

draft Process for adopting CAN Europe positions

Intro

1. CAN Europe is an NGO network, bringing together more than 120 member organisations. One of its strengths is its ability to present collective NGO positions to decision makers on topics that are being debated, with the aim of increasing the collective impact of NGOs on decisions to be made. In order to do so, the positions it takes and the demands it puts forward need to be supported by the network. This document outlines the process for developing CAN Europe statements, including formal policy positions, submissions, briefing papers, press releases, op-eds, letters and reports. The CAN Europe Director is responsible for overseeing this process, as well as for dealing with breaches, exceptions and any issues not covered in this document.
2. This proposal draws on both the CAN charter, the agreed process for forming CAN positions at the international level, and the current practice in CAN Europe.
3. The CAN International decision-making process basically foresees positions to be developed by a designated working group. Once the working group finalises its work, the working group coordinator will send a final draft to CAN Talk for approval. At that moment, organisations can no longer amend the proposal but only raise their objection. If all but a few member organisations approve the proposal, be it silently, it will be considered approved and the objecting organisations can decide to byline the elements of the position they don't agree with. If a substantial amount of organisations object, then the position needs to be redrafted by the working group.
4. The CAN charter states (in article 44) that in order to make decisions on policy positions, *"consensus will be strived for, but sufficient consensus, namely the support for a decision by most of the members in their constituent groups, with only a small minority dissenting, will also be deemed to be full consensus in special circumstances"*, and further states (in article 48.h) *"where the dissenting view represents less than approximately 5% of the overall size, weight, relevance and particular significance of CAN membership against the issue put forward for decision-making, make note of the CAN members who dissented, and in such cases the facilitator will point out that sufficient consensus is reached, in which event the decision will be carried"*.
5. Article 131 states that *"any member or node of CAN may release a statement in its own right. This statement should not be in contradiction with CAN positions reached by consensus. Therefore, all members or nodes should strive to ensure their views are reflected in CAN positions on this basis."*

Process to agree a CAN Europe policy position or submission

6. A **policy position** is a document, carrying the CAN Europe logo, that identifies, based on a clear concise analysis and an overview of arguments, the positions of the CAN Europe network on specific policy areas. A **submission** presents the position of CAN Europe on a specific set of policy questions that are being debated in a certain political forum, most frequently in the case of CAN Europe, set up by the European Commission.
7. The need for developing or updating CAN Europe policy positions and submissions can be identified by either the relevant CAN Europe policy coordinator or by any member working on the issue. In most cases the CAN Europe secretariat takes responsibility for drafting the position/submission but this can also be

done by a member.

8. Prior to drafting the position/submission, the Policy Coordinator (or relevant member) develops a timeline for the development of the position/submission, and notifies the relevant working group¹(s) of this. CAN Europe's monthly Flash Newsletter will contain an overview of all the positions/submissions that are being developed, and which working groups are involved in this. If there are no or several working groups that would be relevant for a particular topic, the Director decides how to move forward by either a) identifying one working group as the lead on this issue; b) accepting that multiple working groups will be collectively responsible; c) creating a special working group where the discussion on the issues should take place; or d) moving the discussion to the general CAN Europe mailing list.

9. The Policy Coordinator (or relevant member) will write a first draft of the position/submission and will send it to the working group with an invitation to comment on the draft, indicating a clear date by when the comments need to be received (as identified in the timeline above). About one to two weeks should be allotted for members to provide comments. All comments are to be collated by the author.

10. Based on these comments, the Policy Coordinator (or relevant member) will develop a second draft. If there are many controversial comments made, the second draft should indicate alternative options for certain pieces of text. The second draft will again be sent to the working group with an invitation to comment and with a clear date by when the comments need to be received. Comments on the second draft should also be sent within one to two weeks after the draft has been sent out. On the basis of these comments, the Policy Coordinator will then take the necessary initiatives, e.g. developing further drafts, conference calls, e-mail discussions, development of compromise proposals in order to find a compromise.

11. In case substantial disagreements remain, the Policy Coordinator and the Director will revisit the process and timeline, and will decide how to move the discussion forward, which could include the option for the Director to engage the Board, and/or to send the draft to the whole network and look for comments and/or approval at that level, but could also include that further new drafts will be made by the Policy Coordinator.

12. When the Policy Coordinator concludes the last draft to be supported by a sufficient amount of members of the working group, this final draft is sent to the Director. The Director will then send this position/submission to the CAN Europe mailing list for final approval. At that moment only comments related to ensuring coherence in CAN Europe's positioning or formal objections to the position can be made. The network has around one week to comment on the final draft.

13. Objections to adopting a position need to be argument and need to be sent to the whole CAN Europe list. If no more than 5% of accepted and full members object, the position is assumed to have been agreed. The objecting organisations can decide to byline the elements of the position they don't agree with, and have another two days to do so.

14. If more than 5% of accepted and full members object, the proposal is not adopted and the Director will decide how to move forward.

15. Once adopted, CAN Europe positions will carry the CAN Europe logo.

Process to agree on informal positions: briefing papers/press releases/letters/op-eds

16. There are many products that CAN Europe Policy Coordinators develop on the basis of existing positions. These include, press releases, open editorials (op-eds), letters to decision-makers and briefing papers. For these products a shorter approval process can be followed than the formal decision-making process for policy positions.

¹ As the discussion on the formalisation of working groups is still taking place, this document starts from the concept that all people on a given mailing list form a working group.

17. The Policy Coordinator and the Director will decide whether these products are within or go beyond existing CAN Europe positions. In case the product goes beyond existing policy, the decision-making process is the same as the process for developing policy positions. The final decision on the process is taken by the Director though members should be informed about the decision when the final version is being circulated

18. In case the product reflects existing positions, only a consultation of the relevant working group will be needed. Depending on the urgency, members will have up to one week to respond.

19. All comments will be considered by the relevant Policy Coordinator and the final sign off lies with the Director, who will be informed of any comments not taken on board by the Policy Coordinator.

20. The CAN Europe secretariat can decide to invite members to co-sign the publication. Such an invitation will go out to all the members of the working group.

Process to agree on CAN Europe reports

21. Reports are substantial pieces of work that are often written by consultants/researchers and published by CAN Europe, possibly in cooperation with specific members.

22. Proposals for reports are developed by the relevant Policy Coordinator who, once approval is given by the Director, develops Terms of Reference for the process to develop the report.

23. These TORs will be sent to the relevant working group, inviting members to join in the publication, co-finance the report and/or form part of the report's Steering Committee. In some cases co-publication will be limited to those member that make a financial contribution. Members who want to co-publish need to participate in the Steering Committee.

24. The Steering Committee will be asked to comment on all drafts of the report. Other working group members will only receive the final draft and their comments will be considered by the Steering Committee, who will decide on which comments should be taken on board.

25. In case of disagreement in the Steering Committee the CAN Europe Director, after consulting his colleagues in the organisations that will co-publish the report, will take a final decision on the content of the report.