TAX JUSTICE NETWORK AFRICA

INSTITUTE FOR ECONOMIC JUSTICE RESEARCH POLICY ADVOCACY

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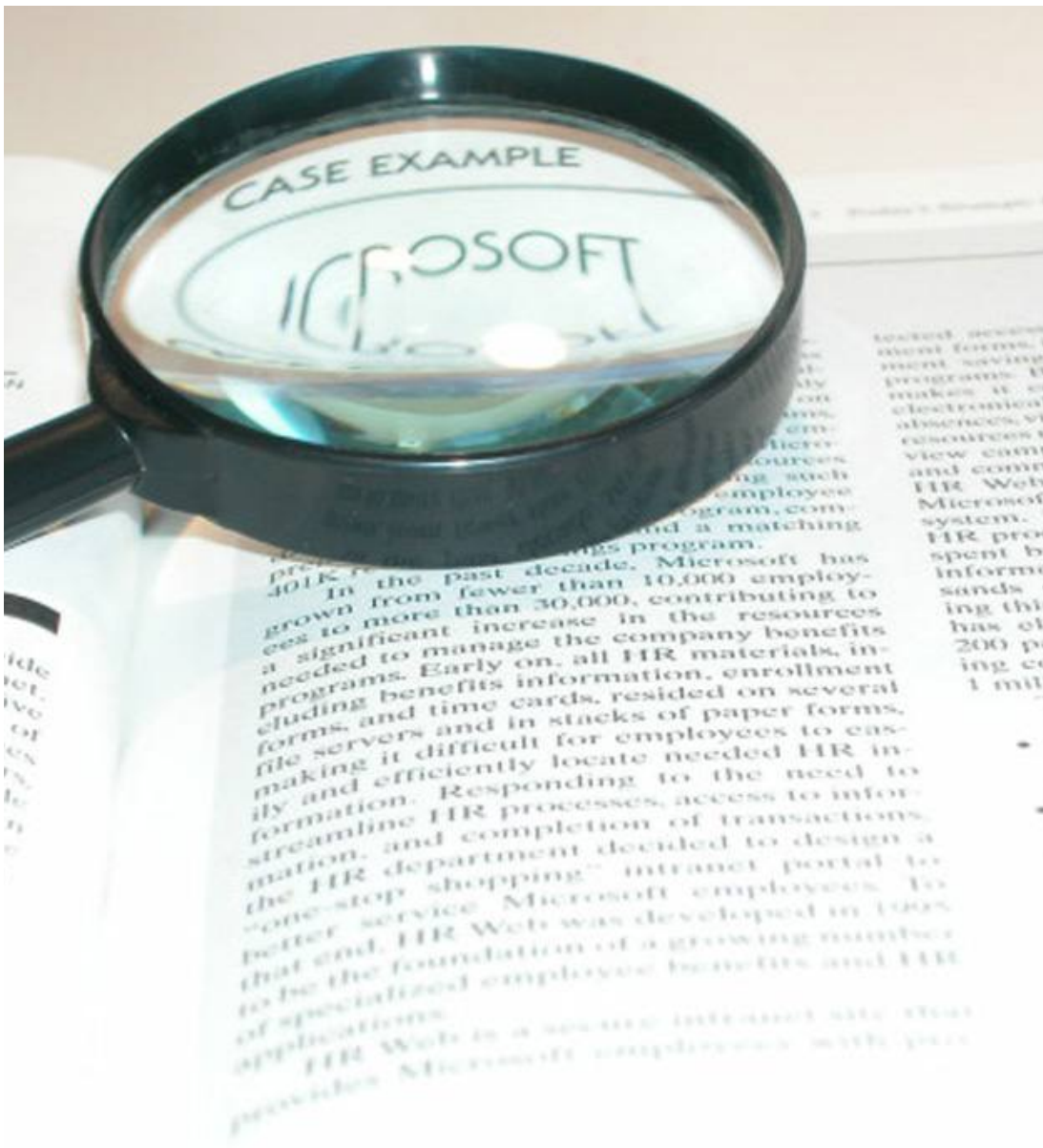
NOVEMBER 2021



EXECUTIVE SUMMARY

This paper presents an exploratory research project on the role of civil society research evidence in influencing government policies towards fair tax systems in Africa. Through case studies, the researchers interrogated the intersections between the strategic deployment of research evidence to shape tax policy by civil society organisations (CSOs) and the extent of governments' reliance on this research evidence in designing tax policies.

The two primary questions to which the study responds to are:

1. **How have policymakers used CSO research evidence in policymaking?**
2. **What factors influence the extent to which policymakers use research evidence generated by CSOs?**

These questions are answered through four case studies: (i)The Tunisia case study focuses on investment codes; (ii) the Nigerian case study focuses on informal sector taxation; (iii) the Zambian case study focuses on double tax agreements (DTAs); and (iv) the Ugandan case focuses on tobacco legislation. The case study selection was made in light of the desire to have demographic and tax policy diversity. It was important that case studies were selected from East, West, South, and North Africa as the study aims to establish how the Use of Research Evidence (URE) happens in various contexts on the African continent.

As a method, Use of Research Evidence (URE) was selected because it has been used in other similar studies that seek to better understand the complicated relationship among social science researchers, policymakers, and practitioners. Case studies and interviews were used to account for the complexities in the global and local, historical, political, social, and economic contexts that were being studied.

Case study findings

The case studies offered different views - informed by their historical, social, and economic contexts - into understanding URE and policymaking. In Tunisia for example, this study helped us better understand what makes URE effective when CSOs are more involved. This is in comparison to the previous state-centred and externalised policy context, where international actors played a dominant role in tax policy formulation. In Nigeria, the study helped us understand URE by policymakers in the context of a contentious domestic tax proposal (taxation of the informal economy). In Zambia, the study helped us understand what determines URE when there are competing mandates and priorities (case in point: health care spending versus revenue amongst policymakers from different governmental departments. In Uganda, the study helped us to understand when the URE by policymakers may be increased in a relatively exclusive (technocratic) tax policymaking process and where external actors have great influence. The Zambia case helped us to highlight non-technical constraints.

The following areas of commonality emerge from the cases explored in this report:

- **Quality of research evidence was not the constraint:** Despite the issues raised on access to data to produce research evidence, the data produced by the CSOs was still perceived to be technically solid. There is a strong indication that there is a preference for research premised on international data comparable to their own contexts. Research evidence that proposes solutions is also more likely to lead to uptake as opposed to research evidence that focuses on diagnosing the problem. The production of credible research evidence is important, but it is the non-technical constraints or opportunities that should be the focus when considering the URE. This is consistent with Sharp et al.'s (2019) findings, which point to non-technical constraints as being critical to understanding civil society's engagements in tax policy.
- **Access to and relationships with policymakers:** Whether policymakers were engaged through capacity building initiatives, or whether these policymakers were engaged bilaterally, relationships with policymakers appear to be highly valued by CSOs and an important component to URE. Access to policymakers, however, also raises issues of conflict of interest particularly if the policymakers are deeply involved in the development of the policies themselves. It also raises concerns of power between the CSOs and policymakers. In addition to this, where there is documented success, policymakers are generally reluctant to attribute ideas directly to CSOs because it is important to them that they are considered non-partisan and not seen to be influenced by CSOs or other stakeholders.
- **Demand for new tax policies:** Through our case studies, it was evident that timing played an important role in URE.CSOs tended to conduct research regardless of timing. They entered into the policymaking processes when they deemed the timing was right. Across all cases, the demand for new tax policies for the policymakers were influenced by: a) pursuits to increase and diversify domestic resource mobilisation; and b) the level of internationalisation of the policy area which includes the global dialogue on the tax issues.

Below are the non-technical constraints/opportunities that underpin URE in the specific tax policy areas:

- **URE and investment codes:** Engaging with the tax policy proposals through the finance committee routes means that the political affiliations and priorities of Members of Parliament (MPs) need to be considered and responded to. Where MPs do not have the technical know-how, the uptake of URE can be limited. In the case of Tunisia for instance, it is important to consider whether the success is due to the CSO proposing a part change as opposed to a complete overhaul of the domestic tax policy. The gradual policy change approach could be beneficial, especially when considering business dynamics and the trade-offs between multiple competing social values.
- **URE and taxing the informal sector:** The local-level nature of informal taxation presents a different set of challenges from URE at the national level. It significantly relies on the local government's priorities and the political will to implement solutions that emerge from the research evidence produced by the CSOs. URE is further constrained by the leadership changes. This means that even if adopted by one administration, the implementation may be undermined by the next. Therefore, advocating for the URE requires sustained pressure through mass mobilisation at the local level. The URE in this type of policy is impacted by access to information, thus transparency is a critical concern.
- **URE and Double Tax Agreements:** The lack of transparency and participation in the process by tax revenue authorities and ministries of finance make assessing URE by policymakers quite challenging. Advocacy in DTAs could benefit from transparency that other tax policies formulation processes come with. Since DTAs have limited resonance with the public, mobilisation may not be a key strategic focus for their advocacy given their complex nature. Engaging with the government, directly and indirectly, is critical to URE by policymakers. In Uganda for instance, policymakers being influenced indirectly, without direct relationships, worked. The extent to which URE produced by local CSOs is used, is influenced by political power that is underpinned by how globally relevant the topic is as well as the power of multinationals involved.
- **URE and taxation of the tobacco industry:** The URE for this policy is made complicated by the tension between different departments that are working towards different imperatives (for example, growing the tobacco industry to increase jobs, exports, and revenue) and cutting tobacco consumption (to improve health outcomes). Research evidence needs to respond not only to tax fairness, but also to health implications and other macroeconomic outcomes which is challenging. While bringing in policy makers early is beneficial in navigating the complex elements of the tax and health sides, it requires relationship management that takes into account the power differentials. The collaboration between CSOs and the government entities in navigating the best policy recommendations also presents conflict of interest. In Zambia, the involvement of the government in the production of the research evidence itself may be seen to be problematic if the evidence is used by government. It brings to question issues of power and the CSO's agency. Will the government use research evidence because it has systematically influenced the outputs to be aligned with its priorities? To what extent does research evidence reflect the CSOs' ideas versus the government's?

Lessons for CSOs and funders

The authors provide a synthesis of what worked well in particular contexts and considerations based on literature reviews as well as reflections on their experiences .

The following lessons can be drawn out from the cases above for CSOs to consider (contextually) to improve the likelihood of policymakers using their research evidence:

- Increase policymaker's demands
- Target individual/groups of policymakers as part of ongoing engagement
- Bring in policymakers early
- Build a non-partisan reputation
- Ensure research accessibility to increase indirect influence
- Build internal capacity
- Enter the policymaking process strategically

The study also found that funders play an important role in influencing what work is undertaken by CSOs. In respect to areas that funders can begin aligning their roles on how best to support CSOs, below are tentative and initial considerations based on this research and desk review:

- Invest in understanding the context
- Involve CSOs in the co-creation of funding programmes and modalities from the outset
- Fund internal capacity
- Reconsider funding timelines
- Fund non-traditional advocacy
- Assess the visibility and positionality
- Creating an ecosystem of research production and access

This study demonstrates the complexity of understanding the use of civil society research evidence by policymakers. It also adds to the growing literature on the intersection of URE and policymaking processes. Finally, the study puts forward a systematic review of how policymakers themselves engage with outputs generated by civil society or the ongoing engagements between the CSOs and tax policy processes.

ACKNOWLEDGEMENT

Tax Justice Network Africa would like to thank the Hewlett Foundation for their financial and technical support to this study. We would also like to thank the researchers from the Institute for Economic Justice (IEJ) and Tax Justice Network that led the development of this study, namely: Ms. Busi Sibeko, Ms. Carilee Osborne, Dr. Gilad Isaacs, and Mr. Wellington Jah.

Special thanks to the team that peer reviewed the paper, namely Dr. Nara Monkam from African Tax Administration Forum (ATAF), Prof. X.N. Iraki and Prof. Attiya Waris from the University of Nairobi, and Prof. Alexander Ezenagu from Hamad Bin Khalifa University. We recognise Ms. Joy Waruguru Ndubai from Institute for Austrian and International Tax Law, WU (Vienna University of Economics and Business), Dr. Boima Kamara from Ministry of Finance and Development Planning, Republic of Liberia, Mr. Martin Hearson from International Center of Tax & Development, and Mr. Alvin Mosioma and Mr. Robert Ssuuna from Tax Justice Network Africa.

