.

In the broadest sense, a social order can mean directing state funding to civil society organizations for health and social support activities.

Some governments in the EECA region are already committed to ensuring universal access to health care for all their citizens, including key populations, and community organizations and other NGOs are recognized as an effective provider to ensure access of key and marginalized populations to these services. In addition to the effect on health care, the state social order or social contract system is an effective tool for social accountability, when governments and civil society act as partners in ensuring and realizing the right to health of all citizens.

In a number of countries in the region, current legislation already allows the government to procure a range of services from NGOs. In 2017, the legislation regulating the legal mechanism of the state social contract in **the Republic of Belarus** was amended, to now allow non-state, non-profit organizations to be funded on a competitive basis from the state budget. Starting in 2018, the state social contract mechanism began to be used in the field of disease prevention, in particular HIV. Civil society organizations took an active part in the development and amendment of relevant legislation.

The joint work of the state, and international, and non-governmental organizations on the implementation of the state social order in **Kyrgyzstan** was launched in 2015. At the beginning

¹⁸ World Bank, classification of countries according to the estimated level of gross national income (GNI) per capita for 2018: <https://datahelpdesk.worldbank.org/knowledgebase/articles/906519-world-bank-country-and-lending-groups>

this issue was included in the National Plan for the transition to national and other GF-funded alternatives to the GF grants. In 2017, a working group was created in the Ministry of Health, which included representatives of NGOs and international organizations, including the Association Network, the Association Network of People Living with HIV, Kyrgyz Indigo, USAID, Soros Foundation Kyrgyzstan and others. At the end of 2017, the Law "On State Social Order" was adopted. To provide services for HIV/AIDS, tuberculosis and other diseases, standards were developed for calculating the cost of each service taking into account the actual coverage needs of the necessary services. The budget requirement for services for people living with HIV and representatives of key populations were also calculated. In August 2018, the Ministry of Health approved the state social contract program within the framework of the health care system. The possibility of obtaining state funding for the provision of services will be open to all NGOs. During 2019, it is planned to approve service standards and standard operating procedures for awarding tenders and implementing grants. A competition for tenders will be launched as a pilot program in 2019. It was very important that both officials and NGOs took part in the work at all stages, and that the implementation of the state social order system was included in the national plan for the transition to national funding, which became part of the HIV/AIDS program of the Government of Kyrgyzstan.

In **Kazakhstan**, public funds represent nearly 90% of the budget for the HIV program. Some of these funds are allocated to NGOs under the law "On State Social Order, Grants and Awards for Non-Governmental Organizations". The law has existed since 2005, and a number of changes were made to it in 2012 and 2015. In 2015, 27 NGOs received state social orders for work on HIV prevention. In 2018, the Law of the Republic of Kazakhstan "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on the Activities of Non-Profit Organizations" was signed, and was aimed at improving the mechanism of state social procurement, improving the quality of NGO services provided under the state social order, and at optimizing the list of NGOs providing information to the authorized body. Central, state, and local executive bodies of Kazakhstan appointed officials responsible for interacting with representatives of NGOs. Implementation of state social orders in Kazakhstan is not without difficulties. Reporting requirements and the short duration of grants make it difficult to fully ensure the sustainability of services. However, the country maintains constant dialogue on improving the state social order system through various platforms ranging from CCMs and Public Councils to the institute responsible for interacting with NGOs. In addition, members of the CCM representing civil society are planning to create a resource and information hub on the state financing of services, which will also include sample rationales for the provision of investments at the level of akimats (local administrations).

In **Ukraine**, the state social order mechanism for funding social services has been used for a long time. Since 1998, the state social order has been used both at the national level (financing from the state budget through certain ministries and departments) and at the regional level (financing from local budgets, such as regional and city budgets). During this time, the social order and its various modifications (for example, the competition of social projects) at the expense of the local budget are carried out in more than 35 localities of Ukraine, including regional and district centers. Each region annually selects several types of social projects that will be funded by a social order or a competition of social projects¹⁹. However, for various reasons, this did not include funding for HIV prevention and support services until recently. The result of advocacy efforts to implement the use of social orders for HIV services in all regions of Ukraine is described by **Maxim Demchenko**: "We are promoting a social contracting approach for HIV and tuberculosis, where the state purchases public health services from NGOs at the national and local levels. We are convinced that we must promote absolutely all approaches to social contracting to ensure the sustainability of services. Our approach is that guaranteed HIV services should be purchased in the same way and according to the same principles, they cannot differ depending on the city or region. At the same time, they are not enough to solve all the problems of key populations. To do this, we use other social contracting mechanisms, for example, the social order. This mechanism takes into account the peculiarities of the region and key populations, and most importantly - provides access to

¹⁹ "Stability and opportunities. An overview of the experience of ensuring the sustainable work of HIV-service NGOs from various financial sources", International HIV/AIDS Alliance in Ukraine, 2016, available in Russian at: http://aph.org.ua/wp-content/uploads/2016/08/funding_publication.pdf

social services. This approach in Ukraine formed the basis of the transition plan; pilot projects were launched that proved their effectiveness and sustainability."

On May 16, 2019, the Public Health Center of the Ministry of Health of Ukraine announced a call for tenders for the procurement of social services in the field of HIV prevention for key populations from state funds²⁰. The planned amount of purchases is 101 million UAH (about 3.7 million USD) for 6 months in 2019 in 25 regions, and 320 million UAH (about 11.8 million USD) for 2020 in 25 regions. As follows from the statement of the Charity Organization "100% Life" regarding the implementation of the Transition Plan in Ukraine, these funds fully cover Ukraine's need for social services in the field of HIV prevention among vulnerable groups and care for HIV-positive patients²¹.

Work with the Office of Ombudsman

An ombudsman is a civilian or, in some states, an official elected or appointed to monitor the observance of human rights by various state bodies and officials. Unlike the prosecutor's office, the ombudsman monitors and investigates cases not only on the basis of law, but also by taking into account issues of efficiency, expediency, integrity and fairness. There is an ombudsman working in all EECA countries with the exception of Belarus.

Experts interviewed during the preparation of this review identified the ombudsman's office as a potential partner when working with government agencies, however, no relevant examples of such cooperation were collected for this review.

Memorandum on Mutual Cooperation

Maxim Demchenko, Ukraine:

"Even when there is well-established contact with an official, if it is only based on verbal agreements, all advocacy efforts and time spent can be in vain if the official resigns or switches to a new job. Therefore, such relationships should be developed properly. It is necessary to sign a memorandum of cooperation if either party would like to develop a serious relationship. In addition, it is important to understand what the result of such cooperation will be and, accordingly, what the subject of the memorandum should be, for example, joint work on legislation, drafting amendments to legislation, developing a program, mechanism, standards, etc."

Bauyrzhan Baiserkin, Kazakhstan:

"In the Republic Kazakhstan, memoranda of mutual cooperation are used in order to improve the quality of data used in making decisions within national programs and initiatives (for example, to implement the "90-90-90" strategy and other objectives related to the achievement of the Sustainable Development Goals) concerning the health of representatives of key populations. For example, on January 31, 2017, a Memorandum of Cooperation and Understanding in the field of postgraduate education, training and post-training of medical personnel was signed between the Kazakhstan Medical University "KSPH", the Republican Center for the Prevention and Control of AIDS and the Union of Legal Entities "Kazakhstan Union of People Living with HIV".

The Republican Center for the Prevention and Control of AIDS and the Kazakhstan Union of People Living with HIV signed a memorandum of intent on the prevention and treatment of HIV infection and coinfection in the Republic of Kazakhstan.

