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AUDIT OF THE CONSULTATION WITH CIVIL SOCIETY BY THE OECD

Executive Summary for decision makers (Summary for public dissemination)

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**ORGANISATION FOR ECONOMIC
CO-OPERATION AND
DEVELOPMENT**



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(Summary for public dissemination)**

***AUDIT OF THE CONSULTATION WITH CIVIL
SOCIETY BY THE OECD***

DISCLAIMER: the present Executive Summary was prepared by the External Auditor. Only the full report is deemed to authentically represent the exact content, nature and scope of the observations and recommendations by the External Auditor

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I. PURPOSE AND SCOPE OF AUDIT

1. In accordance with the terms of our letter of notification dated 8 March 2018 and with the indications provided to the meeting of the Audit Committee on 12 February 2018, a team of two auditors carried out a performance audit of the OECD's consultation with civil society, from March to June 2018.
2. This subject was selected by the External Auditor after discussions with the Executive Director and members of the Organisation's Audit Committee.
3. Consultation with civil society is provided for by Article 12 of the OECD Convention of 14 December 1960 and the main conditions thereof are established by early Council decisions taken in 1962. The purpose of the present audit is to present the current conditions of consultation with civil society and evaluate their relevance and risks.
4. The audit was performed according to the International Standards of Supreme Audit Institutions (ISSAI) and the Financial Regulations of the Organisation.

II. OBSERVATIONS AND RECOMMENDATIONS

A. The standards governing consultation with civil society

5. The OECD uses the term "consultation with civil society" to mean consultation with non-governmental organisations (NGO), in accordance with Article 12 of the Organisation's Convention, as supplemented by the Council decisions of 1962.
6. The Organisation refers to the organisations it consults as "civil society organisations" (CSOs) rather than NGOs. Civil society organisations are so-called "third sector" organisations. They differ from government organisations and enterprises. They can be divided into two sub-categories: NGOs, which are official not-for-profit organisations set up by ordinary citizens either as associations or foundations, registered under the law of the country in which they were established, and informal groups bringing together ordinary citizens for a common cause, with no official legal structure.
7. The standards governing consultation with civil society are at once loose, outdated and partially applied.

1. The Convention of the Organisation

8. Article 12 of the OECD Convention of 14 December 1960 provides that "Upon such terms and conditions as the Council may determine, the Organisation may:

- address communications to non-member States or organisations;
- establish and maintain relations with non-member States or organisations; and;
- invite non-member Governments or organisations to participate in activities of the Organisation.

2. Council decisions

9. The sweeping provisions of Article 12 of the Convention were made more specific by the Council decision of 6 April 1962, which states that the Secretary-General is responsible for maintaining liaison with "International non-Governmental organisations"

most representative of the different sectors of economic life. It specifies that the international NGOs need to satisfy three conditions: have wide responsibilities, be present in most of the Member countries, and represent non-Governmental interests in the field or sector in question.

10. The Secretary-General is required to establish a list of the aforementioned organisations and submit it for the approval of the Council, in accordance with Article 3 of the decision referred to in paragraph 9 above. The organisations so designated may hold exchanges of views with the OECD at meetings convened either at their own request or on the initiative of the Secretary-General, and will receive general information on the work of the Organisation.

11. Such meetings are organised by a Liaison Committee chaired by the Secretary-General and comprising four members, including a Vice-Chair. The appointment of the latter falls within the Council's prerogatives, even though a Vice-Chair has never been appointed. These meetings are open to all Member countries.

12. The number of committee members was progressively increased from five to twelve members, before being opened in 1989 to all Member countries.

13. Article 9a of the Council decision of 6 April 1962 also specifies that other international NGOs falling within the province of the Organisation may be kept informed and consulted, even if said NGOs are not specified in the list approved by the Member countries. This provision allows the Organisation to maintain relations with any international NGO it considers appropriate, while preserving its decision-making capacity.

14. Article 9d provides that the Secretary-General shall periodically inform the Council of the names of the organisations consulted and which are not specified in the list approved by the Member countries, a provision which has never been implemented and moreover which would be laborious given the length of the current list of organisations consulted at present (See below).