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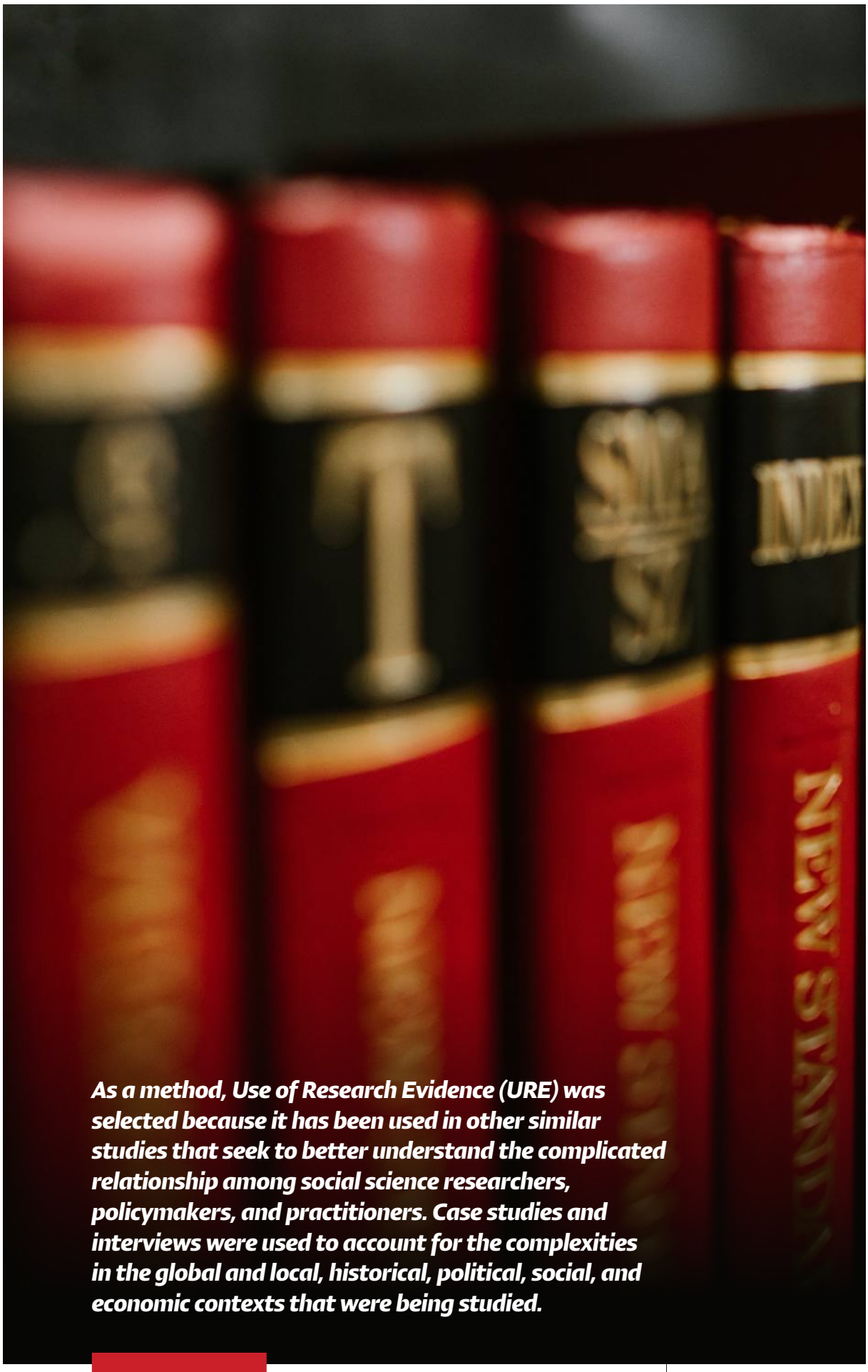
LIST OF ACRONYMS

ARP	Assembly of People's Representatives
BCURE	Building Capacity to Use Research Evidence
CISLAC	Civil Society Legislative Advocacy Centre
COMESA	Common Markets for Eastern and Southern Africa
CTPD	Centre for Trade Policy and Development
CRAFT	Capacity for Research and Advocacy for Fair Tax
CSOs	Civil Society Organisations
DFID	Department of International Development
DTAs	Double Tax Agreements
DRM	Domestic Resource Mobilisation
ECOWAS	Economic Community of West African States
EBP	Evidence Based Policymaking
FIRS	Federal Inland Revenue Service
FCTC	Framework Convention of Tobacco Control
GFC	Global Financial Crisis
GDP	Gross Domestic Product
HIPC	Highly Indebted Country Initiatives
IFFs	Illicit Financial Flows
IBP	International Budget Partnership
IEJ	Institute for Economic Justice
ICTD	The International Centre for Tax and Development
IMF	International Monetary Fund
MoFPED	Ministry of Finance, Planning and Economic Development
MPs	Members of Parliament
NTP	National Tax Policy
NGOs	Non-Governmental Organizations
ODI	Overseas Development Institute
OECD	Organisation for Economic Co-operation and Development
RAPID	Research and Policy in Development
SEATINI	Southern and Eastern Africa Trade Information and Negotiations Institute
SBIRs	State Boards of Internal Revenue
TOE	Tunisian Observatory of the Economy
TJNA	Tax Justice Network Africa
URE	Use of Research Evidence
URA	Uganda Revenue Authority
VAT	Value-Added Tax
WTO	World Trade Organization
WHO	World Health Organization
ZRA	Zambian Revenue Authority



As a method, Use of Research Evidence (URE) was selected because it has been used in other similar studies that seek to better understand the complicated relationship among social science researchers, policymakers, and practitioners. Case studies and interviews were used to account for the complexities in the global and local, historical, political, social, and economic contexts that were being studied.

01 INTRODUCTION

This report presents the findings of an exploratory research project on understanding the role of civil society research evidence in influencing government policies towards fair tax systems in Africa. The study looks at the tax policymaking process with a specific focus on civil society organisations (CSOs) and their use of research evidence. It is therefore targeted in its scope and intended audience. The study was conducted by the Institute for Economic Justice (IEJ) on behalf of the Tax Justice Network Africa (TJNA) and supported by the William and Flora Hewlett Foundation. The work was also supported by in-country consultants and by a reference group of research and tax experts.

Through case studies, the researchers interrogated the intersections between the strategic deployment of research evidence to shape tax policy by CSOs and their government's reliance (or not) on this research evidence in designing tax policy. The study explores the relationship between CSOs and policymakers during particular moments in each country's policymaking process. This is done by focusing on a particular area of intervention by the CSO, usually by way of research output or set of outputs. For example, in the case of Uganda, the study focuses on research reports produced by CSOs with the aim of influencing the renegotiation of double-taxation agreements (DTAs).

The two primary questions to which the study responds to are:

1. ***How have policymakers used CSO research evidence in policymaking?***
2. ***What factors influence the extent to which policymakers use research evidence generated by CSOs?***

These questions are answered through four case studies as follows: the Tunisia case focuses on investment codes; the Nigerian case focuses on informal sector taxation; the Zambian case focuses on DTAs, and the Ugandan case focuses on tobacco legislation. This report is a synthesis of the research findings. It grapples with the complexities of the research-evidence-policy nexus to answer the above questions.

These questions are answered through four case studies. The Tunisia case focuses on investment codes; the Nigerian case focuses on informal sector taxation; the Zambian case focuses on DTAs, and the Ugandan case focuses on tobacco legislation.

The method used – Use of Research Evidence (URE) – was selected because it has been used in other similar studies that seek to better understand the complicated relationship among social science researchers, policymakers, and practitioners. The URE approach can be traced back at least four decades and offers measures and methods for assessing the various ways in which evidence interacts with policy and practice.[1] These measures and methods derive from different methodological traditions and culminate to provide particular lenses and tools for understanding questions about the URE. Studies that use URE typically involve the intersection of three broad elements:

1. ***What factors influence the extent to which research evidence is used by policymakers and practitioners?***
2. ***How and why research evidence has been used, and what the impact of this is?***

Assessing and understanding claims about research evidence use.
These are the primary elements this study seeks to highlight, albeit with a specific focus on fair tax policymaking.

This study is an exploratory first step towards understanding ongoing engagements between CSOs and the tax policy process. It opens up areas for further exploration regarding how CSOs undertake and use research in their advocacy. TJNA and IEJ expect that through such a study, civil society will begin to better understand how to use evidence to effectively drive policy advocacy initiatives.

In the next section (Section 2), we outline our methodological approach drawing on approaches to fairness in taxation as well as the use of research evidence. We also detail the methods used and some of the limitations of the study. In Section 3, we discuss studies conducted on CSOs and the tax policymaking process. In Section 4, we provide context-specific literature on the four case countries. In Section 5, we outline our specific case findings and in Section 6, we use these to outline lessons for CSOs and funders. Concluding remarks follow and appendices provide further information.

1 Crousse, K. Gitomer, D. (2019). Studying the Use of Research Evidence: A Review of Methods. A William T. Grant Foundation Monograph

02 METHODOLOGY

In this section, we clarify and make explicit the theoretical and methodological perspectives underpinning what is meant by fair tax and research evidence, and how they intersect and inform the current study.

2.1 Fairness in taxation

It is difficult to define 'fair taxation'. While it is generally accepted that "[t]ax is the price we pay for living in a civilized society, and in a fair society we expect to pay our fair share," the questions regarding who should pay taxes, how much taxes they should be paying, and what the tax system should achieve are deeply contested topics.[2]

Tax is a form of fiscal legitimacy for the state, where fiscal legitimacy refers to the social contract between the state and its citizens. Development economists have long recognised the importance of taxation in the consolidation of a well-functioning and legitimate state. How citizens perceive their tax burdens and the outcomes of government expenditure have a direct bearing on whether they believe the taxes to be fair.[3] In this way, "fairness as process and fairness in outcome are deeply subjective concepts of expected behaviour and action concerning the fulfilment of mutually agreed upon, or expected obligations and bargains concerning resource distribution. In practice, however, the notion of fairness is dynamic, fluid and contingent."[4] Thus, public perceptions around tax are also critical to our understanding of what is considered fair.

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The political economy of taxation, including in a particular place and moment, is critical in understanding the decisions which are made. We must therefore understand tax reforms as "highly context-specific, originating in fiscal pressures or political changes. Reforms, therefore, often reflect the influence of contemporary as well as historical social, political and economic pressures in a country."[5] Understanding fair taxation also requires that we reflect the influence of contemporary as well as historical social, political, and economic pressures in an increasingly globalised context where international players influence a country's policies.

Ideas about tax systems have evolved and varied considerably across different schools of thought. Dom and Miller provide an important broad sweep of the literature covering the historical developments in taxation and development which is critical to the understanding of how tax policy has evolved – at an aggregate level - over time.[6] Between the 1920s and 1940s, there was a shift from laissez-faire approaches to tax, which were concerned with minimal taxation, to (American) institutionalism. The laissez-faire approaches coincide with extractivist colonial policies. Citizens had to work to pay tax, which was seen as good for the economy, yet they were excluded from various entitlements (for example, access to quality education). The institutionalist school proposed redistributing economic power, thus the policy recommendations were around a broad-based tax system that is concerned with social welfare. From the 1950s to the 1970s, with a change in perceptions of the state towards more of its intervention, taxation became a tool to be used in the pursuit of state-led development. Optimal taxation in developed countries was all about progressive income taxes.

In the 1980s, the Washington consensus led to a return to 'tax neutrality'. Tax neutrality was defined as the tax that "does not create incentives for firms or individuals to change their behaviour—to invest more or less, to work more or less, to locate in one place rather than another, to employ more or less labour or more or less capital".[7] In essence, tax should not be 'distortionary'. Neutrality was also based on the principle that final changes would neither create nor lose revenue for the government.[8]

Neutrality was justified on a purported concern that government processes were captured by self-interested groups resulting in biased policies benefiting those with the means to influence policy. There were calls that policies should be justified based on a clear cost/benefit analysis. This era was accompanied by a focus on value-added tax (VAT) increases and the taxing of intermediary goods. The Washington Consensus period proposed a move away from progressive income taxes

2 Chittenden, F., Foster, H. (2008). Perspectives on fair tax. Association of Chartered Certified Accountants (Great Britain).
3 Chittenden, F., Foster, H. (2008). Ibid.
4 Rawlings, G. 2003. Cultural Narratives of Taxation and Citizenship: Fairness, Groups and Globalisation, Australian Journal of Social Issues, 38/3: 269–305.
5 Dom, R. & Miller, M. (2018). Reforming tax systems in the developing world: What can we learn from the past? Overseas Development Institute. See also: Bird, RM. (2012). Taxation and Development: What Have We Learned from Fifty Years of Research? IDS Working Papers. No. 427. Pp.1-19.
6 Dom, R. & Miller, M. (2018). Ibid.
7 Grading the States. (2021). What "Tax Neutrality" Means and Why Businesses Don't Care?
Retrieved from https://www.gradingstates.org/the-tax-foundations-state-business-tax-climate-index/the-sbtci-is-a-poor-measure-of-growth-potential/what-tax-neutrality-means-and-why-businesses-dont-care/#:text=A%20neutral%20tax%20is%20one,or%20more%20or%20less%20capital.
8 Dom, R. & Miller, M. (2018). Ibid.

The outcome of all this advice is not impressive. During the 1970s and 1980s, not only did relatively few developing countries increase their tax-GDP ratios but income taxes became relatively less important in most countries as broad-based consumption taxes (usually in the form of VATs) became more important in the tax mix. Interestingly, over this same period, new developments in both theoretical and empirical public finance generally reinforced the lesser emphasis on income taxes and heavier reliance on consumption taxes that had emerged in practice. The result of the parallel developments in both practice and research was the gradual emergence of what might be called Development Tax Model 2.0 as, more or less, the fiscal component of the so-called Washington consensus that ruled the policy roost after the early 1980s.

towards flat sales taxes precisely because it served the interests of the elite and was justified based on neoclassical economic theory. According to Bird,

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Between the 1990s and the 2000s, a new focus was placed on institutions, good governance and tax administration, particularly in developing countries. This coincided with depressed tax revenues as a result of trade liberalisation, which led to new insights on tax evasion and avoidance. It was not until post the Global Financial Crisis (GFC) in 2008 that concerns over the fairness of tax systems began to re-emerge. This was brought about by the inequity in how the gains of globalisation had been distributed. This led to a greater focus on illicit financial flows and international tax as a key point of interest. Researchers began to explore issues around fiscal contracts (between state and citizens), with emphasis on developing countries. Researchers and policymakers began acknowledging that when it came to tax, domestic context matters. Domestic Resource Mobilisation (DRM) emerges here as a critical concept and is where we situate our case studies.[10]

An understanding of the global, aggregated changes and international advice is critical to our study given that it focuses on developing countries. The country-specific case studies, which provide context, must be analysed in tandem with these global changes. Table 1 in Appendix A summarises major trends, theories of development, theories of taxation, and the associated international advice on reforming taxes from the 1920s.