²⁰ https://prozorro.gov.ua/tender/UA-2019-05-16-001460-a?fbclid=IwAR3qapai-60aXnod3HnAPo5J_ZlkFNXslyZasjWA8bvk3aZX1dLjM46U5MQ

²¹ <http://network.org.ua/en/co-100-life-statement-on-transition-plan-implementation/>

Similarly, the Republican AIDS Center and the Kazakhstan Union of People Living with HIV signed a joint work plan for the implementation of measures to combat stigma and discrimination in the Republic of Kazakhstan in 2018-2019 in order to implement the "90-90-90" strategy and reduce stigma and discrimination on the basis of one's HIV status, which constitute the greatest obstacles to the access of people living with HIV to prevention and treatment. Both the memoranda and the work plan, and direct contact with and feedback from the community of people living with HIV, help us, the health care organizers, to work in the best possible way, respond effectively to the needs of key populations in a timely manner, and to have direct access to important data from a statistical and epidemiological point of view."

Transition Process

The issue of transitioning to alternative funding, primarily national funding, for HIV programs once the Global Fund withdraws from the EECA region is now of paramount importance. However, this section does not address this particular issue. Rather, this section discusses the need to transition from accusations against governments and direct confrontation to constructive dialogue and ready-made solutions offered by civil society organizations.

Civil society organizations in the EECA region have greatly increased their professional capacity in recent years. They have experts and representatives of key populations who have the necessary skills and qualifications, have access to unique data, and who understand problems "from the inside". Moreover, thanks to years of large-scale international assistance, a large number of manuals, guidelines, reviews, and research was developed, which has also helped build the capacity of NGOs.

However, state officials and other employees of government agencies and institutions often fail to use these publications. Therefore, given the scale back in international funding and the transition to national funding, civil society organizations may need to focus primarily on collecting data and best practices, and on building social networks that can be used by government institutions, and parliamentarians to develop laws and policies, standards, and cooperation with civil society.

NGOs and activists in the EECA region are still making the mistake of criticizing officials and highlighting problems, without being able to provide solutions in a language and format that is understood by the public administration system (in the imperfect form and state, as it is today).

An official of one of the ministries of the Russian Federation:

"It is surprising that many NGOs still do not understand how to work with the state, and how to work systematically. Of course, this is a long-term game, systematic work with great patience is needed, for which NGOs often have no resources, financial or otherwise. For example, more could have been achieved under the last GF grant in Russia, if systematic work had been established from the very beginning.

Civil society activists and officials speak different languages. Officials use the language of legal, regulatory acts and of state policy documents. For civil society activists in post-Soviet countries, this is often an unknown field. Activists come to officials with claims and identify problems without offering a solution. The state system is overloaded, and officials have a lot of current issues to address. It is more effective to come up with proposals for solutions, preferably written in the language used in the system of state administration. If we want to achieve changes, we need to understand how the state system works, and understand legislation, budgets, protocols, standards, and statistics, and know how to address and analyze these frameworks.

We need to look at national documents: LGBT people are not mentioned in the national strategy and plan, but they do include the concept of "vulnerable groups", which can be used structurally and progressively by civil society groups.

An annual statement in the media or on social networks about a particular problem does not work. This cannot be considered to be effective advocacy or systematic work with government agencies.

Recently, it was necessary to develop a framework for working with vulnerable communities to include in the State strategy to combat the spread of HIV in the Russian Federation. The responsible official turned to several NGOs with a request to prepare a draft of this section, but no one was able to do it. As a result, they approached the Grani center, which collected case studies as part of the GF project. It was necessary to amend the law on HIV denialists. It turned out that no one had such expertise. As soon as people and organizations are able to offer ready-made solutions, communication with government structures will be more efficient. State bodies will be able to conduct an open dialogue with such organizations to address solutions and financing."

Maxim Demchenko, Ukraine:

"Key population groups should improve their knowledge themselves. The role of each citizen in the country - to know how policies are implemented, how the authorities work, what their priorities are, and how to have an impact. It is logical for us as customers to find out how the system works.

You need to know the levels of officials and their powers. Very often, NGOs attempt to reach out to the highest level of officials to express their problems and are given promises that never materialize. It is necessary to tailor requests to the level of officials you are dealing with. Higher-level officials can formulate priorities in a certain area. Lower-level officials may be able to set other goals within certain priorities, such as adopting or amending documents or budgets related to the national program, etc."

Denis Kamaldinov, Russia:

"In principle, the state is willing to support the work of NGOs with vulnerable groups, but everything depends on their expertise. And, by the way, not in all regions of Russia there are NGOs in principle, and even more - working with different key groups. Officials have identified certain problems, for example, deaths from tuberculosis, or that women living with HIV do not register with healthcare centers, but the community has no solutions. The community must have a sufficient level of expertise and competence, so that they can offer solutions. Activists do not always understand what to do. In addition, the capacity of NGOs to develop a dialogue with the state unfortunately remains low."

Nino Bolkvadze, Georgia:

"Our LGBT organization is very young, we have few resources, primarily human ones - it's very difficult to find a qualified lawyer, we are trying to provide a good salary, but people refuse. Few people have a good education and a commitment to the values that we share. Young, progressive youth leave the country. The organization's employees are constantly busy. We are all working on tasks outside the scope of our contract; we are multifunctional, but we can't cover everything."

Adilet Alimkulov, Kyrgyzstan:

"Civil society in Kyrgyzstan is very active and competent, this can be seen from the work done to develop a law on state social contracting and standards for the provision of services to key populations. In all these processes, representatives of NGOs were directly involved, and the law and standards were developed taking into account the expertise of NGOs and community organizations in Kyrgyzstan."

Personally, I was very impressed with the example of the Charity Organization "100% Life" from Ukraine²², their work on budget advocacy, their work with the media and with officials, and their innovative approaches. We lack such experts and innovative approaches, there is something to learn from colleagues."

Oleg Eryomin, Belarus:

"In Belarus, the International Educational Public Association "ACT", a very professional NGO with a high level of expertise, is working on the development of legislation on state social contracting²³. This is the most recent and vivid example of when the expertise of civil society is used to draft new laws."

Social Accountability of Legislative Power

National legislative bodies in the countries of the region have different names – Parliament, Federal Assembly, Rada, Majlis, Sejm, Zhogorku Kenesh, National Assembly. For convenience, we will use the term "parliament" for all national and local legislative bodies.

This review has repeatedly identified parliamentarians as participants in various processes and mechanisms of social accountability. Parliamentarians can often "play" on the side of civil society and its initiatives, as they are elected representatives of citizens. Special attention will be given to the issue of working with legislative structures, given the importance of this issue, the low level of experience of NGOs in the region in working with parliamentary groups, and the personal experience of the author in creating and supporting a parliamentary group on HIV/AIDS.

From a social accountability standpoint, parliamentarians are a very important part of the state administration, as they are members of civil representation bodies, and are involved in the development and approval of laws. This is the case in all countries of the EECA region, where there is a separation of powers.

The functions of legislative bodies include lawmaking, approving the composition of the government, establishing taxes and the budget of the country, ratifying international agreements and treaties, declaring war, etc. Parliamentarians are responsible for representing the interests and protecting the rights of voters while developing and amending laws and the state or municipal budget and supervising the work of the state executive bodies.

Knowledge of the full range of functions of national and local legislative bodies will help determine the range of tasks and problems for which parliamentarians can be accountable to citizens, and what initiatives can be brought to them.

An official of one of the ministries of the Russian Federation:

"The Federation Council, the upper chamber of the Russian parliament is a good platform for NGOs that want to work on a topic and have not found support from the ministries. Recently, in the lower chamber, the State Duma, a committee that is responsible for supporting NGOs was able to increase funding at the budget review level for supporting NGOs, and recommended that subsidies are returned to the regions to support NGOs."

Darko Antik from North Macedonia gives his own example of work with the parliament:

²² <http://network.org.ua/en/>

²³ <http://actngo.info/wp-content/uploads/2018/03/Руководство-по-ГС3-2018-10-16.pdf>

"In our country Members of Parliament are mostly seen as supporters, without any significant power to influence the governmental decisions. Most MPs are not familiar with our work. We organize parliamentary thematic debates with the Parliamentary Commissions on Health, Social Protection and Budget to provide MPs with information and build their capacities and understanding of our advocacy agenda. We focus on influencing the process at the executive level and ensure MPs' support to influence the decision-making process when the government does not respond to our proposals."