15. At its meeting of 10 April 1962, the Council approved the first list of NGOs proposed by the Secretary-General. It comprised just two organisations: the Trade Union Advisory Committee (TUAC), created in 1948 at an international trade union conference, and the Business and Industry Advisory Committee (BIAC), created in 1962 by the employers' federations of OECD Member countries at the time. These two organisations were created at the instigation of the Organisation for European Economic Co-operation (OEEC), which was replaced by the OECD.

16. This list was added to just once, in July 1962, with the inclusion of the international federations of farmers (International Federation of Agricultural Producers – IFAP; European Confederation of Agriculture - EFA), and small and medium-sized enterprises (International Association of Crafts and Small and Medium-sized Enterprises – the UIAPME). The substantive committee for agriculture has maintained relations with the two agriculture federations but relations with the federation representing SMEs did not develop.

17. The report to Council on “Relations of the Organisation with civil society” specifies that BIAC and TUAC do not have a privileged position compared to other organisations consulted by the OECD. In particular, they never automatically benefit from observer status, regardless of the body involved. Both organisations are governed by Article 10b of the OECD's Rules of Procedure and to this end have the status of experts. In practice, BIAC and TUAC negotiate with the substantive committees that interest them in order to be invited to their meetings and define their terms of co-operation therewith.

18. TUAC regrets that the OECD does not provide for minimum conditions for consultation with BIAC and TUAC which the substantive committees would be forced to respect, to avoid these organisations having to enter into long negotiations. If they agreed to such conditions, the committees would naturally be free to set the conditions for broader consultation.

19. BIAC and TUAC nevertheless have two advantages over other organisations. Firstly, they are invited to the annual Ministerial Council Meeting, to the preparatory meetings for said session, and to a consultation meeting with the Liaison Committee (See below). Secondly, their secretariats have automatic access to documents classified “For Official Use” (FOU). They can also obtain access to documents classified as “confidential” with the agreement of the substantive committees concerned. The other civil society organisations consulted by the OECD may only have access to “For Official Use” documents, let alone “confidential” documents, with the agreement of the committees concerned, in accordance with the circular of 19 May 1999 by deputy Secretary-General Herwig Schlögel on access by BIAC and TUAC to “For Official Use” documents, and with the Council resolution of 10 July 1997.

20. The Knowledge and Information Services unit of the Digital, Knowledge and Information Services division (DKI/KIS), monitors the application of these rules governing the classification of documents, and the transmission of classified documents to civil society organisations, which cause few problems.

21. **The flexible legal conditions for consultation with civil society seem satisfactory. It nevertheless seems useful to update the Council decision of 6 April 1962¹, by removing the following previously mentioned items which are no longer relevant:**

- **The position of Vice-Chair of the Liaison Committee, who has never been appointed;**
- **The obligation for the Secretary-General to publish a list of civil society organisations likely to be consulted.**

B. The place of consultation with civil society in the Organisation’s strategy

22. Consultation with civil society figures among the Strategic Orientations proposed by the Secretary-General and discussed in Ministerial Council Meetings, in particular in 2018.

23. The OECD’s policy for consultation with civil society has been gradually determined over around twenty years, in order to take account of the growing importance of civil society in national and international discussions—through the note for Council of 14 September 1999 [[C\(99\)130](#)] and the note of 22 December 2009 for the Committee on Public Affairs and Communication on “OECD’s co-operative activities with civil society“ [[C/INF\(2010\)1](#)]. The latter note maintains the lead role of the substantive committees in choosing the organisations with which they co-operate and in setting the conditions of said co-operation, but introduces the following innovations:

- The OECD must seek input from civil society, rather than simply sharing information with it;

¹ This observation is included in Recommendation No. 1.

- The role of the Public Affairs and Communication Directorate (PAC) is defined as a clearing house between the substantive committees, which advises them on their contacts with civil society, organises annual fora, and provide information on these contacts through the Internet, in a newsletter and in policy briefs;
- Organisations from non-Member countries are increasingly receiving invitations from the OECD;
- Preparatory meetings prior to Ministerial Council Meetings are privileged moments of contact with BIAC and TUAC;
- “Umbrella organisations”, meaning organisations of several NGOs, are developing and acting as intermediaries with the OECD.

24. The report to Council of 16 January 2018 on “A Year in Review: OECD Communications in 2017” considers that the Organisation needs to listen to a wider range of voices and maybe even divergent approaches to its ideas, which it could then incorporate into its work. For example, the report suggests that the OECD respond to the backlash against globalisation by engaging with its opponents and by advocating domestic policies to “mitigate the negative consequences” of globalisation.