2.2 The emergence of Evidence Based Policymaking

In the 1980s, Evidence Based Policymaking (EBP) emerged as a way in which policymakers could make better decisions. As noted earlier, one of the concerns in tax policy was that governments were acting in self-interest. EBP emerged from the belief that evidence tells us 'what works' and that this knowledge must be incorporated into policymaking processes. Because such evidence can also be misused – through cherry-picking, suppression of evidence or manipulation of evidence to confirm a particular position – policy decisions should be based on the rigorous use of 'scientific evidence'.[11] This approach was broadly adopted, including in tax. In ***The Case for Evidence***

9 Bird, RM. (2012). Taxation and Development: What Have We Learned from Fifty Years of Research?' IDS Working Papers. No. 427. Pp.1-19.
10 Dom, R. & Miller, M. (2018). Ibid.
11 Parkhurst, J. O. (2017). The politics of evidence: From evidence-based policy to the good governance of

Based-Policy, the authors argue that "[t]he main reason for basing policy on evidence instead of belief or hunch is to provide taxpayers an acceptable return on the enormous investment the nation makes in its public programs".[12]
EBP has become highly influential within government, academic, and media institutions.[13] Sutcliffe and Court (2015) give an instructive definition of EBP:[14]

EPB is a discourse or set of methods which informs the policy process, rather than aiming to directly affect the eventual goals of the policy. It advocates a more rational, rigorous and systematic approach. The pursuit of EBP is based on the premise that policy decisions should be better informed by available evidence and should include rational analysis. This is because policy which is based on systematic evidence is seen to produce better outcomes. The approach has also come to incorporate evidence-based practices.[15]

From around the late 1990s, EBP became a highly influential paradigm within a number of governments. The popularity of EBP is attributed to its prominence within the UK Labour Party.[16] Since then, it has often been a crucial tool for how government frameworks are developed by linking evidence and policy.[17] Many advocates of this approach emphasise rigour, science, rationality, objectivity, and the supposed apolitical nature of basing policy on evidence. This was contrary to non-EBP approaches which were based on inadequate social research.[18] In taxation policy, the attributes of EBP present limitations because tax policy decisions are not just technical but are also political.

Such a paradigm, that focuses on the technical process, ignores the political nature of policymaking and misunderstands how research data is used and to what end. Nutley et al. for example, write that "[r]esearch data only really become[s] information when they have the power to change views, and they only really become evident when they attract advocates for the messages they contain. Thus, the endorsements of data as 'evidence' reflect judgments that are socially and politically situated."[19] Research is not a-political, neutral and objective.
Furthermore, policymaking processes are made up of participants who possess different objectives, expectations, capacities, understandings, motivations, and commitments. Policy trade-offs cannot be resolved through a neutral 'scientific' method, particularly in the case of social policies.[20] As Parkhurst notes, "policymaking typically involves trade-offs between multiple competing social values, with only small proportion of policy decisions simply concerned with technical evidence of the effects of interventions".[21] Put differently, "while the social scientist can demonstrate how to get from point A to point B, the policymaker decides whether to strive for point B at all".[22] It is not always possible to control variables in a study on social phenomena as its biological ones. So the 'facts' regarding 'what works' are not always as clear or rigorous. This is highly evident in taxation policy. Bird (2012) highlights that the primary reason that taxes have not gone up is not that it is difficult to enact this but, rather, that "it is seldom in the interest of those who dominate political institutions to increase taxes".[23] Furthermore,

> **[w]ith respect to the tax-development nexus the choice seems clear: tax researchers need to understand the real constraints and objectives facing policymakers before offering them pre-cut solutions to what researchers think are their problems. Not only is the**

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evidence. Routledge, Taylor & Francis Group.
12 Urban Institute. (2008). The Case for Evidence-Based Policy. Retrieved from https://www.urban.org/sites/default/files/publication/59701/900636-The-Case-for-Evidence-Based-Policy.PDF
13 Parkhurst, J. O. (2017). Ibid.
14 Sutcliffe, S. and Court, J. (2015). Evidence-Based Policymaking: What is it? How does it work? What relevance for developing countries? Overseas Development Institute.
15 Sutcliffe, S. and Court, J. (2015). Ibid.
16 See for example: Wells, P. (2007). New Labour and evidence based policy making: 1997-2007. People, Place and Policy. Vol.1 No.1 22-29.
17 Jones, M. (2009). The side effects of evidence-based training. ***Journal of Psychiatric and Mental Health Nursing, 16***(7), 593–598. https://doi.org/10.1111/j.1365-2850.2009.01401.x
18 Head, B. W. (2010). Reconsidering evidence-based policy: Key issues and challenges, Policy and Society, 29:2, 77-94, DOI: 10.1016/j.polsoc.2010.03.001
19 Nutley. S., Powell, A., Davies, H. (2013). What counts as good evidence? Alliance for useful evidence. Retrieved from https://www.alliance4usefulevidence.org/assets/What-Counts-as-Good-Evidence-WEB.pdf
20 Corkery, A. & Isaacs, G. (2020). Human rights impact assessments and the politics of evidence in economic policymaking. The International Journal of Human Rights. 24:9, 1268-1289, DOI: 10.1080/13642987.2020.1804372
21 Parkhurst, J. O. (2017). Ibid.
22 Gitomer, D. and Crouse, K. (2019). Studying the Use of Research Evidence: A Review of Methods. A William T Grant Foundation Monograph.
23 Bird, RM. (2012). Ibid.

world within which tax policy decisions are made complex; so are the motivations of those who make, and react to, such decisions.[24]

Therefore, considering its weaknesses, strengths, implementation and its complex relations at the policy-research nexus EBP needs to be critically assessed. In this study, our methodological intervention into the fair taxation debate employs the Use of Research Evidence (URE) approach as an analytical framework for data collection and analysis. URE emerged because of the desire to study the effective use of research in EBP and the conditions to facilitate such use are still nascent. URE therefore enables the critical assessment of EBP. URE offers measures and methods for assessing the various ways in which evidence interacts with policy and practice.[25] These measures and methods derive from different methodological traditions and culminate to provide particular lenses and tools for understanding questions about the URE.

2.3 Use of Research Evidence (URE)

As a methodology, URE encompasses several different methods and approaches to assessing the various ways in which evidence interacts with policy and practice. Core ideas about URE in policy and practice can be traced back at least four decades. Regardless of the method, studies in the field of URE methods are typically situated at the intersection of three broad elements outlined by Gitomer and Crouse:[26]

- **Influences on research use:** A critical concern in studies of URE relates to the factors that influence the extent to which research is used by policymakers and practitioners. Shaping this are a host of contextual factors, including the political climate (for example, policy mandates for the use of evidence-based practice), organisational practices, the presence and roles of intermediaries, and individual characteristics (for example, knowledge of and attitudes towards research).
- **Targets of research use:** Studies have examined how research has been used to study different facets of policy and practice development and implementation, why research is used, and what the impact of such research use has been. These facets include processes related to the access of research, the use of research in the development of policy and practices, and its enactment in code, statute, practice guidance (for example, curriculum guides or professional standards), and implementation.
- **Claims about research use:** Methods are selected to investigate claims about how research is used, how people think about its use and the mechanisms that lead to research use. A range of methods have been used to make claims about the strength and/or nature of relationships.

We centred our study within these three elements as reflected in our research questions and selected methods (see below). Our point of departure, however, is that this study also places importance on understanding how research evidence itself is produced by CSOs. This is important for two reasons:

The production of research evidence is itself a political process that determines the output. The production process influences the extent to which research evidence is seen as a product (that is ready for use) in the policymaking process, including by CSOs.
The relationship between the demand and supply of research evidence is non-linear and complex. In tracing the relationship between research evidence and policymaking, it is also important to consider the supply of and the demand for research evidence.
This study thus shows the production of research evidence as a factor that influences its use. In the remainder of this section, we first define research evidence, followed by its use.

2.3.1 Defining research evidence

The parameters of research evidence is still contested, with differing implications for the relationship

24 Bird, RM. (2012). Ibid.
25 Farley-Ripple et al. (2018). Mapping the field: Use of research evidence in policy and practice. Available: http://www.cresp.udel.edu/wp-content/uploads/2018/10/Mapping-the-field-final-report.pdf
26 Gitomer, D. and Crouse, K. (2019). Ibid.

between research evidence and the policy process.[27] This is important to understand when considering how CSO research is perceived by state actors. Research evidence incorporates "a range of types of evidence, inclusive of research".[28] A traditional conceptualisation of research evidence, adopted in EBP, has assumed it to be "scientific, independent, academic, rigorous, subject to validation and open to critique".[29]

The legitimacy of different forms of research evidence continues to be challenged. In the traditional context of the 'scientific paradigm,' the tendency has been to have strict criteria as to what is considered to be 'good' evidence. Within it, there is the development of what is known as 'hierarchies of evidence,' a system attempting to rank different types of evidence and better equip policy makers in assessing their value. The idea is that only 'highly ranked' evidence should inform policy. This ranking can also be described as a preference for 'hard' evidence over 'soft' evidence, with the former including quantitative data or coded qualitative data that is seen as objective. In contrast, soft data (based on experience or case studies) is seen as less valuable and more subjective. This influences how research evidence is seen as an 'input' in the policymaking process, including by CSOs.

The preference for 'hard' evidence is often combined with a view that sees research evidence as an objective input into a linear policymaking process. In this traditional conception of the research-policy nexus, there is a "'logical' understanding of how decisions are made, characterised by several sequential stages controlled by decision-makers".[30] However, critics of this view, echoing criticisms of EBP, have argued that research evidence is "neither neutral nor uncontested; instead, evidence is a fundamentally ambiguous term".[31] Theories are based on hypotheses and/or interpretations of complex relationships. What policymakers consider as valid knowledge for policies, implicitly states their interpretation of reality. Research evidence for policymaking purposes must, therefore, be considered within the context of political dynamics that determine research production and uptake. As McPherson notes:

> **[t]his problem of how research becomes effective in practice is itself a social science question of considerable depth and complexity that deserves study in its own right. The paths by which research knowledge finds its way into the daily life of educational organisations, the paths by which practitioner knowledge is brought to bear and made to count in the research process, and the paths by which researchers become interested in problems of genuine importance to practice are complex and hard to understand and warrant systemic analysis and reflection.[32]**

The relationship between research evidence and policy is, therefore, best understood as shaped by various societal dynamics and relationships underpinned by power asymmetries. These must be considered when trying to understand the role of CSO-generated research in the policymaking process.

Our approach to research evidence acknowledges that scientific research and formal analysis are not the only valid forms of knowledge, and certainly not the only ones that are useful to the policymaking process. Jones et al., for example, state that while research can play an important role in policymaking, it needs to be complemented by other forms of knowledge.[33] Sutcliffe and Court argue that evidence-based policy should be based on research evidence defined as any systematic effort to increase the stock of knowledge. This means that they include all kinds of evidence as long as they have been collected through a systematic process. This may include any systematic process of critical investigation and evaluation, theory building, data collection, analysis, and codification related to policy and practice.[34] This is the approach we undertake in this study.

In respect to the perception of research evidence's ***role*** in the policy process, we take the view that the policymaking process is non-linear and the result of contested politics as to how that

27 Gitomer, D. and Crouse, K. (2019). Ibid.
28 Farley-Ripple, E. et al. (2018). Ibid.
29 Broadbent, E. (2012). Politics of research-based evidence in African policy debates. Synthesis of case study findings. EBPN. Retrieved from: https://www.alnap.org/system/files/content/resource/files/main/126565-ebpdn-synthesis-1.pdf
30 Broadbent, E. (2012). Ibid.
31 Sutcliffe, S. and Court, J. (2015). Ibid.
32 Tseng, V. (2012). The Uses of Research in Policy and Practice. Social Policy Report Vol. 26 No. 2.
33 Jones, H, Jones, N, Shaxson, L and Walker, D. (2013). Knowledge, policy and power in international development: a practical framework for improving policy. Overseas Development Institute.
34 Sutcliffe, S. and Court, J. (2015). Ibid.

evidence enters this process and how it is used is not always clear. Bird, for example, notes that VAT was introduced in France and extended across Europe for a range of political reasons but was later rationalised by economists using particular theoretical assumptions, that is, rather than the research evidence having been used to inform policy choices to begin with.[35] These complexities require an understanding of context, which we have tried to prioritise in this report.

2.3.2 Defining 'use' in the policymaking process

Within the field of URE, two approaches dominate the understanding of what it means to 'use' research evidence – generally distinguishing between the ***consideration*** of research evidence and the ***application*** of research evidence.[36] One view, associated with Webber (1991), is that "for the most part, 'use' is understood to mean 'consideration' and has been measured by interview questions asking 'would you find this type of research helpful? Or 'have you considered this type of information when making a decision?'"[37] Another view, associated with Weiss, argues that,

> **[t]he prevailing concept of research utilization is one that stresses application of specific research conclusions to specific decisional choices. It is the series of linkages, from problem definition to policy choice, that marks the 'use' of research. However, the major use of social research in public policymaking may not be problem-solving. It is beginning to look as though research use is a much more diffuse and circuitous process.[38]**

The approach taken here is to consider both definitions: consideration and/or application. Where research evidence was considered and not applied, we may be able to ascertain why not. This is equally as important for our study. We also acknowledge that use is not a 'one-off' event, but is rather a continuous process.