The work of any parliament is based on the work of parliamentarians in thematic committees and commissions, including the committee on health care (and/or social protection of the population), which is essential for the readers of this review. In addition, party factions and interfactional/interparty unions, created voluntarily by parliamentarians, work on issues that are not covered by regular committees and commissions. Understanding the internal structure of parliaments, and the work of committees, commissions and voluntary unions of parliamentarians will provide an opportunity to accurately determine the target audience for civil initiatives and appeals, and who is socially accountable to citizens. In addition, it can serve as a basis for developing constructive dialogue between civil society and members of parliament.

Building relationships with health committees and their members can be done using a wide range of tools, including citizens' appeals and petitions, parliamentary hearings on specific issues, and the adoption or amendment of laws.

Andrej Senih, North Macedonia:

"We are working with the parliament. For example, in 2015, the parliamentary health commission organized a public hearing on the transition to national funding after the withdrawal of the Global Fund, and the commitments that North Macedonia had to fulfill. At the hearings, sound recommendations were made to the government regarding the financing and sustainability of services, which we later used in our work with the new government in 2017."

John Macauley, UNDP:

"Another series of events aimed at dialogue within the framework of the project in the Western Balkans was the organization of parliamentary sessions devoted to the issue of LGBTI rights in the context of the situation in this country. Each country launched a country report on the state of LGBTI rights, the report was presented during parliamentary sessions. Parliamentarians had the opportunity to directly hear from intersex people what the restrictions on their rights are, what is the impact of certain laws and regulations on human life in a given country. The parliamentarians appreciated the fact that it is useful to have a complete picture of the situation with regard to MSM and trans people, based on an objective report with clear recommendations that can be used for civil society advocacy to governments and parliamentarians with the support of UNDP."

But besides working with regular committees and commissions, work with interparty unions and groups that, in their absence, can be created with the direct support of civil society organizations, is of great interest.

All-Parliamentary (or Interfactional/Interparty) Groups

This section will present the experience of a Russian NGO in creating and working with the Interfactional Parliamentary Working Group on the Prevention of and Fight with HIV/AIDS, which operated in the State Duma of the Federal Assembly of the Russian Federation from 2004 to 2011.

The group was created to mirror the All Party Parliamentary Group on HIV/AIDS²⁴, created in the UK Parliament during the 1980s to protect the rights of people living with HIV. The British Parliamentary Group still exists today, and its members believe that as representatives of their constituencies in Parliament, they must and can protect their constituents and other citizens of Great Britain from the consequences of the spread of HIV. In particular, team members play an important role in ensuring that laws and policies respect human rights and promote effective investment in the national system and national health programs. In their work, the group relies on the advice, recommendations and support of people living with HIV, NGOs, key population groups, as well as scientists and other experts. The group is building a dialogue between politicians and people living with HIV, not only in the UK, but also abroad. The group has a chairman, co-chairs and an unlimited number of ordinary members. The principle of voluntariness and non-party membership is observed (that is, the group is open to representatives of all parties). The voice of one Member of Parliament is very significant and can help to solve many problems, but the opinion and weight of an entire All Party Parliamentary Group can help to solve a whole range of systemic issues.

In 2004, the representative office of the non-profit organization "Transatlantic Partners Against AIDS" (USA) in Russia began work on the creation of a similar group in the State Duma of Russia. A number of deputies were identified, whose competencies or possible interests could include work to combat HIV infection and address the consequences of the disease. For this, the members of the health committee and the previous experience of the deputies were analyzed, a number of consultations with experts and officials inside and outside the parliament were held, and a list of potential candidates for the group was drafted.

From the author: look for people with ambition

Membership in a health committee, and experience in medicine or public health are not always decisive in choosing which members of parliament to work with. Lawmakers who have passed election procedures, who can speak to a wide audience, convince people of their views, communicate with opponents, and bring them over to their side, are very ambitious, crave public recognition and very often want to be useful to the country and their fellow citizens. Parliaments have a large number of members, but there are few real "speakers" on given topics, in other words, experts who know the laws, budgets, and functioning of state mechanisms. It is necessary to find the right person, to "develop" him or her, so that he/she benefits and satisfies his/her own ambitions. A similar approach is applicable to any representatives of government bodies.

The Group invited representatives of all factions working in the State Duma at that time. To give the Group more weight and prestige, one of the Deputy Chairmen of the State Duma was invited to act as the Chairman of the Group. A study visit to London was organized for the members of the Group to familiarize themselves with the work of the All Party Parliamentary Group on HIV/AIDS of the British Parliament, and to share experiences and exchange useful information on the work of such a union.

The Russian Interfactional Parliamentary Working Group included 15 deputies, however, not all of the members became real advocates in the fight against HIV/AIDS. For some, participating in the Group was simply a useful addition to their resume. However, those who were really interested in the topic and open to communicating with the community of people living with HIV and with representatives of key populations, who were willing to learn about and understand HIV-related laws and budgets, and to defend the right to health of people ignored by the health care system have developed into true experts. Two of such group members were not even initially involved with medicine or the health care sector.

Working with the Group included two important components. The staff of the "Transatlantic Partners" employed several analysts and experts who were responsible for analyzing legislation, budgets, statistics, and other information from government bodies and other non-profit organizations. They then provided the information to members of the Interfactional

²⁴ <https://www.appghivaid.org.uk>

Group in the form of brief but comprehensive analytical notes. An online resource center for the study of policies in the field of HIV prevention was established, where basic information on public policy and the response to HIV, the work of non-profit and community organizations, and the best international experiences and research results were published. In addition, the experts were responsible for identifying opportunities where MPs could speak in the media and participate in international and national events.

The second component was the work of the group itself. This included holding meetings, writing deputy requests to respond to problems or assigned tasks, speaking in the media, the participation of group members in public discussions outside the State Duma, and participation in international and national events.

Approximately 10 meetings were held while the group was functioning. For each of the meetings, an agenda was developed, and a list of issues were compiled based on the current state of the HIV epidemic in the country. Leading experts and responsible officials, representatives of communities of people living with HIV and key populations were invited to participate. A protocol of the meeting was prepared, and all outlined decisions were compiled in the form of deputy inquiries. It is important to note that the status of each individual member of the State Duma, and the status of the group as a whole, made it possible to invite those responsible for solving particular problems to the meetings to provide answers. These included members of the government, heads of federal agencies, and representatives of the legislative and executive authorities of the regions. The format of the meetings was very concise, and they took place in a large room (it is rather difficult to gather several deputies, ministers, responsible officials and representatives of civil society in one hall at the same time), which allowed participants to discuss only the most important issues and quickly determine the necessary responses. Deputy requests sent after the meeting were never left unanswered²⁵. According to the results of one of the meetings dealing with the problem of mother-to-child transmission of HIV²⁶, a request signed by the Group Chairman, the Deputy Chairman of the State Duma, was sent to governors of all 85 constituent entities of the Russian Federation to allocate funds from local budgets to provide HIV-positive mothers with breast milk substitutes. Funds in the budgets of the regions were found for this. In addition to deputy inquiries based on the results of the meetings, the Group was able to respond to a large number of private appeals and to help a number of organizations, the community of people living with HIV, as well as representatives of key population groups.

An important component of the work of the Interfactional Group was participation in international events, or in some cases, organizing such events. For example, in 2006, when Russia hosted the G8²⁷ Summit in St. Petersburg, where one of the topics for discussion was the fight against infectious diseases²⁸, including HIV/AIDS, the Transatlantic Partners and the Interfactional Parliamentary Working Group on AIDS initiated an inter-parliamentary conference "HIV/AIDS in the countries of Eurasia and the role of the G8". The conference was held in Moscow within the State Duma on the eve of the G8 Summit and gathered about 50 parliamentarians and representatives of civil society from around the world to discuss the role of parliaments in the fight against AIDS. Of course, this event was more symbolic than of practical importance. However, it had a serious impact on the members of the Interfactional Group in terms of understanding the significance their work and decisions have on those affected by the issues, and also brought them to the international arena as legislative experts.