C. The current conditions of consultation with civil society

1. *Civil society participation in different OECD bodies*

a. Ministerial Council Meetings

25. Civil society organisations do not attend OECD Council meetings at ambassador level.

26. BIAC and TUAC are however invited to the annual Ministerial Council Meeting², which takes place between the end of May and the start of June, and they come with their Secretaries-General and their Bureaux. They sit alongside Member country delegations, non-Member country guests³ and guest delegations from numerous international organisations. At the end of the MCM they prepare a special press release which counts as one of the official documents of the Ministerial Meeting.

27. In addition, preparatory meetings are organised with BIAC and TUAC by the Member country chairing the Council. They were held in April 2016 in Santiago de Chile, in April 2017 in Copenhagen, and in April 2018 in Paris. The Bureaux and Secretaries-General of BIAC and TUAC attend these meetings, along with the most influential members of these organisations, alongside delegations from the countries acting as the chairs and vice-chairs of the MCM and a delegation from the Secretariat headed by the Secretary-General himself.

² Or “MCM”.

³ For example Brazil, China, Colombia, Costa Rica, India, Indonesia, Lithuania and South Africa at the MCM on 30-31 May 2018. The aforementioned non-Member countries are invited to attend the entire MCM. Other non-Member countries are invited to attend meetings regarding specific items on the agenda.

b. Liaison Committee meetings

28. Every year, the Liaison Committee provided for by the Council decision of 10 April 1962 meets with BIAC and TUAC (in two separate meetings) for official consultation. This role differs from the one formally provided for by the Council decision of 10 April 1962, which provided that the Liaison Committee would organise meetings with civil society organisations, not that it would hold direct discussions with those organisations. This latter power should be explicitly granted to the Liaison Committee, when the Council decision of 6 April 1962 is updated, as previously recommended⁴.

29. BIAC and TUAC propose the topics to be discussed at Liaison Committee meetings. The Secretariat does not simply consult the organisations on these priorities, it allows them to propose the items on the agenda (which it then has to approve), which is a very open-minded approach to consultation and reflects the lack of any preconceived or strategic idea on what the OECD might expect from civil society.

30. Both organisations share the OECD's values while naturally trying to steer the Organisation towards their priorities. For example, it was observed that:

- In December 2016, TUAC put the focus on job insecurity, wage stagnation and inequality, all situations which involve stronger collective bargaining;
- It was critical of the union policies of Colombia and Korea;
- In January 2017, BIAC emphasised the importance of SMEs;
- It asked to be consulted at the earliest possible stage;
- The Secretariat asked BIAC to advocate it among its members, in particular by supporting the BEPS project and the Digital Strategy.

c. The meetings of the substantive committees and their working groups

31. As indicated above, the substantive committees choose the organisations which they invite. The approval by the Secretary-General, provided for in Article 10b of the Rules of Procedure, is in practice delegated to the Directorates present at each committee meeting. No cases of refusals by the Directorates were reported to the audit team.

32. The papers on the OECD's relations with civil society⁵ provide in their annexes the list of organisations invited by each committee and their modes of participation. The following conclusions can be drawn from these papers and indications from TUAC and BIAC:

- In all of the OECD's areas of expertise, all the committees and working groups have relations with numerous civil society organisations (almost 140 organisations are listed, but several committees indicate that they have relations with many organisations without listing them);
- TUAC attends around 60 committees and working groups and, due to lack of sufficient staffing, cannot attend any more;
- BIAC attends most committees, according to the subjects on the table;

⁴ This observation is included in recommendation No. 1.

⁵ Documents [C\(99\)130](#) and [C/INF\(2010\)1](#).

- The committees which invite the most organisations accept the participation of civil society organisations on an equal footing to the Member countries' delegations and non-Member country guests⁶, and, in some circumstances, even allow representatives of these organisations to chair working sessions;
- The committees which extend fewest invitations organise an annual meeting between representatives of the organisations and members of their bureaux, and agree to accept any documents that the organisations wish to send them. One of the committees does not even go as far as doing this;
- Some committees provide for the systematic consultation of organisations prior to holding their meetings. Most committees meet with them two to five times a year and indicate that they retain the possibility of approaching BIAC, TUAC and the other organisations informally (by e-mail for example) whenever it may be useful for them to do so in order to obtain additional information;
- When some substantive committees organise Ministerial meetings, they invite civil society organisations to these meetings. This was the case for the most recent Ministerial meetings of the substantive committees, organised since 2016;
- The committees call on very many civil society organisations specialised in their area of expertise;
- The Organisation works with “umbrella organisations” which pool a number of organisations, thus facilitating consultation;
- These “umbrella organisations” and other specialised organisations have privileged relations with the committees working in their field.