Understanding the policy process – and what drives it in the various contexts – is equally important to understanding how research evidence may shape it. Policy models influence where, when, and if the evidence is used. In this traditional conception of the research-policy nexus, there is a "'logical' understanding of how decisions are made, characterised by several sequential stages controlled by decision-makers".[39] The traditional approach does not take account of the politics associated with policymaking processes. To properly understand how research evidence is used (to better advocate for fair taxation policies), a different approach must be adopted that takes into account the politics.

In this report, we adopt Bowen and Zwi's (2005) approaches to understanding URE within a policymaking process.[40] The researchers of this study did not adopt a singular approach for how URE interacts in the policymaking process. Bowen and Zwi's models demonstrate the multiplicity of ways in which this occurs. Given the diversity in studies, it was important to acknowledge that there cannot be a one-size-fits-all approach. It was also important for the researchers to recognise that the interactions between URE and policymaking are not static. Meaning that researchers cannot assume the same model from the beginning of the production of the URE to the potential use by policymakers. For example, the approaches put forward for understanding this intersection acknowledge that research evidence can interact with context before it is fully adopted in policy and practice, and/or that different types of evidence are useful at different times in the policy process.[41]

Also important to our approach, is the consideration of how decisions about URE are made. There are a lot of inputs influencing decision-makers, and sometimes research findings may be displaced from policy discussions by other factors, such as political feasibility, personal priorities, public opinion, social implications, and budget constraints, amongst others. Broadbent raises the issue of how the nature of policymaking is inextricably linked "with power over material, relational, discursive and ideational resources, in that policy can both reflect existing power relations and

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TJNA's membership, which is composed of 32 national-based non-profit organisation

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22 countries on the African continent, was used as a subgroup to select the four case studies.

35 Bird, RM. (2012). Ibid.
36 Masset, E., Gaarder, M., Beynon, P., & Chapoy, C. (2013). What is the impact of a policy brief? Results of an experiment in research dissemination. Journal of Development Effectiveness, 5(1), 50–63. doi: 10.1080/19439342.2012.759257
37 Masset, E., Gaarder, M., Beynon, P., & Chapoy, C. (2013). Ibid.
38 Weiss, CH. (1978). Broadening the concept of research utilization. Sociological Symposium, 21:22.
39 Broadbent, E. (2012). Ibid.
40 Bowen, S & Zwi, A. (2005). Pathways to "Evidence-Informed" Policy and Practice: A Framework for Action. PLoS medicine. 2. e166. 10.1371/journal.pmed.0020166.
41 Bowen, S & Zwi, A. (2005). Ibid.

propagate them".[42] The use of research evidence in tax policymaking is, therefore, determined by social, economic, and political factors that must be taken seriously which EBP has failed to take into account.

Methods selected to assess the URE in tax policymaking need to account for the complexities in the global and local, historical, political, social, and economic contexts that are being studied. Methods selected also need to account for the assumptions of non-neutrality already outlined above and reflect the methodological approaches discussed. Accounting for these complexities requires more than one method to complement the limitations of other methods. Below we discuss the mixed-method approach.

2.4 Methods of data collection and analysis

This study was undertaken through a mixed-method case study design, using multiple measures to investigate the role of research evidence in tax policy. Mixed-method case study approaches are the best practice for URE studies.[43] Case studies allowed us to show the context of the policymaking process which, as the preceding section shows is imperative to properly understanding how research may/may not impact policymaking and so better inform CSOs regarding how to advocate for fair tax policies. By understanding the details of each case and by seeing the differences and similarities between and across them, we can produce findings that overcome the limitations of so-called 'neutral' or 'abstract' models of policymaking. In line with the methodological approach adapted for the study, the two interrelated methods of data collection and analysis were:

Case studies	The case study approach was adopted to provide narratives that describe the engagement between research evidence and the policymaking process over a specified period. The intention was to develop rich case narratives that explore not only the particular research done but also the changing contexts in which the work is carried out, along with the processes that were deployed to achieve influence.
In-depth interviews and review of secondary literature	This includes interviews primarily with CSO researchers and policymakers (see Appendix B for the questions), a review of the relevant literature, and CSO outputs. Data was collected on what people say about what they do, think, and believe (interviews); what they do in relevant contexts (observations);[44] and what they produce (tax documents).

Case study selections were made in light of the desire to have diversity both in demography and tax policy. It was important that case studies were selected from East, West, South, and North Africa as the study aims to better understand how URE happens in various contexts on the African continent. TJNA's membership, which is composed of 32 national-based non-profit organisation in 22 countries on the African continent, was used as a subgroup to select the four case studies. Cases were selected based on TJNA's engagements with the organisations, geographic diversity, and the type of tax policy the CSOs had been engaged with. TJNA's engagements with the selected CSOs were important because the pre-existing relationships enabled researchers to engage with the CSOs in a participatory way. The CSOs selected played a role in helping the researchers identify and initiate contact with various interviewees. The selection was furthermore based on where there was a TJNA member making a claim of research evidence having influenced policy towards fair taxation systems. While self-selection may raise issues of bias in terms of claims to influence, it is possible that the results may be contrary to the initial claim. The CSO profiles are included in Appendix C. While CSOs played this critical role in the study, they were not involved in the writing up of the report and thus are not responsible for the content contained in this document.

2.4.1. Limitations of the study

These case studies provide a rich tapestry of different instances of URE and the consequences that allow for better approaches to enhancing advocacy initiatives by CSOs. Case studies offer an opportunity to focus on specific variables to inform understanding of a larger set of cases.[45]

This project was intended to be an exploratory first stage to identify trends and issues that could be further explored in a later stage. We do not assume that only civil society research influences tax policy. By focusing on CSOs' deployment of research evidence, this study provides a starting

42 Broadbent, E. (2012). Ibid.
43 Crousse, K. Gitomer, D. (2019). Ibid.
44 Observations were planned, but not implemented due to COVID-19.
45 Broadbent, E. (2012). Ibid.

Methods selected to assess the URE in tax policymaking need to account for the complexities in the global and local, historical, political, social, and economic contexts that are being studied. Methods selected also need to account for the assumptions of non-neutrality already outlined above and reflect the methodological approaches discussed. Accounting for these complexities requires more than one method to complement the limitations of other methods.

point through which we can understand how CSOs, as one part of the process, can influence policy in their respective countries.

The initial research design was premised on the researchers of this study conducting in-person interviews and engaging with stakeholders 'on the ground' in the case-study countries. The COVID-19 pandemic, which saw many countries close their borders from March 2020 onwards, impacted the research plans of this study in the following ways:

- As stakeholders and the researchers scrambled to re-adjust to the new reality, the coordination of interviews was delayed with initially low response rates;
- The research could not be conducted 'in country,' thereby limiting the experiential knowledge and the ability to gain a deeper understanding into networks and thus identifying other pertinent actors, which would be gained from conducting interviews with the stakeholders; and
- The delays in interviews, which were meant to inform broader survey questions, meant that this (supplementary) data collection strategy had to be abandoned due to time constraints.

The following were implemented to deal with these challenges:

Interviews were largely conducted virtually between May and October 2020;

- Timelines were adapted, taking into consideration the challenges associated with COVID-19 global pandemic;
- Concerted efforts were made to build relationships with various stakeholders, which were more challenging to build virtually;
- Increased effort that was made to ensure a high response rate enabled the researcher to probe for more detail and adapt questions as more information emerged. Response rates for interviews were above 76% for all the case studies conducted; and
- In-country consultants were contracted on the basis of their experiential knowledge, proximity to the relevant stakeholders, and expertise in tax policy within their respective countries. The in-country consultants conducted the majority of the interviews (except for Nigeria)[46] using template questions and were responsible for note-taking and documenting the interviews.

Due to COVID-19 regulations the majority of the identified stakeholders participated in online interviews with the consultants, with IEJ researchers sitting in virtually. In some cases, in-country consultants conducted in-person interviews which were at their discretion given COVID-19 protocol in their respective countries and their comfort.

The researchers are of the view that in-person and in-country interviews, in a non-COVID-19 setting, would have increased the quality of the interviews, as well as ensured larger samples. Consultants led the interviews and provided reflections, based on their experiential knowledge, to the IEJ researchers.

Due to COVID-19 regulations the majority of the identified stakeholders participated in online interviews with the consultants, with IEJ researchers sitting in virtually. In some cases, in-country consultants conducted in-person interviews which were at their discretion given COVID-19 protocol in their respective countries and their comfort.

2.4.2 Virtual interviews and the use of research consultants

In developing the interviewee list, researchers conducted their desktop research and also asked the CSOs to identify other stakeholders who played a critical role in the process. Interviews were conducted largely using a semi-structured method, although structured interviews were also conducted. Questions were open-ended and intended to solicit responses on how an individual perceived the use of research evidence. This included questions on how they perceived the research evidence itself. There are a few exceptions, where structured interviews were conducted via email (largely follow-up interviews and one case where the interviewee could not participate in a virtual interview).

As indicated above, the COVID-19 pandemic meant that the intended research methods had to be substantially altered to allow for virtual interviews and the use of in-country research consultants. While the latter added to the project by way of knowledge of the context and access to stakeholders, this also required an additional intermediary between the interviewees and those writing the final report. This limited the ability for observational data to be collected as well as the depth of the interviews conducted.

Given the constraints due to COVID-19, the researchers aimed to conduct ten interviews (approximately an hour each) in each country.[47] The table below summarises the case study countries, policy areas, periods of review, and interviews completed:

46 The authors of this report were able to easily identify respondents and set up sufficient interviews in this case with the help of the CSO.

47 TOE was only able to submit an interview list of 8 which was subject to board approval

Table 2: Case studies

Country	Tax Policy area	Period of review	Interviews completed
Tunisia	Tax incentives law	2012-2018	***6 interviews*** 3 CSO stakeholders 3 policymakers (MPs)
Nigeria	Informal sector	2012-2020	***8 interviews*** 6 CSO stakeholders 2 policymakers (Revenue Service and Budget Office)
Uganda	Double-Tax Agreements	2014-2020	***6 interviews*** 2 CSO stakeholders 4 policymakers (MPs, Revenue authority)
Zambia	Tobacco	2018 - 2020	***9 interviews*** 7 CSO stakeholders 2 policymakers (Revenue authority)

The varying distributions of policymakers to CSO researchers were co-determined with the CSOs based on their access, as well as how many stakeholders were identified. This was also influenced by response rates and the accessibility of policymakers to the research consultants.

2.4.3 Valid interpretations of the study

There is a range of issues that impact the ease of interpretation of the data collected. In interviews, it matters where the events that are being assessed took place in relation to when the interview is being conducted. Interviews were sometimes conducted with a great deal of hindsight on the policy intervention or with little time has passed since. The time-lapse may influence the perspective of the interviewee. For example, they may be caught in the immediate thrill of having their research cited, but over the long term, they realise the government did that to co-opt and ignore them. The other issue that emerges is that of accuracy. Subjective accounts always need to be complemented by additional documents and other supporting material. However, social processes that led to the production of the document are rarely documented. This requires literature reviews and lines of questioning that take into account the contextual developments, both local and international, that were occurring at that point in time.

Gitomer and Crouse highlight a range of other issues related to valid interpretations.[48] One key issue raised is that of a disconnect between the parameters of the case and the data collected. This may occur because the case has not been adequately identified or inappropriate data has been collected, amongst other reasons. In case studies, the multiple methods implemented may raise questions "about how to integrate and analyse the data from the underlying methods. There may not be sufficient contextual data to reliably interpret such situations, and it may also extend outside of established theory. This is especially true of URE research because so much of the theory-building is still exploratory."[49] Given that the URE in fair tax policymaking is understudied in our selected case countries, these are considerations that must be taken seriously. Fortunately, this can be addressed through "internal inter-rater calibration, by checking with participants about whether the inferences comport with their understanding of their context, and by sharing evidence with others and allowing them to also make independent interpretations".[50]

TJNA and IEJ identified a reference group with whom they shared the findings. The reference group was composed of a combination of tax practitioners/researchers as well as the use of research evidence researchers. A group met on 2 December, 2020 to provide a preliminary review of the findings. In total, the authors of this report received feedback from 12 members of the reference group.

The CSOs we primarily engaged within each country and were invited to review the content of this document. Some of their insights are included.

48 Gitomer, D. and Crouse, K. (2019). Ibid.
49 Gitomer, D. and Crouse, K. (2019). Ibid.
50 Gitomer, D. and Crouse, K. (2019). Ibid.

2.4.4 Assumptions about causality

While there are claims of direct influence – of particular research outputs or processes on policy – across the cases, it is difficult to assess with full certainty whether such direct causality is present. As the case studies focus on specific variables and actors within defined timelines, it is possible that the URE could be highly correlated to events and processes not observed and/or documented. While interviews with various stakeholders, and wide literature reviews attempt to resolve this, these limitations cannot be fully eliminated.

It is also important to acknowledge and appreciate that "research use unfolds within a social ecology of relationships, organizational settings, and political and policy contexts".[51] These contexts are continuously evolving and thus it is challenging to capture how social, political, and economic forces affect individual and group processes within a limited study such as this. This is particularly the case when researchers are not able to travel to countries and cannot conduct interviews themselves.