In addition, one of the unexpected results of the conference was the subsequent mentoring of the Interfactional Group and the "Transatlantic Partners" in the preparation and organization

²⁵ According to the Federal Law of 08/05/1994 N 3-FZ (as amended on 03.07.2019) "On the status of a member of the Federation Council and the status of a deputy of the State Duma of the Federal Assembly of the Russian Federation" an official to whom a request is sent from a member of the Federation Council or a State Duma deputy must respond to it in writing no later than 30 days from the date of its receipt or at another time agreed with the initiator of the request..

²⁶ <http://duma.gov.ru/news/5206/>

²⁷ Group of Eight in 2006 included Canada, France, Germany, Italy, Japan, UK, USA, Russia; in 2014 Russia was expelled; now the Group is functioning in the format of the Group of Seven.

²⁸ <http://en.kremlin.ru/supplement/2781>

of the International Parliamentary Conference on AIDS for Central Asian countries, which was first held in the fall of 2006.

Members of the Interfactional Group participated in meetings of the Inter-Parliamentary Union²⁹ focused on the participation of MPs in the fight against HIV/AIDS, which were organized by the parliaments of countries hosting the International AIDS Conferences (2006 in Toronto, Canada, 2008 in Mexico City, Mexico, and 2010 in Vienna, Austria). Relations built within the Inter-Parliamentary Union made it possible to include speeches of the representatives of the Interfactional Parliamentary Working Group in programs of meetings in order to exchange experiences and present the Russian experience to fellow parliamentarians at the international level (in those years, Russian parliamentarians had much to be proud of in the field of AIDS prevention and control).

During the course of their work with the group, several of its members developed into true authoritative state experts. They voluntarily focused on national legislation on combating HIV infection, and were familiar with all key HIV budget calculations, statistics, problem areas, and the best international practices. They frequently participated in events organized by civil society. Many were worried about the alarming situation with respect to the spread of HIV infection in Russia and were aware that the key to solving the problem was working with key populations. Deputies paid special attention to HIV prevention issues among people who inject drugs. In order that the deputies see how harm reduction programs work, study tours to Germany and China were organized, and a number of consultations were held with international and Russian harm reduction experts and representatives of the community of people who use drugs. In 2008, with the direct support of members of the Group, a pilot harm reduction project for implementation in the Krasnoyarsk region was seriously discussed. Unfortunately, this plan was never realized.

The deputies undertook another serious advocacy attempt to legalize harm reduction programs in Russia. Pursuant to the results of the subsequent meeting of the Interfactional Group, at which HIV prevention issues among injecting drug users were discussed, an expert working group was created to carry out a comprehensive analysis and study the effectiveness of HIV prevention measures based on harm reduction approaches. The expert group included some members of the Interfactional Group, representatives of the Federal Service for Supervision of Consumer Rights Protection and Human Welfare, the Federal Scientific and Methodological Center for the Prevention and Control of AIDS, the National Scientific Center for Addiction, and non-profit organizations working with injecting drug users. According to the results of the work of the expert group, an analytical report was issued and presented both within the State Duma and to the general public with the title of the Interfaction Parliamentary Working Group "Principles of evidence-based medicine and the use of harm reduction programs for preventing HIV infection among vulnerable groups"³⁰. The main conclusion of the analysis included recommendation about the need for the immediate introduction of harm reduction programs in Russia. The report was presented in early 2011, however, the project was never completed.

During the regular elections to the State Duma of Russia in 2011, a number of members of the Interfactional Parliamentary Working Group on AIDS failed to gain reelection. In 2012, after the closure of the United States Agency for International Development (USAID) Russia programs, the work of the Transatlantic Partners Against AIDS ended. In the same year, the new convocation of the State Duma of Russia adopted amendments to the law on non-profit organizations, which imposed the status of "foreign agent" on a number of NGOs engaged in political activities that receive foreign funding. Since then, every year in Russia, the number of NGOs working in the field of HIV has declined. With the threat of becoming a "foreign agent", NGOs can hardly think about the work in the field of national policy development. Harm reduction programs are still illegal. Meanwhile, the number of people officially registered as living with HIV in Russia has exceeded one million.

²⁹ <https://www.ipu.org>

³⁰ Available in Russian <https://www.narcom.ru/publ/info/863>

International Inter-Parliamentary Structures

Two inter-parliamentary unions are working in the international arena, which may be of interest both to members of national parliaments and to civil society organizations.

Inter-Parliamentary Union (IPU)

The Inter-Parliamentary Union (IPU)³¹ is one of the oldest political organizations in the world, established in 1889. Today it unites parliamentarians from 178 states. The IPU works with parliaments to ensure peace and positive democratic change through political dialogue and concrete actions. The topic of HIV/AIDS is administered by the **Advisory Group on Health**, which consists of 12 representatives of national parliaments, each of which has a four-year mandate. The current composition of the group includes representatives of the parliaments of Armenia and Uzbekistan³². The health team is the only one in IPU with which experts from UNAIDS, WHO and the Global Fund to Fight AIDS, Tuberculosis and Malaria work in a consultative role as technical partners.

Established in 2006, initially to work with the topic of HIV/AIDS, before expanding its competence to mainstreaming motherhood, newborns and children on its agenda, the group helps parliaments to make laws to more effectively respond to HIV/AIDS and is struggling with discriminatory and punitive legislation.

The group monitors the work of parliaments in meeting international commitments on HIV/AIDS, helps develop guidelines and training materials for parliamentarians to strengthen parliamentary actions, and organizes country visits to assess national responses to international commitments and to carefully study the process of law reform. The group also documents best practices and makes recommendations for legislative changes.

The advisory group can take action to support parliaments that have asked for help in formulating HIV/AIDS policies. Assistance can be offered to address specific issues, such as expanding access to treatment, public health, improving the legal framework and improving the situation with human rights.

The IPU holds the Assembly twice a year and, in addition, organizes thematic sessions and events, such as meetings of the IPU members on the eve of the International AIDS Conferences. The Advisory Group on Health meets twice a year, one of which takes place during the IPU Assembly.

The following documents developed by the IPU (available in English and French) may be of interest to parliamentarians from EECA countries and civil society organizations working with parliaments:

- "Taking action against HIV and AIDS", the HIV and AIDS guide for parliamentarians³³, a joint publication of IPU, UNDP and UNAIDS - a handbook is both a call to action for parliamentary leadership and a reference book to which parliamentarians and their staff may turn for information and guidance on specific issues of importance in the response to HIV. It provides many illustrations of good practices by legislatures and gives examples of leadership by individual parliamentarians. The Handbook is designed to help parliaments and their members to exercise fully their legislative, budgetary and oversight powers to tackle HIV in their communities and countries.
- Guide "Raising the Profile of HIV and AIDS in Your Parliament"³⁴ is intended as a practical tool for parliamentarians who wish to organize themselves into cross-party groups and step up to the challenge that HIV presents. It is also designed for the civil

³¹ <https://www.ipu.org>

³² <https://www.ipu.org/about-us/structure/governing-council/advisory-group-health>

³³ <https://www.ipu.org/resources/publications/handbooks/2016-07/taking-action-against-hiv-and-aids>

³⁴ <https://www.ipu.org/resources/publications/reference/2016-07/guide-raising-profile-hiv-and-aids-in-your-parliament>

society organizations that wish to work with them. The guide accompanies the IPU-UNAIDS-UNDP Handbook for Parliamentarians "Taking action against HIV and AIDS".

- Handbook for Legislators on HIV/AIDS, Law and Human Rights³⁵ — the handbook provides examples of the best legislative and regulatory practices gathered from around the world, as well as concrete measures that legislators can take to protect human rights and promote public health in responding to the epidemic.
- Effective Laws to End HIV and AIDS: Next Steps for Parliaments³⁶. With the global AIDS response becoming increasingly hampered by the criminalization of key populations, this study aims to encourage and assist parliamentary scrutiny of legislation that impedes effective HIV interventions. It highlights the various processes in selected parliaments that led to the adoption of laws with a positive impact on the AIDS response.