d. Consultation by Internet

33. The Organisation consults many civil society organisations by Internet, to obtain their opinion in the drafting of its guidelines on corporate governance for example, pension scheme financing or risk management for investment in weak governance zones, the conditions of the BEPS project.

34. To this end it created a wiki allowing anyone interested to leave a comment on a given centre of interest. For example the wikigender tool created by the Development Centre (DEV) facilitates on gender-related issues⁷.

e. The effects of these conditions of consultation with civil society

35. TUAC and BIAC consider that their involvement in the Organisation's work through the aforementioned channels has an influence on the OECD's positions.

36. TUAC considers that it played a role in the following cases:

- The launch of horizontal projects on Inclusive Growth, and the New Approaches to Economic Challenges (NAEC) project;

⁶ However, civil society organisations have no say on issues pertaining to the Organisation's internal organisation and the accession of new members.

⁷ See document [C/INF\(2010\)1](#).

- OECD publications on equality (“Growing Unequal? Income Distribution and Poverty in OECD Countries” in 2008, and “Divided We Stand: Why Inequality Keeps Rising” in 2011);
- The revision of the “Jobs strategy” adopted in June 2018;
- The revision of the “Guidelines for Multinational Enterprises”;
- Its criticism of Colombia’s union policy helped to make the Organisation aware of the issue and to push through social reforms in the country during the very long negotiation of Colombia’s accession (seven years).

37. Conversely, TUAC indicates that its relations with the OECD influence internal union discussions, thus helping them to anticipate emerging issues and adapt their positions to economic and social developments.

38. BIAC considers that its positions have played a role in many areas, such as policies for market opening, the development of international trade, combating bribery and responsible business conduct.

39. The flexible conditions of consultation with civil society are appreciated by the Secretariat and the organisations. There are, however, some isolated issues.

40. BIAC, which tries on every issue to bring together different voices from national organisations representing national employers, is surprised to observe that committees are consulting, on an equal footing, professional organisations representing specific industrial sectors, and even business representatives, despite the fact that the views of these other organisations and ordinary businesses represent vested interests or, in any case, opinions that are less global and less “structured” than those expressed by BIAC.

41. Conversely, the Secretariat considers that it is essential to engage with some BIAC members on “a non-consensual basis” given the extent to which society and the business world have changed and diversified since the 1960s, which justifies the usefulness of consulting entities representing minority interests and views in the business world.

2. Participation by civil society in different OECD fora

42. For the OECD, a forum is either an interactive conference where it presents its orientations and seeks the opinion of participants, or an IT platform enabling online discussions. It has launched not only an annual forum on a broad issue, but also global forums on 14 topics corresponding to the major preoccupations of its substantive committees and specialised fora on topical issues. Online platforms also referred to using the term “forum” are linked to these different conferences.

a. The annual Forum

43. The annual Forum takes place at the end of May and the start of June during OECD Week, and at the same time as the Ministerial Council Meeting, which gives it broader media coverage and allows some of the Ministers present for the MCM to attend some Forum meetings.

44. The theme of the Forum on 29-30 May 2018, “What Brings Us Together”, was broken down into three interconnected issues: “international co-operation for the 21st century”, “inclusive growth” and “digitalisation” which gave rise to around 90 sessions

moderated by several speakers⁸. Interactivity between participants during the sessions was assured by Q&A sessions with the speakers, in person or on line, and, during the “discussion cafés”, by shared tasks in workshop sessions on a specific theme⁹.

45. The speakers included personalities from very varied backgrounds: Ministers, representatives of the Secretariat, university lecturers, researchers, writers, journalists, executives from BIAC and TUAC, heads of companies, unionists, and representatives of civil society organisations. The debates were genuine¹⁰. Registration for the Forum involved indicating a certain number of centres of interest, on which the Secretariat sends participants information via e-mail alerts in the months after the Forum.

