



Grupo FARO Turning crisis into opportunity

Fundación para el Avance de las Reformas y las Oportunidades (Grupo FARO) mobilized civil society organizations in Ecuador to propose new legislation.

SETTING THE SCENE —Civil society in Ecuador has its origins in the work of charitable and voluntary organizations providing services to the poor and vulnerable in the early twentieth century. Today Ecuador has an active and diverse group of civil society organizations (CSOs) comprising corporations, foundations, unions, professional organizations, church groups, sports clubs and youth groups. However, the political landscape has become increasingly unfriendly for these groups.

In 2008, Presidential Decree No. 982 was issued in Ecuador. This decree altered power relations between the State and CSOs, restricting the rights of citizens to participate in processes of public deliberation and limiting organizations' right to defence. Article 13 states that an organization can now be dissolved if it "compromises the security or interests of the State" and in one case was applied to shut down an environmental organization opposing mining. Gradually, Ecuadorian CSOs began to develop a strategy of resistance against Decree No. 982 and to coordinate their actions.

WHAT GRUPO FARO DID —Fundación para el Avance de las Reformas y las Oportunidades (Grupo FARO) is a non-partisan, independent

public policy institution working to ensure democracy, efficiency and equality in public policies. Grupo FARO contributed important research on the new legislation while also providing a platform for CSOs to take action.

Looking to contribute to a broader discussion of Decree No. 982, Grupo FARO asked a group of Ecuadorian and foreign lawyers to discuss this legislation. The document generated by the legal group, entitled *Aportes Ciudadanos*, was circulated among CSOs, universities and government ministries. Its thorough analysis and the strength of its conclusions served to initiate a dialogue with authorities on improving the legislation. As a result, the Ministry for the Coordination of Social Development issued a ministerial agreement that cited CSOs' rights to due process when facing potential dissolution.

In order to capitalize on this new network, Grupo FARO played a key role in the establishment and consolidation of a collective of CSOs seeking to respond to the threat of Decree No. 982. This collective worked together to write a report on collective accountability, entitled *Informe de Rendición de Cuentas*, that made visible the important work of Ecuadorian non-governmental organiza-



tions and began advancing dialogue with the State on the legislation. Grupo FARO took responsibility for organizing meetings among these CSOs as well as following up on the agreements reached at various stages of the process. This helped to foster a climate of trust and unity among these diverse organizations, which was intrinsic to their eventual success in lobbying for new legislation. This group became the interlocutor for dialogue with the State on Decree No. 982.

In late 2010, the Ministry responsible for regulating CSOs proposed a regulation that did not reflect these discussions and further limited the freedoms rights of association and participation for organizations and individuals. In response, the collective published a manifesto in two of Ecuador's leading newspapers, calling for legislation consistent with both the Constitution of Ecuador and the dialogue between the State and CSOs.

THE OUTCOME —Between 2010 and 2012 various meetings were held between CSOs and the Government of Ecuador. As a means of formalizing its work, in January 2013 the collective of CSOs became the *Ecuadorian Confederation of CSOs*. This confederation brought together organizations and networks seeking to support processes of organizational strengthening and to promote

dialogue with the State aimed at improving Ecuador's public policies. Grupo FARO was appointed as the first President of the Confederation in recognition of its four years of leadership, vision and perseverance.

Through meetings with the Government of Ecuador, the Confederation shared its proposals for new legislation. Some of these proposals were included in Executive Order No. 16, issued in June 2013, which requires the State to establish a competitive fund to finance the work of CSOs and to create training programs to strengthen the capacities of CSO members. Decree 16, unfortunately, still effectively limits rights of participation. In fact, in December 2013, applying the Decree, the government dissolved a CSO without respecting due process.

This story therefore tells two tales: (1) an explicit one about the role of evidence and communication strategies in influencing public policy and (2) a more subtle one about transforming a crisis into an opportunity; in this case, the formation of a collective, which had been an aspiration of Ecuador's CSOs for decades. The challenge moving forward is to continue to turn crisis into an opportunity for improved regulation and a strengthened, increasingly resilient Confederation.

For more information on Grupo FARO, visit www.grupofaro.org

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