UNITE – Global Parliamentarians Network to End HIV/AIDS, Viral Hepatitis and other infectious Diseases

UNITE³⁷ is a fairly young networking organization for parliamentarians, formed in 2018. It is a global platform for raising the awareness of current and former legislators on the issues of combating and preventing HIV/AIDS, viral hepatitis and other infectious diseases towards ending epidemics by 2030.

To achieve its goals, the organization seeks to make an active contribution to the prevention of HIV/AIDS, viral hepatitis and other infectious diseases in the political and media spheres; create policy recommendations and frameworks on the stated topics based on the UN Sustainable Development Goals; ensure the presence of the network at international and regional conferences, discussions and decision-making processes; reform policies based on evidence, focus on results and improved quality of life.

By joining UNITE, parliamentarians will be able to give a coordinated, strong and effective response to the elimination of infectious diseases; to ensure recognition of the priority of infectious diseases for public health and the need for an integrated response within health systems; to work together to achieve Sustainable Development Goals by 2030; to put an end to stigma and discrimination against people living with HIV/AIDS, viral hepatitis and other infectious diseases; to contribute to the improvement of the quality of life and social justice for all, as well as to promote research and innovation.

UNITE has already been joined by representatives of the region - members of the parliaments of Estonia, Georgia, Lithuania, the Republic of Moldova, Romania and Ukraine.

³⁵ <https://www.ipu.org/resources/publications/handbooks/2016-07/handbook-legislators-hiv-aids-law-and-human-rights>

³⁶ <https://www.ipu.org/resources/publications/reference/2016-07/effective-laws-end-hiv-and-aids-next-steps-parliaments>

³⁷ <https://unitenetwork.org>

International Mechanisms

Virtually every state in the world is a member of various international organizations, associations, and coalitions. Every year, hundreds of international declarations, conventions, and treaties are signed. Despite the status and primacy of international law over national law, not all international documents are ratified by national parliaments, and, even if they are, the level of implementation often does not meet the requirements outlined in the document. There are no international mechanisms to sanction or put pressure on countries for not ratifying international treaties or for not fulfilling obligations under the international documents they have ratified. In some situations, international agreements are simply the result of political bargaining and manipulation, in others, however, they are the expression of true political will and leadership. In the field of HIV, there are several key international organizations and documents that can influence national policies and promote dialogue between the state and civil society.

Below is a list of the most significant international mechanisms that, in the author's opinion, facilitate interaction between government bodies and civil society organizations, with a reference to international norms and obligations.

International mechanism	Scope of action	Method of application for interaction between government agencies and NGOs
UN System³⁸	The UN was created to maintain and strengthen global peace and security, develop cooperation between states, and provide assistance and support to countries in a number of areas that are key to the effectiveness of government and the well-being of citizens. The UN System consists of the United Nations itself and more than 30 related organizations, known as programs, funds, and specialized agencies.	The UN is composed of member states. In addition to cooperation with national and regional UN offices, NGOs have the opportunity to participate in UN activities through obtaining consultative status with the Economic and Social Council (ECOSOC) ³⁹ , or by registering with the Department of Global Communications ⁴⁰ in the Civil Society Group. These mechanisms enable NGOs to make their advocacy contribution to multilateral dialogue and cooperation, interact with different UN structures on a wide range of humanitarian issues and have access to various events. Another mechanism, the UN Democracy Fund ⁴¹ , focuses on enhancing the role of civil society, promoting human rights and ensuring the participation of all groups in democratic processes. The Fund allocates funds for projects in various regions of the world. These projects range from strengthening the leadership skills of civil society organizations to developing programs that allow civil society to be heard. UN organizations, dialogue platforms, assemblies, conferences, as well as country and regional offices of UN structures enable state bodies and civil society to conduct a dialogue moderated by UN agencies on issues of sustainable development, human rights, gender equality and many others.
Political Declaration on HIV and AIDS: on the Fast Track to Accelerating the Fight against HIV and	The political declaration was adopted by the UN General Assembly in June 2016. By adopting a declaration, the heads and representatives of states and governments approved a plan to step up efforts to end the AIDS epidemic by 2030. The political declaration provides a global mandate to accelerate the AIDS response over the next	The political declaration plays the role of a social justice tool and is a reference point for the design and implementation of the HIV response at the country level. Member States have made a number of commitments to ensure control and accountability, calling for more active participation of people living with HIV

³⁸ UN System website <https://www.un.org/en/>

³⁹ United Nations Economic and Social Council (ECOSOC) <https://www.un.org/ecosoc/en/about-us>

⁴⁰ UN Civil Society Unit <https://outreach.un.org/ngorelations/content/about-us-0>

⁴¹ United Nations Democracy Fund <https://www.un.org/democracyfund/>

to Ending the AIDS Epidemic by 2030⁴²	five years. Among other things, country leaders pledged to ensure that 90% of people living with HIV know their status, 90% of people diagnosed with HIV receive treatment, and 90% of people on treatment achieve viral suppression.	affected and at risk of becoming infected with HIV. The existence of such an obligation makes it absolutely necessary to have in-country dialogue between government agencies and civil society to discuss the most effective ways to implement the declaration, which can take place at various platforms of social accountability mechanisms.
Sustainable Development Goals (SDGs)⁴³	In September 2015, during the UN General Assembly, 193 states adopted a sustainable development program "Transforming our world: the 2030 Agenda for Sustainable Development". This agenda includes 17 goals and 169 objectives. The SDGs are based on achieving the Millennium Development Goals (MDGs) ⁴⁴ . The SDGs aim to continue efforts to end poverty in all its forms. The uniqueness of the new goals is that they call on all countries — poor, rich, and middle-income — to promote prosperity while ensuring the protection of the planet. They recognize that the eradication of poverty must be inextricably linked to the implementation of strategies that promote economic growth and address a number of social needs, including in the areas of education, health, social protection and employment opportunities, while simultaneously addressing the challenges posed by climate and environmental protection.	Achieving the SDGs by implementing strategies that promote economic growth and address social needs, including in the health sector, is a process that requires active interaction of the state, business and civil society at the country level. The guidance of these global goals provides a very specific outline of such interaction.
The Global Fund to Fight AIDS, Tuberculosis and Malaria⁴⁵	The Global Fund is the largest international financial institution whose goal is to attract, use and invest additional resources to end the epidemics of HIV/AIDS, tuberculosis and malaria in support of achieving the Sustainable Development Goals set by the United Nations.	The Global Fund is a partnership between governments, civil society, the private sector, and people affected by the three diseases. The Global Fund invests in support of programs in countries, regions and most vulnerable communities. Programs funded by the Global Fund and mechanisms created for their implementation at the country level (CCM) require the involvement of all affected parties. Representatives of state structures and civil society are involved in the management of the Fund through participation in delegations and the Board.
The International Bill of Human Rights⁴⁶	The International Bill of Human Rights includes: the Universal Declaration of Human Rights⁴⁷ (the International Covenant on Human Rights, adopted by a resolution of the UN General Assembly in 1948, has a recommendatory status); the International Covenant on Economic, Social and Cultural Rights⁴⁸ (an international treaty, entered into power in 1976, is binding on 164 member countries,	The text of the Declaration is the first global document defining human rights. Many of the provisions of the Declaration over the course of many years of practice acquired the status of customary law. The document is the most translated document in the world (translated into more than 500 languages). The two international pacts drawn up on the basis of the Declaration and the mechanisms that oversee

⁴² Political declaration on HIV and AIDS 2016 https://www.unaids.org/sites/default/files/media_asset/2016-political-declaration-HIV-AIDS_en.pdf

⁴³ Resolution adopted by the UN General Assembly on 25 September 2015 <https://undocs.org/en/A/RES/70/1>