2.5 CSOs and the tax policymaking process

2.5.1 The role of CSOs

Past studies on civil society, in a general sense, are extensive, with diverse definitions and debates around what civil society is, the functions it plays, and its relationship with the government. One of the most significant attempts to study the role of CSOs in the research-policy nexus is the Research and Policy in Development (RAPID) programme at the Overseas Development Institute (ODI). Sutcliffe & Court, the principle authors of the ODI study, concluded that: 1) better outcomes stem from better policy and practice; 2) better policy and practice occur when rigorous, systematic evidence is used; and (3) CSOs that use evidence better will have greater policy influence and greater pro-poor impact.[52] At the time, those working at the ODI aimed to encourage, inspire, and inform CSO efforts towards greater evidence-based policy engagement. Over the past 15 years, since this study, the context has changed, interest areas have evolved, and studies have been conducted on the URE in general. Thus, changing context is important.

Tax policymaking has come to be seen as a key aspect of improving domestic resource mobilisation, and a country's ability to enact pro-poor policies.[53] CSOs in the space are typically seen to fulfil three broad roles: tax policy analysis/research; advocacy for or against policy proposals; and raising awareness on tax rights and obligations. In Rainey et al.'s research on the involvement of CSOs in research policy and practice, it identifies some benefits of CSOs in the research evidence and policymaking nexus, including; capacity building, dissemination of local knowledge, transforming the system to become more responsive, and multi-dimensional legitimacy.[54]

2.5.2 The policy and research evidence nexus

Based on our scoping, a limited number of studies have been conducted with a particular focus on the URE generated by CSOs in tax policymaking. Most studies usually lump researchers under one banner, making it difficult to distinguish between the private sector, research institute, academic, or CSO-generated research, and which research influences the policy process. However, there is an increasing interest in fair and equitable taxation and how revenue can be directed towards public benefits.[55] This interest has "prompted a rapidly expanding focus on the crucial role of civil society in seeking to shape the tax reform agenda locally, nationally and internationally".[56] This study contributes to this larger literature that seeks to better understand the research evidence and policymaking nexus, with CSOs as a key area of interest.

Within the literature, there is recognition of a wide range of factors that determine the ability of CSOs to influence policy. Both external factors, namely the political or legal environment of a country, and internal factors, related to the expertise embedded within CSOs and the extent to which they have networks and other paths for influence, are emphasised.[57]

51 Tseng, V. (2012). Ibid.
52 Sutcliffe, S. and Court, J. (2015). Ibid.
53 Sharp, S., Sweet, S. & Menocal, AR. (2019). Civil Society Engagement in Tax Reform. Overseas Development Institute Report. Retrieved from https://odi.org/en/publications/civil-society-engagement-in-tax-reform/
54 Rainey, S., Wakunuma, K., & Stahl, B. (2017). Civil Society Organisations in Research: A Literature-Based Typology. VOLUNTAS: International Journal of Voluntary and Nonprofit Organizations, 28(5), 1988–2010. https://doi.org/10.1007/s11266-016-9816-y
55 Prichard, W. (2018). Improving tax and development outcomes: What Next for Civil Society Engagement? Washington, DC: Transparency and Accountability Initiative (TAI). Retrieved from https://www.transparency-initiative.org/blog/3788/http-bit-ly-taitaxoutcomes/
56 Prichard, W. (2018). Ibid.
57 Fioramonti, L. and Heinrich, V. (2007). How Civil Society Influences Policy: A Comparative Analysis of the Civicus Civil Society Index. Available: https://www.civicus.org/view/media/CIVICUS.ODI.Fioramonti.Heinrich.pdf

The International Budget Partnership (IBP) has found that "a large number of civic actors globally (31 of 42 surveyed) work on the issue of clarifying the value and impact of tax exemptions/fiscal incentives, and curtailing those that are inequitable and ineffective".This is consistent with the post-2010s international focus on international tax and losses from tax evasion and tax avoidance outlined earlier.

As noted earlier, the role of government "policymaking typically involves trade-offs between multiple competing social values".[58] Various stakeholders input into the process. Sharp et al. argue that one of the crucial factors impacting the URE generated by CSOs is that civil society groups focused on tax issues, tend to be reactive as opposed to being proactive in the space.[59] In other words, they usually respond to policies that have been proposed (for example an increase in VAT) rather than propose new policies themselves. This is confirmed in other research.[60]
These authors also largely agree that business associations, in contrast, "are active in pursuing the reform of taxes relevant to them, but usually with the aim of reducing the tax burden".[61] Lakin puts forward that capitalist business has two forms of power: instrumental and structural. The former refers to the direct capacity to influence policy through an overlap between political and economic power, that is, lobbying. The latter refers to indirect influence through, for example, "the ability of businesses to hold back investment when they are dissatisfied with policy, which can restrict the reforms that make it on to the political agenda".[62]

This shows how existing power dynamics are critical to understanding how institutional change happens (or does not). It also indicates that tax policy impacts powerful interests, can reshape the balance of power between states and society, and is thus deeply political.[63] Policymaking is inextricably linked "with power over material, relational, discursive and ideational resources, in that policy can both reflect existing power relations and propagate them".[64]

These power dynamics shape how various actors can engage in the policymaking process. CSOs primarily work in international tax issues, taxes on extractives, and taxes on specific goods and services. Sharp et al., also finds that that there is less civil society and think tank engagement on main domestic taxes, such as Value-Added Tax (VAT) and income tax.[65] The International Budget Partnership (IBP) has found that "a large number of civic actors globally (31 of 42 surveyed) work on the issue of clarifying the value and impact of tax exemptions/fiscal incentives, and curtailing those that are inequitable and ineffective".[66] This is consistent with the post-2010s international focus on international tax and losses from tax evasion and tax avoidance outlined earlier.

The choice by CSOs to work on international tax issues, as opposed to the domestic one, needs to be understood at the intersection of interactions between CSO, government, funders, and broader civil society. Studies generally conclude that "civic actors do not always have the technical skills or

These authors also largely agree that business associations, in contrast, "are active in pursuing the reform of taxes relevant to them, but usually with the aim of reducing the tax burden". Lakin puts forward that capitalist business has two forms of power: instrumental and structural.

58 Parkhurst, J. O. (2017). Ibid.
59 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
60 Lakin, J. (2020). Reflection points for civic actors on the politics of tax reform. International Budget Partnership. Retrieved from https://www.internationalbudget.org/publications/reflection-points-for-civic-actors-on-the-politics-of-tax-reform/; Sharp, S., Sweet, S. & Menocal, AR. (2019). Civil Society Engagement in Tax Reform. Overseas Development Institute Report. Retrieved from https://odi.org/en/publications/civil-society-engagement-in-tax-reform/ ; Wainer,. (2019). Taxation with Representation: Citizens as Drivers of Accountable Tax Policy. Save the Children Voices from the Field Blog, July 1. https://blog.savethechildren.org/2019/07/taxation-withrepresentation-citizens-as-drivers-of-accountable-tax-policy.html.
61 Lakin, J. (2020). Ibid. Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.; Wainer,. (2019). Ibid.
62 Lakin, J. (2020). Ibid.
63 Lakin, J. (2020). Ibid.
64 Broadbent, E. (2012). Politics of research-based evidence in African policy debates. Synthesis of case study findings. EBPN. Retrieved from: https://www.alnap.org/system/files/content/resource/files/main/126565-ebpdn-synthesis-1.pdf
65 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
66 Lakin, J. (2020). Ibid.

popular support around technical tax matters to make a difference".[67] However, Sharp et al., argues that "international support has been based on several assumptions – for example, that the key constraint on the engagement and influence of CSOs in tax reform is weak technical capacity. This assumption, and others, need to be tested". Their findings suggest that "the more fundamental challenges to civil society participation in and influence on tax reform are non-technical".[68] The non-technical constraints highlighted are:

The ability to build coalitions between various actors, including those who do not usually engage on tax issues;

- **CSOs' ability to apply their understanding of the context to engage strategically in tax debates, identifying entry points and taking advantage of political windows of opportunity;**
- **Strategic communication skills to convey tax messages in an understandable and persuasive way;**
- **Legitimacy of CSOs' standing with government and across civil society;**
- **Resource constraints, including funding restrictions and staffing shortages; and**
- **Public perception of CSOs.**

This study is based on four cases, half of which focus on domestic tax policies, and the other half, international tax policies. The composition helps us to better understand some of these constraints in a more nuanced manner. Studies in URE and tax policy either focus on international tax issues or domestic issues.

The authors also highlight the long-standing critiques of support to civil society by funders and these stem from the fact that it "is not primarily technical or even financial, but fundamentally political".[69] They summarise the critiques of CSO support as:

Too technical and focused on building technical capacity grounded in theories of change that do not take proper account of underlying politics and power dynamics, and are based on assumptions of how change happens that are not sufficiently tested/problematised;

- Based on perceptions of CSOs, they do not sufficiently recognise that 'civil society' is diverse and consists of diverse interests, incentives, ideas, and values that coalesce around different issues and may not always be aligned;
- Based on interventions, they tend to be top down and donor driven and not tailored to contextual realities;
- Focused too narrowly on either the 'supply' or 'demand' side of voice and accountability without building synergies between them;
- Siloed and fragmented in ways that make it difficult to develop a coherent approach to civil society support; and
- Rarely collaborate among themselves.

The political role of funding must be taken seriously.

This study is based on four cases, half of which focus on domestic tax policies, and the other half, international tax policies. The composition helps us to better understand some of these constraints in a more nuanced manner. Studies in URE and tax policy either focus on international tax issues or domestic issues. The mixed study approach may highlight areas of convergence that have not been explored in other studies. In particular, it highlights how politics and power matter.

Earlier, we noted that, since the 2010s, there has been a renewed recognition that context matters. We continue our literature review with case country-specific literature to contextualise their policymaking processes before we go into findings of how CSOs interact with these processes.

2.6 Case study backgrounds and contexts

This section outlines, in greater detail, the background and context of the cases selected. As indicated before, case study selection was made in light of the desire to have demographic and tax policy diversity. It was important that case studies were selected from East, West, South, and North Africa. The purpose of the study is to better understand how URE happens in various contexts of the African continent. Cases were selected based on TJNA's engagements with the organisations, geographic diversity, and the type of tax policy the CSOs had been engaged with. The selection of both domestic and international policy choices provides a unique opportunity to highlight how the link between URE and fair tax policy may vary depending on the type of tax policy. In all instances, the CSOs claimed that the research evidence they generated had influenced policy towards fair taxation systems.

67 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
68 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
69 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.

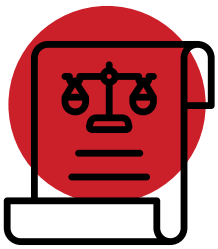
The case studies offer different lenses - informed by their historical, social, and economic contexts - into understanding URE and policymaking. While the existing literature scope provides us with an important understanding of CSO engagement in tax policy, it does not provide a systematic review of how policymakers themselves engage with outputs generated by civil society or the ongoing engagements between the CSOs and tax policy processes.

In Tunisia, for example, this study helps us better understand what makes URE effective when CSOs are more involved, compared to a previous state-centred and externalised policy context, where international actors played a dominant role. In Nigeria, the study helps us to understand the URE by policymakers in the context of a contentious domestic tax proposal (taxation of the informal economy). In Zambia, the study helps us to understand what determines URE when there are competing mandates and priorities (health care spending versus revenue) amongst policymakers from different governmental departments. In Uganda, the study helps us to understand when the URE by policymakers may be increased in a relatively exclusive (technocratic) tax policymaking process and where external actors have great influence. The Zambia case helps us to highlight non-technical constraints.

2.6.1 Tunisia

Tunisia's policymaking process, in general, has traditionally been through a top-down approach whereby "input has mainly come from senior civil servants and in some cases international donor institutions and special interest groups".[70] Senior members of the Tunisian administration described policymaking, before the 2011 revolution, as being driven by pre-defined objectives where evidence was based on statistics and data which had been manipulated to achieve pre-existing specified policy outcomes.
In 2012, the Tunisian Ministry of Finance commissioned the Organisation for Economic Co-operation and Development (OECD) Tax and Development Programme to analyse the Tunisian tax incentives regime within the framework of the ***Principles to Enhance the Transparency and Governance of Tax Incentives for Investment in Developing Countries.***[71] Up until this point, Tunisia had "yet to conduct an evaluation of the 1993 Investment Code, a major piece of legislation that lies at the heart of the investment regime and has a significant impact on job creation, growth and regional development, critical themes at the heart of the revolution".[72] The 1993 Investment Code and investment authorisations were "engineered to ensure significant advantages to the ruling family of Ben Ali, with many modifications to the regulatory framework introduced to block and stifle competition".[73] The objective of the analysis by the OECD was "to understand the current system's bottlenecks and to propose changes to improve efficiency of the system, in terms of its ability to mobilise revenue on one hand and to attract the right kind of investment on the other". The key high-level findings and recommendations from the OECD report were that Tunisia needed a new Investment Incentives Code aimed at transforming the 1993 Investment Code which "institutionalised an asymmetrical regime between enterprises wholly engaged in export (offshore) and those geared to the domestic market (onshore), under which the former benefits from financial and tax advantages and exemption from approvals".[74]
Discussions on the changes that needed to happen in fiscal policy, generally, included public consultations and were conducted in partnership with the European Union. The democratic elections of 2011 had brought about a "new political context and an increased thrust towards inclusive institutions, participative democracy, and decentralisation".[75] There were few independent think tanks before 2011. Following the 2011 revolution, Tunisia adopted a participatory and transparent approach to its policymaking process. In December 2013, the Ministry of Finance published its first Citizens Budget which was a significant milestone to promoting budget transparency in the country and lay the foundation for participatory budgeting processes.[76]

70 Amiri, K., & Kherigi, I. (2015). Public Policy Making in Tunisia: The Contribution of Policy Research Institutes (Think Tanks). Middle East Law and Governance. 7. 76-100. 10.1163/18763375-00701008.
71 OECD. (2013). Analysis of the Tunisian Tax Incentives Regime. Retrieved from https://www.uscib.org/docs/Tunisia_Tax_Incentives_Analysis.pdf
72 Kherigi, I. and Amiri, K. (2015). The Role of Public Policy Research Institutions in Policymaking in Tunisia. Retrieved from https://www.researchgate.net/publication/276126978
73 Amiri, K., & Kherigi, I. (2015). Ibid.
74 OECD. (2013). Analysis of the Tunisian Tax Incentives Regime. Retrieved from https://www.uscib.org/docs/Tunisia_Tax_Incentives_Analysis.pdf
75 Amiri, K., & Kherigi, I. (2015). Ibid.
76 Amiri, K., & Kherigi, I. (2015). Ibid.