46. The IT platform linked to the annual Forum, “The Forum network” had 905 active users and 15 690 visitors from 60 countries in December 2017¹¹.

47. The OECD Forum allows the Organisation to present a highly visible message and to involve numerous representatives from civil society as speakers or participants. The “Forum Network” helps create more sustainable ties with representatives of civil society who are active users of the platform and consequently represent an important vehicle for consultation.

b. Global fora

48. Generally speaking¹², a global forum is both an event and an online network on the same topic created by one or more substantive committees to bring together decision makers and a wide range of stakeholders to explore a given issue. These were initially launched to involve representatives of non-Member countries in the OECD’s work, as it was not feasible to invite all the qualified individuals from these countries to the meetings of the substantive committees. The aim and purpose of these events these days is to bring together all civil society and not just non-Member countries. There are currently 14 global fora.

49. Some of these fora¹³ are organised prior to the committee meetings at Ministerial level, in order to officially consult civil society prior to high-level committee discussions.

c. Specific fora

50. Specific fora on topical issues are organised on an ad-hoc basis. Nine were held in 2017 and nine in 2018.

⁸ These sessions have different names: “talks”, “roundtables” “discovery labs”, “meet the author”, “discussion cafés”, “lunch debates”.

⁹ For example, the “discussion café” on 29 May on “Re-imagining International Co-operation” took the form of discussions at small tables on 20 or so specific subjects. At the end of the meeting, each table presented its conclusions, which were subsequently used by PAC

¹⁰ For example, on 30 May, during the roundtable on “New Global Leadership”, a member of the external audit team witnessed a frank and candid discussion between the Deputy General Secretary of the UK’s Trade Union Congress (TUC) and the CEO of Sodexo.

¹¹ Document [C\(2018\)1](#).

¹² The Global Forum on Productivity is not a conference but an online discussion network

¹³ Especially agriculture and environment fora.

3. The role of OECD Centres abroad

51. One of the main tasks of the OECD Centres in Berlin, Washington, Mexico and Tokyo is to liaise with civil society in the host country and neighbouring countries. They attend events, whether organised by themselves or not, which allow them to engage with a wide range of stakeholders¹⁴.

52. One of the main tasks of the OECD's overseas Centres in Berlin, Washington, Mexico and Tokyo is to liaise with civil society in the host country and neighbouring countries. They take part in events organised by themselves and others, which allow them to engage with a wide range of stakeholders.

53. The Berlin Centre, for example, holds a series of monthly lunchtime meetings with the German Institute for Economic Research ("Deutsches Institut für Wirtschaftsforschung"—DIW), and organises dozens of meetings with students and young professionals. The Centre Head participates in the German CSR-Forum and the Strategic Accompanying Council for the German special initiative "One World - No Hunger".

54. The Washington Centre focuses on engagement with civil society and increases the number of contacts from one year to the next (up to 600 in the last quarter of 2016 compared to 300 in the last quarter of 2015). It launched an online education campaign about the value of OECD membership for the United States, notably by posting a video on Facebook and Twitter which helped provide feedback from viewers. It organised a meeting between the members of the BIAC board and representatives of the Financial Times and the Wall Street Journal.

55. The Mexico Centre has increased the number of initiatives designed to promote gender equality, teenage education and the presence of women on corporate boards. These initiatives included workshops and interactive roundtables.

56. The Tokyo Centre has worked with representatives of business, civil society and the legislature on some of the OECD's flagship projects. In 2016, it played a key role in co-ordinating the meeting of the Global Parliamentary Network when it was held for the first time in Asia, in Tokyo. In 2017, it also organised a meeting of the "Champion Mayors for Inclusive Growth in Seoul".

4. Examples of the in-depth participation of civil society in some of the Organisation's activities

57. In some situations, the OECD's ties with civil society organisations go beyond simple consultation. The following examples are listed in the draft document by PAC on the OECD and stakeholder commitment:

- The Global Partnership for Effective Development Co-operation, launched in 2011 by the OECD and the UNDP along with numerous civil society organisations, replaced the Working Party on Aid Effectiveness created by the Development Assistance Committee (DAC);
- The 2011 update to the OECD Guidelines for Multinational Enterprises was carried out by an advisory group which included BIAC, TUAC and OECD Watch;

¹⁴ See document [C\(2018\)1](#).

- The OECD/G20 project team for the BEPS project involved many participants: 50 000 people took part in eleven public consultation sessions and eight online consultations, and produced over 12 000 pages of comments.