⁴⁴ Millennium Development Goals <https://www.un.org/millenniumgoals/>

⁴⁵ The Global Fund to Fight AIDS, Tuberculosis and Malaria <https://www.theglobalfund.org/en/>

⁴⁶ The International Bill of Human Rights <https://www.ohchr.org/Documents/Publications/Compilation1.1en.pdf>

⁴⁷ The Universal Declaration of Human Rights https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf

⁴⁸ The International Covenant on Economic, Social and Cultural Rights <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

	<p>supervised by the Committee on Economic, Social and Cultural Rights); the International Covenant on Civil and Political Rights⁴⁹ (an international treaty, is binding on 172 member countries, entered into power in 1976, supervised by the UN Human Rights Committee), and two optional protocols providing the possibility of filing complaints about violations of the covenants. The committees that oversee the implementation of the International Covenants and Optional Protocols are treaty bodies within the Office of the United Nations High Commissioner for Human Rights (United Nations Office for Human Rights)⁵⁰, the leading United Nations body for human rights.</p>	<p>their implementation are of interest for this review.</p> <p>The Committee on Economic, Social and Cultural Rights (CESCR)⁵¹ is the body of independent experts who monitor the implementation of the States Parties to the International Covenant on Economic, Social and Cultural Rights. All States parties are required to regularly report to the Committee on the implementation of the relevant rights. States must submit an initial report within two years after joining the Covenant, and thereafter report every five years. The Committee examines each report and presents its views and recommendations to the State party in the form of "concluding observations". The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights⁵², which entered into force in 2013, empowers the Committee to receive and consider communications from individuals alleging that their rights under the Covenant have been violated.</p> <p>The Human Rights Committee⁵³ is the body of independent experts who monitor the implementation by States parties of the International Covenant on Civil and Political Rights. All States parties are required to regularly report to the Committee on the implementation of the relevant rights. The state must submit the initial report a year after it accedes to the Covenant, and then every four years. The Committee examines each report and presents its views and recommendations to the State party in the form of "concluding observations". The Optional Protocol to the Covenant⁵⁴ empowers the Committee to consider individual complaints concerning alleged violations of the Covenant by States parties to the Protocol. In the EECA region, there are already precedents for submitting so-called state-parallel or shadow reports to the above-mentioned committees from civil society, as a result of which recommendations are made to countries and governments to eliminate the alleged violations.</p>
<p>Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights)⁵⁵,</p>	<p>The Convention is an international agreement between the member countries of the Council of Europe – an international organization promoting cooperation between its members⁵⁶, European countries, in the fields of standards of law, human rights, democratic development,</p>	<p>Any citizen or resident of a Council of Europe country who believes that his rights and freedoms, enshrined in any article of the Convention, have been violated, is able to apply to the ECHR if the relevant article has been ratified by a state that is accused of violating rights.</p>

⁴⁹ The International Covenant on Civil and Political Rights

<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁵⁰ The Office of the High Commissioner on Human Rights <https://www.ohchr.org/EN/pages/home.aspx>

⁵¹ The Committee on Economic, Social and Cultural Rights

<https://www.ohchr.org/EN/HRBodies/CESCR/pages/cescrindex.aspx>

⁵² The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCESCR.aspx>

⁵³ The Human Rights Committee <https://www.ohchr.org/en/hrbodies/ccpr/pages/ccprindex.aspx>

⁵⁴ The Optional Protocol to the International Covenant on Civil and Political Rights

<https://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCCPR1.aspx>

⁵⁵ European Convention on Human Rights https://www.echr.coe.int/Documents/Convention_ENG.pdf

⁵⁶ Member States of the Council of Europe <https://www.coe.int/en/web/about-us/our-member-states>

<p>Council of Europe⁵⁶, European Court of Human Rights⁵⁷</p>	<p>and law and cultural interaction. The Convention establishes the inalienable rights and freedoms of every person and obliges the states that ratify the Convention to guarantee these rights to every person who is under their jurisdiction. The main difference of the Convention from other international treaties in the field of human rights is the existence of a real mechanism for the protection of established rights in the form of the European Court of Human Rights (ECHR), which considers individual complaints of violations of the Convention against its signatories.</p>	
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Rosemary Kumwenda,
Regional Team Leader, Regional HIV, Health and Development Programme, Eastern Europe
and Central Asia, United Nations Development Programme (UNDP):

"UNDP works with UN member states on their own solutions to global and national development challenges. As they develop local capacity, they draw on the technical support of UNDP and its wide range of partners. UNDP offers to help only if the different nations request it to do so. UNDP's mandate includes engagement in human rights, we work with governments to ensure that human rights approaches and mechanisms are applied in health care and social protection. For example, in NGO social contracting this often serves as the beginning of a constructive dialogue between civil society and government. This is a step-by-step approach; UNDP is present and has access to nearly 170 countries, with whom we solve complex human rights issues. The United Nations Resident coordinator has access to the Presidents at the national level, and this is another high level where advocacy can be exercised. As a UNAIDS Co-sponsor lead agency on HIV and human rights, UNDP recognizes that law prohibits or permits specific behaviors, and in doing so, it shapes politics, economics, society and community. So, a law can be a human good that makes a material difference in peoples' lives. It is therefore not surprising that law has the power to bridge the gap between vulnerability and resilience to HIV."

Vinay Patrick Saldanha, UNAIDS:

"There is a difference between international obligations, declarations and conventions, and a number of declarations, positional documents at the technical and expert level, since they have no obligations to fulfill. I emphasize the UN declarations in particular, they were adopted on the basis of consensus, they are equally important for all 193 UN member states. Countries should report on their implementation. The important role of UNAIDS in the area of international development is the fact that almost every year countries report on their commitments to the fight against AIDS. The high-level political declaration was adopted by the UN General Assembly in June 2016, and in 2017 we received national reports from 174 states. This suggests that regardless of the epidemic, all countries in the world feel obligated to report. Yes, there are many other declarations, but this level of response also says that such experience should be expanded and applied not only in the fight against AIDS. There is a big flaw in the negotiation process - it does not involve NGOs and communities. Although many delegations included representatives from NGOs. The declaration has been agreed with 193 countries and refers to key groups, and the groups are all listed there. There are representatives of NGOs in our coordination program board, and representation can also be realized through the council."

⁵⁶ Council of Europe <https://www.coe.int/en/web/about-us>

⁵⁷ European Court of Human Rights <https://www.echr.coe.int/Pages/home.aspx?p=home>

The role of UNAIDS, the UN as a whole and the Global Fund is for us to use this time strategically so that work continues successfully after we leave. This does not mean that we are going somewhere - the situation in the region is very critical and in some countries it is even getting worse, so we are in the region for a long time. Nevertheless, one must see the ultimate goal, where civil society is actively and fully involved in the decision-making process and the implementation of AIDS programs as an important partner of the state at any level."

Rosemary Kumwenda, UNDP:

"It is imperative that Member States commit themselves to developing policies, strategies and actions, reviewing laws and regulations within the framework of the Global Commission on HIV and the Law⁵⁹, an independent body created by UNDP on behalf of UN Secretary General. The Commission recommends that Member States protect the rights of key groups at high risk of HIV infection. This means that governments need to use the report of the Global Commission to develop or revise national legislation or improve their laws to protect the rights of key population groups.

Another important international mechanism is the High-Level Panel on Access to Medicines⁶⁰, which reviews and evaluates proposals and recommends solutions to correct policy discrepancies between the justifiable rights of scientists, human rights, trade rules and public health in the context of health technologies. Key populations in EECA have insufficient access to ART. The question is how we can ensure greater access to treatment and access to preventive services that are limited for key populations for a number of reasons. Some of them are prohibitively high costs, some are the lack of national mechanisms to ensure access to ART and other medical products related to their diseases. The high-level group is developing a number of important international recommendations in this regard."

John Macauley, UNDP:

"The role of politicians and government officials in understanding and participating in the promotion of the Sustainable Development Goals⁶¹ is a platform for building the link between key strategies developed at the national level and global processes that ultimately have to be accountable for the indicators selected by the country."