In 2016 and 2017, Tunisia undertook major legal reforms to their fiscal, financial, and other incentives "to develop its business environment, improve its competitiveness, increase its export capacity, develop priority sectors and achieve sustainable development". One of the reforms was that the government decided to split the Investment Code into two: the Investment Law and the Tax Incentives Law.

While participatory avenues had been created, by 2014 "it [was] unclear how much tangible influence independent think tanks and civil society organisations [...] had on policy outcomes. Government officials expressed the view that when public consultations had been held with representatives of civil society, the input from civil society tended to be general and did not significantly influence the proposed drafts of the agreement or legal texts." The participation avenues were marred by,

> [t]he stifling political environment under dictatorship [prior to 2011] and historical practice of relying on international agencies and marginalising domestic think tanks means that the former have developed greater expertise, ease of access to data, an established track record and credibility in the field of policy research, ensuring they continue to be given greater access and called upon by government actors; thus creating a cycle that is difficult to break.[77]

Furthermore, the 2015 study on ***Public Policy Making in Tunisia: The Contribution of Policy Research Institutes (Think Tanks)*** found that:[78]

> When policymaking was based on evidence, it largely relied on internal studies by state agencies and ministries, or for major reforms, studies conducted by international institutions, either those providing financial and technical assistance or international consulting firms commissioned by the state. Many policy-related initiatives related to sectors such as rural development, poverty reduction, SMEs, or energy, are coordinated and commissioned by international institutions with the resources to sponsor such research.

In 2016 and 2017, Tunisia undertook major legal reforms to their fiscal, financial, and other incentives "to develop its business environment, improve its competitiveness, increase its export capacity, develop priority sectors and achieve sustainable development".[79] One of the reforms was that the government decided to split the Investment Code into two: the Investment Law and the Tax Incentives Law. The Investment Law "defines the legal regime for investment promoted by persons, resident or non-resident, in all sectors of economic activities, fixed by decree".[80] The Tax Incentives Law outlines the major tax incentives, mainly relating to export operations; investments in regional development zones; agricultural development support and depollution activities; and newly created companies.

The challenge to measuring policymakers URE generated by CSOs in Tunisia is that the relationship between the state and CSOs has been complex. What would be considered "wins" for civil society have been "counterbalanced by other actions by the state, particularly parliament, which is cautious of CSOs' expanding role in politics".[81] From 2011 to 2018, there was a proliferation of civil society organisations in Tunisia - around 11,400 CSOs were formed.[82] The murky relationship

77 Amiri, K., & Kherigi, I. (2015). Ibid.
78 Amiri, K., & Kherigi, I. (2015). Ibid.
79 Kammoun & Kallel. (2017). The new generation of business laws. Retrieved from https://www.kammoun-kallel.com/wp-content/uploads/2016/05/Newsletter-Tunisia-2017-Business-Law-Reform.pdf
80 PricewaterCoopers. (2020). Tunisia: Corporate - Tax credits and incentives; https://taxsummaries.pwc.com/tunisia/corporate/tax-credits-and-incentives
81 Youssef, M. (2018). A murky state-civil society relationship in Tunisia. OpenDemocracy. Retrieved from https://www.opendemocracy.net/en/north-africa-west-asia/murky-state-civil-society-relationship-in-tunisia/
82 Ben-Hassine, W. (2018). Tunisian civil society's unmistakable role in keeping the peace. Retrieved from https://www.atlanticcouncil.org/blogs/menasource/tunisian-civil-society-s-unmistakable-role-in-keeping-the-peace/

between the State and CSOs began in 2014 as signs of restrictive practices started to be signalled. These restrictive practices primarily concerned the registration of new CSOs. In 2018, however, the Tunisian government implemented a new law that added new registration procedures for non-profit organisations to register and provide various data on their staff and funding aimed at countering money laundering and terrorism financing. CSOs have argued that the discourse targeting civil society as protectors of terrorists has led to a closing of civic space.[83]

This case study adds to the body of literature on post-revolution Tunisia. While it is generally acknowledged that the policymaking process has seen wider participation and engagement from civil society and the wider public as democratic spaces for CSO participation have opened, there aren't many studies on whether research evidence from these actors has been used in policymaking processes.

2.6.2 Nigeria

The case study in Nigeria looks into the issues of whether informal workers should be taxed – a widely debated issue. One of the key questions, for example, is whether informal sector taxation "strengthens public accountability or [whether it simply] creates new avenues of predation".[84] Meagher's (2016) paper, based on Nigeria, concludes that taxing the informal sector promotes social divisions rather than restoring the social contract. However, in contrast, the ongoing work by CSOs in Nigeria suggests that "for informal workers themselves, the two single largest issues are tax-for-public services and multiple taxations".[85] In particular, market workers are reported to be most interested in the provision of public services in the markets in which they work (and pay fees, taxes, and permits). Thus, the focus has been on establishing a social fiscal contract model in which taxpayers (including informal workers) pay taxes and that these taxes, in turn, be redistributed to them through the public provisioning of goods and services.

In 2012, a National Tax Policy (NTP) document was released which was expected to "provide a direction for Nigeria's tax system and establish a framework that all stakeholders would subscribe to and to which they would be held accountable".[86] The NTP stakeholders' consultative process began with the report from a study group established in 2002, to examine the tax system and make appropriate recommendations towards entrenching a better tax policy and an improved tax administration in the country.[87] In the publication of the 2012 NTP, the Federal Ministry of Nigeria notes that,

> [o]ver the years, our efforts to diversify the Nigerian economy and reduce our dependency on oil resources that are subject to price fluctuations in the world market have not been successful due to lack of specific policy direction for tax matters in Nigeria and the absence of laid down procedural guidelines for the operation of the various tax authorities.

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The Nigerian government inaugurated a national tax policy committee in 2016. This committee was responsible for reviewing and updating the NTP and recommending an implementation strategy. The revised policy in 2016 proposed the following principles for the NTP of Nigeria:[88]

- **Equity and Fairness:** Nigeria's tax system should be fair and equitable devoid of discrimination. Taxpayers should be required to pay according to their ability.

83 Ghali, A. (2018). Civic space in Tunisia: international dynamics don't always help Retrieved from https://www.civicus.org/index.php/re-imagining-democracy/stories-from-the-front-lines/3319-civic-space-in-tunisia-international-dynamics-don-t-always-help#_ftn4; See also Kawakibi Democracy Transition Center. (2016). Enabling Environment National Assessment of Civil Society in Tunisia. Retrieved from https://www.civicus.org/documents/reports-and-publications/eena-reports/eena-tunisia-en.pdf;

84 Meagher, K., & Lindell, I. (2013). Introduction. African Studies Review, 56(3), 57-76. Retrieved April 6, 2021, from http://www.jstor.org/stable/43905054

85 Meagher, K. (2016). Taxing Times: Taxation, Divided Societies and the Informal Economy in Northern Nigeria. The Journal of Development Studies, Vol. DOI: 10.1080/00220388.2016.1262026.

86 Deloitte. (n.d). Nigeria's National Tax Policy: Any agenda for the new FIRS' Chair? Retrieved from https://www2.deloitte.com/ng/en/pages/tax/articles/inside-tax-articles/nigerias-national-tax-policy-any-agenda-for-the-new-firs-chair.html

87 Federal Ministry of Finance of Nigeria. (2012). National Tax Policy. Available: http://admin.theiguides.org/Media/Documents/NATIONAL%20TAX%20POLICY.pdf

88 PricewaterCoopers. (2016). Nigeria's New National Tax Policy: A new dawn or another false start? Retrieved from https://www.pwc.com/ng/en/assets/pdf/new-national-tax-policy.pdf

- **Simplicity, Certainty, and Clarity:** Tax laws and administrative processes should be simple, clear, and easy to understand.
- **Low Compliance Cost:** The financial and economic cost of compliance to the taxpayer should be kept to the barest minimum.
- **Low Cost of Administration:** Tax Administration in Nigeria should be efficient and cost-effective in line with international best practices.
- **Flexibility:** Taxation should be flexible and dynamic to respond to changing circumstances in the economy in a manner that does not retard economic activities.
- **Sustainability:** The tax system should promote sustainable revenue, economic growth, and development. There should be a synergy between tax policies and other economic policies of the government.

The International Centre for Tax and Development (ICTD) has argued that current frameworks on tax policy are adequate. On their website, they state that:

> [a] key challenge to improving tax systems in Nigeria is the lack of quality evidence about how the existing tax system is performing and what could be done to improve it. Researchers in Nigeria are currently faced with many challenges, ranging from inadequate funding, poor access to data, lack of access to relevant journals, inadequate libraries, and weak research capacity. Donors and revenue authorities have made considerable efforts to alleviate these challenges, but there is still a long way to go.

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ICTD also argues that there is a weak link between research and tax policy-making in Nigeria and that policymakers need to be provided with evidence to make good decisions.

The ODI's 2019 report by Sharp et al, concludes that tax policy in Nigeria remains much centralised within government and the scope for engagement is dictated from the top down. They further argue that "[a]s a result, CSO work is much more reactive and CSO involvement may not translate into real influence on tax decision-making processes".[89] Respondents in that study felt that CSO involvement remains rather tokenistic and the government can easily disregard proposals with which it disagrees. In summary according to Sharp et al.,[90]

- There is some CSO engagement on international tax (such as illicit financial flows). The abundance of the country's natural resources (particularly oil and gas) probably limits public interest in domestic taxes.
- Business associations dominate national engagement on tax issues.
- Most civil society engagement appears to be at the state level. Specific state-level issues spur mobilisation and public resistance. These issues include double taxation, property taxes, and business registration fees. The CSOs involved do not necessarily undertake substantial work on tax, but represent affected sectoral interests that would face increased taxes.
- Influence often depends on public-sector officials in the individual states and their openness to civil society involvement. CISLAC has also indicated that the political arena in Nigeria poses a huge threat to their engagements due to instability arising from political transition that leads to constant engagement of newly elected officers.
- There is a lack of sustainable organisations in different states with substantial engagement on tax and a trusted relationship with government (possibly due to the dispersed nature of tax policy across states).

In the report, it is further argued that:

> Civil society lacks influence over the federal government thanks [to an inability] to unpick tax issues and top-down policy-making (government communicates decisions without consultation). Few CSOs work-on tax on an ad hoc basis (for example, the CISLAC, Oxfam and ActionAid), probably because tax is not a salient public issue in Nigeria. Technical capacity is reportedly weak.[91]

In Nigeria taxes are collected by different agencies within the state with different interests. Tax in Nigeria happens in three tiers; Federal government, Federal Inland Revenue Service, and Local

89 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
90 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
91 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.

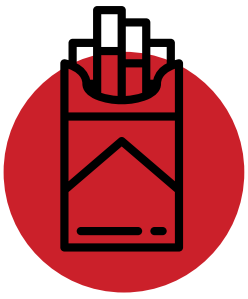
Governments. Taxes payable to the Federal Government are administered by the Federal Inland Revenue Service (FIRS), while those payable to the State Governments are administered by the State Boards of Internal Revenue (SBIRs) of the 36 states of the Federation. Local Governments also administer rates and levies collectible by them through their various councils. The tax policy (taxing the informal economy) selected in this paper was engaged with at all three levels, which presents a unique study on the URE generated by CSOs along the contours of the tax system.

This case study adds to the body of literature on the taxation of the informal economy and perceptions of fairness. It helps us to better understand how policymakers engage with contentious tax proposals in the context of the principles outlined in the NTP on equity and fairness, and low compliance cost amongst other principles. The existing literature prior to this study suggests that CSOs have little, or no, influence, which contradicts the primary CSOs' claim of research evidence having influenced policy towards fair taxation systems.