5. The division of labour between PAC and the other directorates

58. Most of the conditions of consultation with civil society referred to in the previous paragraph are implemented under the responsibility of the substantive committees, which have wide powers in terms of organising consultation.

59. This situation allows them to consult the most influential and most representative organisations in each field, organisations which the committees and the directorates assisting them are best placed to identify.

60. There are however several risks to this, of different kinds: more or less open approaches made to the organisations, depending on the committees; non-disclosure of the outcomes of consultations to the rest of the Organisation; different interpretations of some of the signals from civil society, depending on the committees; possible disclosure of classified documents to other entities; relations with organisations that may cause a conflict of interest for the Organisation, etc.

61. Co-ordination is required in order to limit these risks and maximise the benefits of consultation, and this was entrusted to the Public Affairs and Communication Directorate (PAC), in particular in the note dated 22 December 2009¹⁵.

62. PAC considers that its role consists in helping and advising the other Directorates and the committees they assist, disseminating good practices, ensuring the coherence of the OECD's actions, ensuring that information gathered during consultation is disclosed to the rest of the Organisation in order to encourage a horizontal approach, and offering its assistance to the other Directorates when it comes to detecting the "weak signals" given by civil society organisations.

63. Indeed, a certain number of officials in PAC are former journalists and communication specialists who are used to deciphering the freshest information in the mass of information disseminated on a daily basis by the media and social networks. **This approach, which is very level-headed, seems to be in keeping with the situation and PAC's mission as a clearing house which it was assigned in the note of 22 December 2009.**

64. **This latter mission should be mentioned in an updated version of the Council decision of 4 April 1962 on consultation with civil society. Several points, however, nevertheless deserve special attention.**

a. The guidelines on consultation with civil society

65. The guidelines designed to advise Directorates on their role in consultation with civil society have not been published, with the exception of the guidelines on the OECD brand.

66. The External Audit team was provided with a draft document on the OECD and its stakeholders, draft guidelines for staff on stakeholder consultation, and draft guidelines by

¹⁵ Document [C/INF\(2010\)1](#)

the Secretary-General on managing relations with sponsors, donors and civil society partners.

67. **It is important that PAC expedite the publication of a series of guidelines on relations with civil society¹⁶.**

b. Consultation with civil society on horizontal projects

68. Consultation with civil society on horizontal projects merits special attention. Indeed, each horizontal project is managed by a specifically selected entity, and these entities do not always have the continuity or the experience of the traditional substantive committees when it comes to consulting organisations in a given area. In addition, the scope of activity of a horizontal project is by definition broad, which makes the choice of organisations to consult more complicated.

69. **It is therefore suggested that advice on horizontal projects be included in the guidelines on consultation. It could be recommended for example that BIAC and TUAC be systematically consulted at several stages of the preparation of a horizontal project, and that the other civil society organisations involved in each horizontal project be identified as soon as work starts on preparing the project and that they be consulted subsequently on a regular basis.**

c. The need to streamline the Organisation's numerous Twitter accounts

70. The OECD has 37 Twitter accounts posting opinions, including the Secretariat's official corporate account, which poses a potential risk of contradictory opinions being posted.

71. While the Twitter accounts are primarily used to disseminate the Organisation's opinions and observations, they are sometimes used to ask for the opinions and feedback of civil society. PAC intends to study the impact of these accounts and to suggest, based on its findings that other Directorates perhaps reduce the number of accounts they manage, along with drawing up guidelines on Twitter accounts to improve the coherence and increase the impact of messages disseminated via this channel by the OECD. The External Auditor considers that the preparation of the guidelines is highly desirable.

Recommendation No. 1. In order to improve the legal framework of consultation with civil society, the External Auditor recommends that action be taken to: (i) update the Council decision of 4 April 1962 on consultation with civil society¹⁷, (ii) update the Council resolution of 10 July 1997 on the classification and declassification of documents; (iii) expedite the publication of the Secretary-General's guidelines, prepared by the Public Affairs and Communication Directorate (PAC), on the co-ordination of procedures for consultation with civil society by the substantive

¹⁶ This observation is included in recommendation No. 1.