Bauyrzhan Baiserkina, Kazakhstan:

"International initiatives and events can support work in countries. These could include the provision of technical and financial support, the development of international guidelines and programs, the dissemination of effective best practices, research led by world-class experts to build an evidence base, the involvement of key public, international figures, and the organization of international dialogue platforms, such as forums or meetings.

For example, on July 20, 2017, Almaty was the first city in Central Asia to join the Paris Declaration on Accelerating Action to Overcoming the AIDS Epidemic⁶². Signing the declaration will undoubtedly draw the attention of city residents to issues related to HIV infection, which will in turn encourage timely testing and initiation of treatment. Almaty will become a direct participant in international healthcare activities and will gain access to the most advanced achievements and developments in the field of HIV and AIDS. The best global practices will be

⁵⁹ <https://hivlawcommission.org/>

⁶⁰ <http://www.unsgaccessmeds.org/new-page>

⁶¹ <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

⁶² <http://www.fast-trackcities.org/about>

included in the Almaty City Plan for the improvement of HIV and tuberculosis programs up to 2023, which will help to halt the growth of the HIV and AIDS epidemic and improve public health."

An official of one of the ministries of the Russian Federation:

"NGOs in Russia have relied too much on international initiatives as a means of gaining influence - it no longer works. International documents are signed by some authorities and institutions and implemented by others."

Maxim Demchenko, Ukraine:

"For the officials with whom we communicate, international norms seem distant; they work on the ground. Certain international norms and declarations may have contributed in some way to improving the situation or to influencing officials, but they were not a trigger. We must look at what is happening globally: if officials do not fulfill many other obligations, why would they urgently take steps to fulfill international commitments on HIV."

Denis Kamaldinov, Russia:

"At a meeting at the end of 2017, I asked the Minister of Health, Skvortsova, about achieving the "90-90-90" strategy. She showed that she knows the numbers, of course, first of all about the coverage of treatment. In most cases, high-level officials are aware of key commitments of the state, but for various reasons, political or financial, they cannot fulfill them. For example, the Ministry of Health provided methodological recommendations to local health departments and AIDS Centers on how to monitor the process of raising the level of awareness, and determined indicators for key populations, according to which 200 sex workers, 200 people who use drugs and 200 men who have sex should be interviewed. However, they are not provided with resources, and it is not clear who should carry out this work. We need a dialogue with the community to discuss how to carry out this work. Local ministries of health often do not know about international obligations, they simply do not have time to delve into these documents. Therefore, the national strategy is more important. On the other hand, reference to the WHO, for example, is of great importance. It is an authoritative source and a key partner for national health systems."

Nino Bolkvadze, Georgia:

"Georgia constantly declares its support for and commitment to European values, because politicians do not want to lose the support of European countries, the United States, and international organizations, and because they do not want the country's image to change. On the other hand, the ruling party is afraid of losing the support of the population, if it promotes ideas of tolerance too much, as there are many older voters in the country. At the same time, there is a fear that voters would think that the pro-European stance is being replaced by a pro-Russian one, as there are a lot of progressive youth in the country as well. Therefore, politicians are always maneuvering, and big changes are not welcome. For example, the state uses the issue of drugs for populist purposes. The majority of prisoners are people who use drugs, so the state is seen as protecting the population from drugs and crime. The same goes for the issue of LGBT people. International organizations say that they are doing everything possible. There have been changes, such as the enactment of an anti-discrimination law and the decriminalization of marijuana. However, it is difficult to continue with progressive developments when there is no fundamental vision of what is important for the state. In private conversations, officials are asking civil society to ease the pressure on the state, saying that if they start to fulfill all the requirements of civil society, the current authorities will lose power, and much worse people will come to power, who have no idea at all about human rights."

Open Government Partnership (OGP)

Open Government Partnership (OGP)⁶³ is an international organization that was officially established on September 20, 2011 with the aim of establishing the principles of an open state, including the development of administrative professionalism and open civil control of governments. No EECA country has provisions, a code, or any other legislative document on the social accountability of public authorities to civil society that impose any administrative or other consequences if violated (*in the author's opinion, codes of ethics for officials do not fall within this category, since non-fulfillment does not lead to any serious consequences, and since they are very formal documents*). Therefore, this section is of considerable importance for the social accountability of public servants and politicians.

The OGP is a unique multi-stakeholder initiative aimed at ensuring specific government commitments to increase transparency and civic participation, combat corruption, and use new technologies to make governments more open, effective, and accountable to citizens.

The OGP initiative was launched on September 20, 2011 during the session of the UN General Assembly, when eight heads of state (USA, UK, Brazil, Norway, Indonesia, Mexico, Philippines, and South Africa) announced the signing of the Declaration and presented their national action plans.

Since then, the OGP has evolved into a platform of more than 79 national governments (representing a third of the world's population), 20 subnational entities, seven multilateral bodies and hundreds of civil society organizations.

To become an OGP member, a country must endorse a high-level open government declaration, prepare an action plan for the country that is developed through public consultation, and commit to independently reporting on the implementation of the action plan.

The Independent Reporting Mechanism requires governments to be responsible for implementing their stated commitments, and for creating detailed and impartial reports that monitor progress in the implementation of national action plans.

An open state is a doctrine of public administration that supports the right of citizens to access documents and actions of the state with the aim of effective public control over state regulation. In the broadest sense, it opposes attempts to legitimize secrecy and non-disclosure in relation to the activities of state structures.

State transparency is often associated with ensuring accountability. Transparency often allows citizens of democratic countries to control their state, and reduce corruption, bribes and other official misconduct.

The modern doctrine of an open state finds strong support among non-profit organizations that advocate the use of openness and transparency throughout the world, and highlight the need for such standards for the prosperity and development of democratic societies. World practice related to the doctrine of an open state is quite broad and includes many issues and areas that governments choose as priorities. At the same time, a number of issues are considered integral to ensuring the openness of a state, namely:

- Freedom of information - freedom of access to state information for citizens.
- Open data - open government data. Free use of government data by developers and NGO staff.
- Open dialogue - open dialogue between citizens and the state. The ability of citizens to influence government structures.
- Open budget - the openness of government spending including state and municipal budgets, government procurement, government contracts, grants and subsidies.
- Open Parliament - openness of representative bodies of power, which requires free access to parliamentary information, the availability of parliamentary information in a structured and open format, clear and public procedures for adopting laws, and the involvement of citizens in the process of drafting legislation.

⁶³ <https://www.opengovpartnership.org>

The OGP receives funding from member countries, sponsors and development partners. In May 2014, it was decided that all participating governments should contribute to the open government budget. Contributions are based on the income level of each participating country (according to World Bank data).

The OGP Steering Committee consists of government and civil society representatives, who jointly manage the current activities of the OGP, observing high standards and ensuring its long-term sustainability.

CEECA countries that are members of the OGP include Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Kyrgyzstan, Latvia, Lithuania, Moldova, Montenegro, North Macedonia, Romania, Serbia, Slovakia, and Ukraine. The OGP website lists country commitments and their implementation stages.⁶⁴

Darko Antik, North Macedonia:

"The OGP is aimed at improving government accountability, transparency, civil society participation, etc. According to OGP requirement, there are working groups on issues related to open data, fiscal transparency, service provision at the local level, access to public information, etc. In these groups, representatives from government institutions and civil society are engaged in continuous dialogue, in which they propose, discuss, and adopt measures. This is a really useful process, because the government is obliged by the OGP to communicate with civil society, and to jointly participate in implementation and monitoring. All action plan measures are under the control of the Independent Reporting Mechanism.

In 2014, we used the OGP process to initiate changes in the fiscal government system and in transparency and accountability of the public institutions. At that time, OGP was one of the rare opportunities for CSOs to engage directly with public institutions and ask the government to commit to certain changes. This process was important for the government of the Republic of North Macedonia, not because the government wanted to improve its operations, but rather because the process was led by countries world leaders. Most of the commitments made by the public institutions in the first and second action plans were not implemented, which is not the case with the third and fourth action plans (mostly due to political changes in the country).