2.6.3 Zambia

In Zambia, the intersections of domestic mobilisation versus health outcomes have become a topical issue. While taxation, in general, is typically focused on revenue mobilisation, the taxation of goods like tobacco is often instituted to also effect some kind of behavioural change. In this case, to limit the number of people smoking usually out of a belief that the harmful health impacts of smoking place an undue burden on the health system and may result in the shifting of resources to healthcare and away from other areas. This is evident in some of the research that has been done on tobacco consumption and the role of taxation in Zambia.[92] This is described as creating policy incoherence and the potential for tensions between different departments that are working towards different imperatives (for example, growing the tobacco industry to increase jobs, exports, and revenue) and cutting tobacco consumption (to improve health outcomes).[93]

In 2008, Zambia ratified the World Health Organisation (WHO) Framework Convention of Tobacco Control (FCTC) which requires the scaling back of tobacco supply.[94] Zambia however continues to increase its production and (to a lesser extent) processing of tobacco.[95] A number of studies have indicated that the use of tobacco is increasing in Zambia. The WHO for example estimates that the number of smokers in the country will increase from 1.2 million in 2015 to 1.5 million in 2025.[96] In one study,



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92 See for example: Chelwa G, Van Walbeek C. Assessing the Causal Impact of Tobacco Expenditure on Household Spending Patterns in Zambia. Economic Research Southern Africa. 2014 http://econpapers.repec.org/paper/rzawpaper/453.htm
93 See for example: Chelwa G, Van Walbeek C. Ibid. Africa. (2014). http://econpapers.repec.org/paper/rzawpaper/453.htm
94 Labonte et al. (2018). The Institutional context of tobacco production. Globalization and Health. Vol. 14 No. 5. Available: https://globalizationandhealth.biomedcentral.com/articles/10.1186/s12992-018-0328-y
95 Labonte et al. (2018). Ibid.
96 World Health Organization. (2015). WHO Global Report on Trends in Prevalence of Tobacco Smoking. Geneva, Switzerland: World Health Organization, 2015

Zambia previously benefited from the Highly Indebted Country Initiatives (HIPC) multilateral debt relief initiative in 2005 by the IMF. Following this, the IMF did a diagnostic study of the ZRA, resulting in the implementation of 'modernisation reforms' that were "premised on three pillars. These included the integration of the fragmented elements of tax administration within a single, functionally organized Domestic Taxes Division falling under a single Commissioner; the creation of a functionally structured headquarters to design and monitor all operational activities; and the reorganization of field offices based on taxpayer segments, with separate functionally-organized offices, focused on large, medium, and small taxpayers respectively"

Health Ministry officials spoke of friction among the different Ministries and their competing mandates. The Ministry had attempted to involve the Ministry of Finance in a commitment to increase taxes related to tobacco products (one of the reduction strategies advanced by the FCTC), but Finance did not engage. Further attempts were made to develop inter-ministerial collaboration among the Commerce and Agriculture Ministries, Zambia's Bureau of Standards, and the Zambia Revenue Authority (MOH), but continually faced challenges because the mandates and priorities of these other institutions conflicted with those of Health.[97]

Following various revenue reform interventions and declining government revenues between the 1970s and early 1990s, the Zambian Revenue Authority (ZRA) was created - under the Zambian Revenue Authority Act in 1994 - as a semi-autonomous agency to collect taxes on behalf of the central government. It was only the second African country, after Uganda, to establish an agency of this nature.

When Zambia gained its independence, it embarked on a project of ensuring that resources were allocated across the country and not just in mining areas around which former colonial settlers had been concentrated.[98] Following various revenue reform interventions and declining government revenues between the 1970s and early 1990s, the Zambian Revenue Authority (ZRA) was created - under the Zambian Revenue Authority Act in 1994 - as a semi-autonomous agency to collect taxes on behalf of the central government. It was only the second African country, after Uganda, to establish an agency of this nature. It is classified as a body corporate and an agency of the government and falls under the Ministry of Finance and National Planning.[99] The Zambian tax system in the post-1960 period has been described as relatively stable with the central government having monopolisation over revenue collection.[100]

The Zambian economy is largely driven by the mining industry. A great deal of attention with regards to taxation policy - by CSOs in particular - has therefore been focused on this, including whether the mining sector contributes enough to government revenues. Debates regarding taxation also take place within the context of a growing debt burden in Zambia, exacerbated by the COVID-19 pandemic; Zambia missed two Eurobond coupon payments during the COVID-19 crisis, one in November 2020 and another in January 2021.[101] While a full discussion of questions regarding debt sustainability, unequal debt burdens, and debt relief is beyond the scope of this paper,[102] it is worth noting that questions on domestic resource mobilization importance become greater within this context.

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97 World Health Organization. (2015). Ibid.
98 Kabinga, M and Yambani. A. (2017). Zambia III: Context and History". Unpublished country report of the Tax Justice and Poverty Available: https://www.taxjustice-and-poverty.org/results/zambia/country-report.html
99 Kabinga, M and Yambani. A. (2017). Ibid.
100 DiJohn, J. (2010). The Political Economy of Taxation and State Resilience in Zambia since 1990. CSRC Working Paper no. 78.
101 Mtimingi, TC. (2021). Zambia Skips 2027 Eurobond Coupon Payment, Finance Ministry Says. Bloomberg Markets. Retrieved from https://www.bloomberg.com/news/articles/2021-01-31/zambia-skips-2027-euro-bond-coupon-payment-finance-ministry-says?sref=uMuyuNij
102 Institute for Economic Justice. (2021). The impact of public debt on human rights during COVID-19 Available: https://www.iej.org.za/wp-content/uploads/2021/06/IEJfactsheet-4-Debt-sustainability-2.pdf
103 Zambia Revenue Authority. (n.d). About Us. Retrieved from https://www.zra.org.zm/about-us/

The board of the ZRA has an important role, described on their website as "oversee[ing] the organization and administration of the Authority and management of its resources, services, property, personnel and develops the corporate strategic plan, and such other administrative policies as are necessary for the smooth running of the Authority".[104]

Alongside these changes, it is important to outline the role that civil society plays in taxation policies and the budget process. The Zambian budget process is described as having become more participatory since 2008 when the government began to invite budget policy proposals from non-state actors. The increased participation has been said to increase the accessibility of such groups in the budget process, making it more transparent and, according to some, has increased the stability of the taxation system.[105] However, the private sector has an outsized role in this, relative to other civil society actors like NGOs. The strong role for business and professional groups is, for example, evidenced by their presence on the board of the ZRA. In addition to government representatives, membership of the ZRA board includes: a representative of the Law Association of Zambia; the Zambia Association of Chambers of Commerce and Industry; the Zambia Institute of Certified Accountants; and the Bankers' Association of Zambia. There do not appear to be any spaces held for other civil society actors.

This assessment is supported by a recent study by the ODI which assesses civil society engagement in tax reform. They note that while NGOs do make submissions to the budget process, the process is "increasingly used to lobby for tax concessions and exemptions" by NGOs, business, and professional associations.[106] NGOs focus primarily on mining taxation in a collaborative approach with the government and are less active on domestic tax issues. The ODI reports that "the government makes policy privately and announces it. CSOs' work on domestic policy is mainly in early-stage analysis, with less advocacy. The safe space for criticism of government is limited, especially for organisations that are not part of larger coalitions."[107]

The capacity to engage in mining taxation is greater than other areas (related to the fact that this is where the focus of civil society has been) and this is said to partly be the result of significant donor resources being directed to increasing capacity in this area. This also results in the fact that the NGO agenda is set by external actors because it tends to be tied to funding. This is not limited to just NGOs however. For example, the ZRA notes on their website that "the Department of International Development (DFID) of the United Kingdom was instrumental in assisting in the operationalization of the Zambia Revenue Authority by among other things sourcing through international competitive advertisements, experts to run the organisation".[108]

This case study adds to the body of literature on what determines URE when there are competing mandates and priorities (health versus revenue) amongst policymakers from different governmental departments. It is a unique case because the considerations of fairness must be considered beyond revenue considerations and tax burden to payers.

2.6.4 Uganda

A major concern in recent years, globally, has been that Double Tax Treaties (DTAs) allow for "aggressive tax planning schemes,"[109] that is, forms of tax avoidance and evasion (legal and illicit). This planning has resulted in 'treaty shopping' whereby multinational companies look for countries whose treaty agreements allow them to pay less tax.[110] DTAs were initially set up to avoid the corporation being taxed in both jurisdictions, which was thought to have a depressive effect on investment, especially in developing countries. Treaty negotiations are highly political processes. DTAs are highly technical and thus can "end up not being thoroughly scrutinised from the per-

104 Zambia Revenue Authority. (n.d). Ibid.
105 DiJohn, J (2010). Ibid.
106 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
107 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
108 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
109 Hearson, M and Kangave, J. (2016). "A Review of Uganda's Tax Treaties and Recommendations for Action" ICTD Working paper 50.
110 For a full assessment of DTAs with reference to Uganda see: Kalizinje, F. (n.d) Dangers of Double Tax Agreements in Financing Development in Africa. TJNA report. Available: https://www.globaltaxjustice.org/sites/default/files/DTA-Analysis-Report.pdf

14%

Uganda's tax revenue to GDP ratio

Calls for greater domestic resource mobilisation through taxation in the country take place within the context of a widening debt burden. The World Bank, for example, finds that the current tax revenue to GDP ratio is under 14% which is lower than comparable countries like Kenya (18% in 2016), Rwanda (16%), and Tanzania (14.5%) and is also below Common Markets for Eastern and Southern Africa (COMESA) and Sub-Saharan African averages.

spectives of the policymaker and the technocrats".[111] Because of the highly political and top-down nature of the treaties, there is also a lack of transparency in the process with limited information shared with civil society or even parliament; this has reportedly been the situation in Uganda.[112] Appendix D contains a Figure on the ratification process in Uganda.

In general, the government in Uganda is described as "reluctant to engage with CSOs due to sweeping distrust (of all sectors of civil society)" and a "hostile environment for CSOs".[113] Tax policy-making, particularly DTAs, is a top-down process in the country with few. As with the case of Zambia, the board of the Ugandan Revenue Authority (URA) has a number of representatives, but has even less representation from outside of government, with the only mandated civil society position for the Uganda Manufacturers Association. Other business associations like the Private Sector Foundation Uganda and the Uganda National Chamber of Commerce are also actively engaged in lobbying for policies that benefit their members. Access to government by CSOs is thus limited or not fully transparent with "proactive work often behind closed doors" and CSOs tax bill proposals are often ignored.[114]

There have been several tax-policy reforms in Uganda. In 1991, it was the first country in Sub-Saharan Africa to establish a semi-autonomous revenue collection agency[115] in the form of the Uganda Revenue Authority (URA) under the Uganda Revenue Authority Statute No. 6 of 1991. Similar to Zambia, donors played a major role in the development of the URA and the broader reform process in which this occurred. Fjelstad writes that "[t]he hiring of expatriates was initially pushed by foreign donors who were heavily involved in financing the administrative reform through technical assistance".[116] The reform process included many other reforms such as the institution of VAT and an e-Tax system amongst others.[117]

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70%

70% of the population works in agriculture.

20%

However, agriculture only contributes only 20% to tax revenue

111 Hearson, Martin and Kangave, Julia. (2016). A Review of Uganda's Tax Treaties and Recommendations for Action. ICTD Working paper 50.
112 Hearson, Martin and Kangave, Julia. (2016). Ibid.
113 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
114 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
115 The shift to semi-autonomous revenue collecting models "aims to remove the revenue collection function partly or fully from the direct control of the Ministry of Finance by integrating tax operations into a single purpose agency, and to free the tax administration from the constraints of the civil service system." For more on this see Odd-Helge Fedelstad. (2013). Taxation and development: A Review of donor support to strengthen tax systems in developing countries. WIDER working paper No. 2013/010.
116 Fjelstad., O. (2005). Corruption in Tax Administration: Lessons from institutional reforms in Uganda. CMI Working Paper 2005:10. Available: https://open.cmi.no/cmi-xmlui/bitstream/handle/11250/2436024/Working%20paper%20WP%202005-10.pdf?sequence=2
117 See: The World Bank report. May 2018. Financing Growth and Development: Options for raising more domestic revenues. Uganda Economic Update, 11th edition. p. 23
118 The World Bank report. (2018). Financing Growth and Development: Options for raising more domestic revenues. Uganda Economic Update, 11th edition. Available: http://documents1.worldbank.org/curated/en/425631526323380885/pdf/126184-WP-PUBLIC-FinalReportUgandaEconomicUpdate.pdf

There are a number of factors influencing the ability of the Ugandan government to generate tax revenue. Its economy is still highly dependent on agriculture: 70% of the population works in agriculture. However, agriculture only contributes only 20% to tax revenue.[119] The low tax revenue collection from agriculture is attributed to low productivity in the sector.[120] President Museveni's regime prioritised the development of the tax revenue system in the aftermath of the civil war. While this was done initially on the grounds of autonomy, there have been strong reports of political interference and conflict between the URA and political elites.[121] This in part leads to low tax morale in Uganda and low compliance.[122] The country has a narrow tax base with a small number of companies making up a large proportion of taxpayers.

This case study adds to the body of literature on URE by policymakers that was generated by CSOs around drafting DTAs in a context where external actors have great influence. DTAs are seen as highly technical and this has been used to exclude various civil society actors from the DTA process. Given the technical expertise that the selected CSO has, this case helps us better understand what other non-technical factors impact the effectiveness of URE.

119 Sohee, K. & Taekyoon, K. (2018). Tax Reform, Tax Compliance and State Building in Tanzania and Uganda. Africa Development. Vol XLIII No. 2. Pp. 35-64.
120 World Bank. (2021). Available: The World Bank in Uganda, https://www.worldbank.org/en/country/uganda/overview
121 Fjelstad also makes this point writing that "Political interference at the URA as the Ugandan case shows, it should be recognized that tax administrative reforms often are highly political processes that will inevitably pose a threat to important domestic stakeholders. The successful implementation of such reforms therefore requires political will to back them up."
122 The World Bank report. (2018). Ibid.