¹⁷ The decision of the Council of 4 April 1962 could be amended as follows: removal of the position of Vice-Chair of the Liaison Committee and the mandatory publication by the Secretary-General of the list of all NGOs consulted by the Organisation; citing of the role of PAC in the consultation of civil society; inclusion of the organisation by the Liaison Committee of the consultation of civil society organisations and its annual consultation thereof.

committees; (iv) include in said guidelines specific advice for the preparation of horizontal projects; and (v) publish guidelines on Twitter accounts.

d. Disseminating the outcomes of consultation with society

72. PAC's activity is no longer covered in the Programme Implementation Reports (PIR), which are poorly suited to the inclusion of communication activities, but it is recorded in specific annual reports, the most recent of which was entitled, "A Year in Review: OECD Communications in 2017".

73. While the reports record the initiatives by PAC to disseminate the Organisation's messages, they do not present the outcomes of consultation with civil society.

74. **It would be very useful if PAC were to ask the different Directorates assisting the substantive committees to provide it with the main new ideas presented by the civil society organisations, and the modifications they requested to the provisional documents reviewed by the committees on the projects involving the said committees before summarising these inputs and publishing them in its annual report on the OECD's communication activities.**

75. The integration of these data into PAC's annual report would have two benefits. Firstly, it would enable the entire Organisation to consult the contributions from civil society collected by each committee, thereby strengthening the "horizontal" aspect of the Organisation's working methods. Secondly, it would emphasise the importance of contributions from civil society, thereby encouraging organisations to co-operate with the OECD.

Recommendation No. 2. The External Auditor recommends that a review of the contribution of civil society organisations to the work of the OECD in terms of volume and impact be included in the annual report on the communication activities of the OECD.

e. Inclusion in the Risk Register of the risks associated with consultation with civil society

76. The draft document by PAC on the OECD and its stakeholders repeatedly draws attention to the risk of inequality and inconsistency across the different sectors of the Organisation in terms of consultation with civil society. This risk is particularly significant as it concerns the Organisation's legitimacy, given that, in some areas, if the policies advocated by the OECD have not been prepared after sufficiently in-depth consultation with civil society organisations, then it is possible that the latter could challenge the Organisation's credentials. Moreover, the OECD runs the risk of being influenced by civil society organisations which are not very representative, and by lobbies which do not work for the general interest.

77. One of PAC's missions is to reduce these inequalities and to encourage the Directorates, which are lagging behind in adopting the good practices of the more proficient Directorates in this area.

78. **This risk could be added to the Organisation's Risk Register. In order to manage the risk, PAC could regularly publish the performances of the different substantive committees in terms of their consultation with civil society, and propose the general application of the good practices observed in some committees. The committees could also be set progress targets in order to reduce the inequalities currently observed in terms of consultation with civil society. These objectives could**

be integrated into the strategic orientations of the Secretary-General, as is suggested in the draft guidelines on stakeholder consultation.

79. Two other risks inherent to consultation with civil society could be added to the Risk Register:

- The risk of the dissemination of a document classified “For Official Use” or “Confidential” by a civil society organisation receiving said documents;
- The risk to the Organisation’s image as a result of making contact with civil society organisations which do not share its values or which could cause a conflict of interest.

Recommendation No. 3. The External Auditor recommends that the specific risks related to consultation with civil society be added to the Risk Register.

Recommendation No. 4. The External Auditor recommends that the initiatives undertaken by the various substantive committees regarding consultation with civil society be compared on a regular basis and that the latter be proposed progress targets in this area.

- f. The creation of communication teams in all the Substantive Directorates to work with PAC

80. PAC observes that its work in co-ordinating the OECD’s communication, in the field of consultation with civil society and elsewhere, is more effective when the Substantive Directorates and Part II Programmes concerned have professional and adequately staffed communication teams. The current situation is very uneven, with communication teams varying in size from three to 17 officials depending on the Directorates and the Programmes, and with some of them having a communication manager and others not.

81. **Strengthening under-staffed teams and appointing qualified communication managers in each Directorate and Part II Programme would facilitate the co-ordination of communication. It would moreover enhance the effectiveness of the operation of the informal working group of communication managers, recently created by PAC, and of the Senior Communication Board¹⁸, which has been in place for longer and which meets at the level of the directors.**

Recommendation No. 5. The External Auditor recommends that each Directorate and Part II Programme appoint a communication manager, thereby facilitating the co-ordination work of the Public Affairs and Communication Directorate (PAC).

¹⁸ SCB.