We have achieved significant results as part of the OGP. In the interest of fiscal transparency, we have ensured that the Ministry of Health and the State Employment Agency would pilot and gradually institutionalize social accountability methodologies in order to empower the citizens for their rights to health and employment, engage citizens in monitoring the efficiency and effectiveness of implementation of public health programs and employment policies, and let citizens participate in shaping health and employment policies based on their needs. Additionally, we have worked with the Ministry of Health and the State Employment Agency to develop templates for budget and program reporting. Since 2017 the Ministry reports are published regularly at the Ministry website. The State Employment Agency in collaboration with ESE has developed and published their annual program and budget report for 2018. It contributes to timely and more transparent reporting and gives an opportunity to propose measures for changes.

If the process in OGP works properly, you can address any issue. It is not guaranteed that it will be solved, but at least CSOs have the opportunity to speak about their demands and problems. Communication with government institutions and other CSOs is much easier through OGP than in other formats."

⁶⁴ <https://www.opengovpartnership.org/our-members/>

In 2017, the Kyrgyz Republic joined the OGP.

"We are very proud to have become part of the Open Government Partnership. It is a great honor for us to be the first country in Central Asia, and, stepping on this path, we understand the significance of the responsibility placed on us,"- said Prime Minister Sapar Isakov.

"The government of the Kyrgyz Republic firmly believes that only openness and transparency will lead us to sustainable development. Success in the economy, improvement of the investment climate, further building of a democratic society and citizens' trust in our work are completely dependent on progress in creating an open, accountable and transparent government. We strive to provide greater access to information, to ensure the implementation of an open data policy and procedures for transparent government procurement, as well as to provide high-quality and operational public services," - the Head of Government added.⁶⁵

In 2018, the composition of the National Forum of the Open Government of Kyrgyzstan, which included approximately 20 representatives of civil society organizations, as well as representatives of ministries and departments⁶⁶, was approved. Six meetings of the National Forum of the Open Government have been held.

Vice Prime Minister of the Kyrgyz Republic, Altynai Omurbekova, noted the importance of the commitments undertaken, and of the involvement of the civil sector in public administration. The Co-Chairman of the National Forum of the Open Government, Bakytbek Satybekov, stressed that initiatives on health care and education are the most important and sensitive ones for citizens.⁶⁷

One of the initiatives submitted and accepted for implementation was an initiative of the Socium Public Association, a coalition for budget advocacy (headed by Batma Estebesova), that relates to ensuring open data on the activities of health organizations⁶⁸.

⁶⁵ <https://www.opengovpartnership.org/news/kyrgyz-republic-joins-the-open-government-partnership/>

⁶⁶ <http://ogp.el.kg/ru/news/utverzhdennost-sostava-natsionalnogo-foruma-otkrytogo-pravitelstva>

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Conclusion

To increase social accountability, a number of actions are required from all parties, including the government, civil society, and the media, as well as from citizens themselves. At the country level, social accountability must be consistent with the social, economic, and political context. A broad dialogue in which all parties are involved is fundamental and requires a basic understanding by all stakeholders (government, private sector, civil society organizations, media and citizens) of the importance of social responsibility, including the true meaning of citizenship, which unites both civil rights and obligations. Raising awareness about social accountability should be accompanied by the promotion of a culture of respect for and the realization of human rights in society, and an increase in the knowledge of citizens about their rights, since these are basic values for which the state is responsible.

It is also necessary to ensure a minimum legal and institutional framework for creating an enabling environment for social accountability. If citizens cannot access relevant information, or if such information is not collected systematically, provided by the government, or transparent about the allocation of resources and the provision of services, it is very difficult for citizens to engage in dialogue with the state. In addition to access to information, strict observance of the freedoms of expression and assembly, and an independent judiciary are necessary. In order to increase the capacity of civil society actors to engage in government reporting, civil society organizations and the media themselves must be transparent and accountable. Legislation regulating the activities of NGOs should not act as barriers to the activities of free civil organizations.

It is important that citizens are able to demand accountability from their state through a constructive and mutually respectful dialogue. They should learn to ask critical questions of those who are in power and be able to offer solutions to problems. Citizens should see the provision of basic public services not as generous gifts from government, but rather as the performance of the duties of the state. Of course, it is necessary to adapt to the extent to which the government is willing and able to listen and respond to the demands of citizens. In order for the government to respond adequately to demands for improving the level of government and the services provided by the state, civil society, independent media, and legislative bodies directly elected by citizens must exert their influence in order that those responsible take action. In turn, governments should be ready to answer for their actions, and respond to feedback from citizens.

It is the author's strong belief that the few resources non-profit organizations in the region still have should be spent on developing standards for the provision of services, drafting regulations, protocols, amendments to laws, or even on writing new laws with the involvement of lawyers and experts in the lawmaking process. Civil society actors in each country of the EECA region can immediately identify a number of pressing problems, but only a few have the expertise needed to solve them – to create government documents, amendments to legislation, analyze budgets and have a strategic orientation in the national public policy on HIV.

Very often, officials do not have enough time or simply do not have the relevant competencies to solve the many issues that they face. They cannot be experts in everything. There is nothing wrong with NGO representatives coming to an official or parliamentarian and saying: **"We have come to help you do your work, because we know exactly how!"** The author of this publication borrowed this remarkable phrase from **Maxim Demchenko**, at the time of writing this review – the Executive Director of the Public Organization "Light of Hope", Poltava, Ukraine, who has gained significant experience from implementing projects and created the school of budget advocacy in Ukraine. **Denis Kamaldinov**, Chairman of the Board of Novosibirsk Regional Public Organization "Humanitarian Project" from Russia, often says something similar, but on behalf of officials addressing civil society: "We have work for you, help us do it!". Social accountability is ultimately a mutually beneficial process for both civil society and government structures.

Recommendations

For state governing bodies

- Public authorities should consider civil society organizations as partners, encourage the participation of civil society in planning, budget allocation and service delivery, and recognize their legitimate role in discussing government decisions;
- Legislation aimed at regulating the activities of non-profit organizations should not limit or hinder their activities, but should promote the creation of constructive relationships between the state and civil society;
- State authorities should create all necessary vertical mechanisms of social accountability to ensure continuous interaction and constructive dialogue between civil society and government structures, and to promote openness and transparency in strategic decision-making at the state level for the benefit of society;
- The role of independent media in promoting social accountability should be recognized by states; and states should ensure impartial assessments and exchanges of opinion.

For civil society

- It is important for civil society to remember that if it wants systemic changes, communication with officials is necessary;
- Civil society needs to move beyond confrontation and create a constructive dialogue with a willingness to offer ready-made solutions or to highlight mutual problems;
- Civil society organizations should play a more active and competent role in advocating in the public interest and for the resolution of social problems, and strive to integrate advocacy into the social accountability system;
- Coordination among civil society organizations in countries needs to be improved in order to more effectively pool efforts to promote complementarity rather than competition;
- It is necessary to raise the level of knowledge of civil society organizations about public administration, social accountability and the role of civil society in providing feedback for a more effective state response to public needs and problems;
- Civil society organizations in the EECA region working in the field of HIV should use the resources at their disposal for the next three years to be as effective as possible in participating in country planning and budgeting processes for HIV programs during the transition to national funding in order to ensure the sustainability of programs and services for key populations.

For the media

- The media should play a more active role in ensuring the social accountability of the state to its citizens by providing a platform for open discussion and gathering information about the work of state governance systems;
- The media should look for ways to partner with civil society organizations in advocating for and protecting civil initiatives, and in monitoring their implementation;
- The media should play a more active role in explaining to citizens about their rights, duties, and the importance of participating in processes of the social accountability of the state.

For international organizations

International organizations can play a more active role in promoting the social accountability of states to their citizens: by holding international and national multi-stakeholder consultations, creating platforms for constructive dialogue, and by sharing the best international practices of successful government systems and their social accountability to their citizens.

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