03 CASE FINDINGS

This section presents the four case study findings. In doing so, it interrogates the complexity of research evidence and policy nexus, as well as the role of policymaking institutions and research evidence producers. The two primary questions to which the study sought to respond are:

1. *How has CSO research evidence been used by tax policymakers?*
2. *What factors influence the extent to which tax policymakers use research evidence generated by CSOs?*

The case studies are divided into the following sections; an overview of claimed influence and a summary of the factors, the production of the research evidence, the entry of the research into the policymaking process, and lastly, policymakers' engagements with the research evidence.

The studies are presented in a narrative format that demonstrates the engagement between the CSOs and the tax policy process within each country over particular periods. As such, these studies do not cover COVID-19 developments. The purpose of the case studies is to illuminate the link between URE and fair tax policy.

3.1 TUNISIA: A case of tax incentives

3.1.1 Overview

While Tunisia had moved from a state-centred and external (international actors) approach, external factors such as the International Monetary Fund (IMF) were still deeply present in the policymaking process. Despite the political context shift, CSO participation remains limited. As noted by a researcher, "engaged research is still a limited field in Tunisia. Not many actors take advantage of it as is the situation in other developing countries."[123] They note that there are a number of barriers to participation which include "inaccessibility of information to citizens due to the government's reticence to share any information it has, the limited information government may have, and databases of the government not being up to date."[124] This allowed the Tunisian Observatory of the Economy (TOE) to emerge as an important voice of critique. The TOE was established in 2012 by researchers, analysts, and activists concerned about public policies after the onset of the Tunisian revolution, which occurred between December 2010 and January 2011. TOE was originally set out as an International Financial Institutions (IFIs) activities' watchdog group with the primary role of highlighting the impacts, roles, and influences of IFIs on public policy-making in Tunisia.

TOE's existence and subsequent influence was largely informed by the shift in a political context - as noted in the literature review, the democratic elections of 2011 had brought about a new political context that sought to democratise the policymaking process. TOE emerged as one of the few organisations with the mandate of contributing to policy by contributing to progressive economic thinking in the country.

Over time, TOE has managed to establish itself as a critical player in the civic space by publishing research outputs, providing training opportunities, participating in parliament, and collaborating with various stakeholders (including policymakers) to respond to the developmental needs of Tunisia.[125] In past years, TOE had a parliamentary correspondent who was responsible for monitoring discussions and assessing when there were "windows of opportunity" for the CSO to put their research evidence into the policymaking arena. While TOE continues to monitor parliamentary activities from a distance, they no longer have this correspondent due to resourcing constraints. The parliamentary correspondent played an important role in TOE's research evidence and establishing relationships with policymakers in finance committees. This set the foundation for future engagements between the CSO and policymakers.

3.1.2 Claimed influence and a summary of the factors

In **Tunisia**, the amendments made to the law relating to the revision of tax incentives was primarily guided by research evidence conducted by the TOE. This amendment was published by the office of the Presidency in Tunisia.[126] While a number of tax policy proposals had been made, this was the first in the country since the Investment Incentives Code passed in 1993, which governs both national and foreign investment.

While TOEs research evidence outputs began in 2012, it was only in 2016 that policymakers worked with TOE to draft the amendment to the law relating to the revision of tax incentives using TOE's research evidence produced over the years. In our findings, the uptake in civil society research evidence by policymakers was influenced by the following factors:

A context in which policymakers were seeking major legal reforms;

a. Waiting until the "right time" – TOE had published 2 studies on the issue prior to engaging in this particular policy making process;
b. The CSO's perceived nonpartisan status and the strength of the research evidence put forward (characterised by strong quantitative arguments including a cost assessment);
c. The CSO's demonstration that the policy proposed was common practice elsewhere, especially in comparatively similar, developing countries, such as Morocco and Senegal;
d. The continuous engagements with members of parliament (MPs) made the MPs feel they could engage on the topic from a position of knowledge and power; and
e. The tailoring of research evidence to address MPs' concerns (related to party foci), whether these be tax justice or increasing efficiency.

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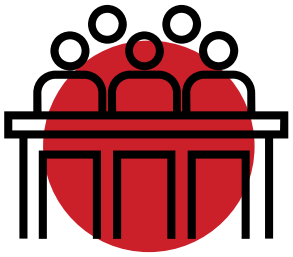
123 Interview with TOE
124 Interview with TOE
125 Development Assistance Roadmap Portal in the Middle East. (2020) The Tunisian Observatory of the Economy (OTE). https://darpe.me/implement-entries/the-tunisian-observatory-of-the-economy-ote/
126 Presidency of the Government, Republic of Tunisia. (2017). Law no 2017-8 dated 14 February 2017, relating to the revision of the system of tax advantages. http://www.legislation.tn/en/detailtexte/Loi-num-2017-8-du---jort-2017-015__2017015000081?shorten=kJv3

A context in which policymakers were seeking major legal reforms;



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e. **The tailoring of research evidence to address MPs' concerns (related to party foci), whether these be tax justice or increasing efficiency.**

3.1.3 The production of the research evidence

TOE's work on the issue began in 2012 with the production of two papers on the topic of tax incentives, including the 2014 working paper entitled '***Assessment of investment incentives in Tunisia***.'[127] The working paper sought to highlight the domestic resource mobilisation impacts of the old investment code. TOE then utilised national budget data to measure the magnitude of the lost revenue for the state budget and the balance of payments. TOE's analysis of the data showed that the current regulatory regime not only cost Tunisian taxpayers but had no direct and causal effect on growth, employment, or investment. Conducting a sectoral analysis, TOE researchers distinguished between good and bad investments on a sectoral basis. They argued that the manufacturing sector demonstrated good investment because it was a net exporter which employs thousands of Tunisians. On the other hand, they argued that the energy sector bleeds the country's currency, does not employ many Tunisians, takes unfair advantage of tax, customs, and financial incentives, and operates with opacity, therefore being conducive to corruption, making it a bad investment. In the paper, they use this research evidence to counter the dominant narrative around the cause of deficits in Tunisia.[128]

This paper had a few similar findings to that of the OECD paper published in the previous year in that it called for a comprehensive tax reform effort, including tax policy and tax administration, to mobilise domestic resources more effectively. The OECD paper also had an employment focus which was an area that needed to be addressed. However, the point of crucial divergence was that TOE's recommendation was for Tunisian authorities to use public funds (which are lost to bad incentives) more effectively to meet the needs of Tunisians and provide them with decent jobs commensurate with their requirements.

A key point that emerged from discussions on the development of research evidence is that while MPs may be more "susceptible to quantitative studies, they remain prudent of the abuse of figures and numbers by some actors. So, they are more likely to consider quantitative data when they are presented within the framework of a comprehensive academic research project."[129]

127 Rouine, C. (2014). Bilan des incitations aux investissements en Tunisie. Retrieved from http://www.economie-tunisie.org/sites/default/files/20181022-wp-bilan_des_incitations_aux_investissements_en_tunisie-bap.pdf

128 In an interview with a TOE, they describe "TOE's research as being research evidence".

129 Interview with TOE

Thus TOE's research is always framed in a manner that is considered robust for future use in the policymaking process.

3.1.4 The entry of the research into the policymaking process

It is important to note that TOE's research evidence was initially supplied without necessarily a direct demand for it. According to TOE, moving from research to the policymaking process was not a once-off occurrence but rather part of its methodology and strategy. Their research has always aimed to change economic laws, and the economic development model in Tunisia. Thus, the updating of the law relating to the revision of tax incentives "was an opportunity to use previous work and reinforce it, in order to implement policy change."[130]

The repackaging of the research evidence was an important part of how (in what format) it was entered into the policymaking arena. Over time, research evidence can be repackaged to enhance accessibility and encourage use. TOE did not simply submit the existing documents as initially drafted. At the prospect of influencing the law relating to the revision of tax incentives, TOE then produced a policy brief on tax incentives in collaboration with Tax Justice Network – Africa (TJNA) to further their advocacy.[131] While the initial research evidence produced was quantitative, the "briefing paper was more qualitative."[132] This is because the policy brief was targeted at readers who are aware of the subject matter but not necessarily experts.

In 2017, TOE then made a formal submission to the Finance Committee of the Assembly of People's Representatives (ARP) in Tunisia on their recommendations. TOE had been following the Finance Committee's proceedings for several years by this point and even attended some of their sessions. Thus, it was able to identify the opportune time to enter into the discussion on the law relating to the revision of tax incentives. While MPs may have been perceived to be empathetic to research produced by CSOs, TOE researchers note that the voting depends on party leanings and how in line MPs are with their party's position. In order to influence the committee, NGOs have to identify who the leading person(s) were in that subcommittee on that specific issue (here it is economic, fiscal, and budgetary policies) and work on influencing those people.

As part of their efforts to maximise the URE, TOE engaged MPs bilaterally. The policymakers indicate that they were willing to listen to TOE because of its reputation[133] in conducting robust research on economic and fiscal issues, such as tax incentives, to engage with various MPs to make their case. Perceived non-partisanship was also highlighted. TOE posits that its non-partisanship position stems from them engaging in parliament with MPs as a member of the Finance Committee (institutionally) rather than based on partisanship (caucus).[134] In the engagements with the MPs and taking into account their political mandates, TOE strategically emphasized particular elements of the research evidence – although they used the same paper as a base. Importantly, TOE notes that they "tried to maintain an equal distance between all delegates in order to not fall into the trap of being accused of playing favourites and being too close to one parliamentary bloc over another."[135]

3.1.5 Policymakers' engagements with the research evidence

Due to time constraints in the parliamentary processes leading up to the finalising of the Finance Law for 2017, TOE was invited to present in separate bilateral meetings with the different parliamentary sub-groups. The invitation to present to Parliament is usually required if a stakeholder proposes a "critical or technical law."[136] It is not necessarily a standard procedure for all submissions to the committee on finance. TOE was invited on the basis that they were proposing an amendment, which had not been put forward by others. In other contexts - where multiple submissions are made on the same topic – other stakeholders would have also been invited to debate the issue. However, TOE was the only organisation invited to present. This is mainly because of TOE's position as one of the few CSOs in the space and the existing relationships. On the other hand, it is also likely that due to the time constraints that further public calls for submission were likely circumvented bearing in mind that this process is by invitation.

TOE was informed by MPs that due to the sizable number of amendments proposed, they would not be able to discuss or pass, all the proposed amendments . So instead, they suggested that

Conducting a sectoral analysis, TOE researchers distinguished between good and bad investments on a sectoral basis. They argued that the manufacturing sector demonstrated good investment because it was a net exporter which employs thousands of Tunisians. On the other hand, they argued that the energy sector bleeds the country's currency, does not employ many Tunisians, takes unfair advantage of tax, customs, and financial incentives, and operates with opacity, therefore being conducive to corruption, making it a bad investment.

130 Interview with TOE
131 Bouzaîene, A. (2018). Tax incentives, a loss of revenue for an uncertain benefit. Retrieved from http://www.economie-tunisie.org/en/observatory/analysiseconomics/tax-incentives-loss-revenue-uncertain-benefit.
132 Interview with TOE
133 Interview with TOE
134 Written input from TOE
135 Interview with TOE
136 Interview with TOE

TOE focus on three amendments. In response, TOE reprioritised their recommendations. This recommendation by the MPs had a direct bearing on which set of proposals TOE would later choose to focus on.

The reduction in proposals itself did not guarantee adoption, although it did force TOE to prioritise their interventions. The feedback informed TOE's prioritisation of recommendations which was done based on two criteria:

- ***Importance:*** The importance of the impact of the recommendations on tax incentives in Tunisia, and
- ***Feasibility:*** The likelihood of its adoption by MPs.

The above criteria reflect the complex relationship between politics, power, and URE. TOE had to reflect on which research evidence they would put forward and consider the likelihood that it would lead to policy change. The feasibility component of it was deeply determined by who they believed to be the powerful actors in the space who could champion their proposal. This partly depended on the bilateral interactions that had taken place prior to this point of the process.

A decision making process had to also be undertaken within TOE about what they would put forward taking into account the political process. Based on the criteria, TOE decided to focus on amendments that address the governance of tax expenditure. TOE wanted to focus on amendments that make provisions for annual reporting, the evaluation of the impact of the tax and financial incentives in export, employment, and regional and sectoral development, as well as processes for public reporting.[137]

There was some pushback on the proposed amendment. The Finance Ministry claimed at the time that it did not have the expertise to undertake such a thorough report on the tax expenditure. As a compromise, the MPs amended the article so that it took effect a year after the law was passed. At this point, TOE had already reduced the number of their proposals and the MPs managed to get a one-year delay into the implementation of Article 18.[138]

In discussing the adoption of the amendment, policymakers indicated a strong preference for research evidence that was premised on international evidence comparable to their contexts. The fact that the policy proposals made had been implemented in Morocco and Senegal, comparative countries to Tunisia, was a critical area that determined URE for the policy change because it demonstrated that the policy change could work in Tunisia as well.

While the amendment was successful, it is important to consider whether the success is due to TOE proposing a partial change as opposed to a complete overhaul of the domestic tax policy. The narrowing of the proposals came at the cost of TOE shelving other important proposals. This raises an important point about incrementalism at the nexus of URE and policymaking. Incrementalism may be desired because it may enable a future process of policies result from a process of interaction and mutual adaptation among a multiplicity of stakeholders. However, the question of which changes are prioritised and over which time frames remains political. Incrementalism may also undermine the strategic logic for the whole set of policies proposed. To some, incrementalism is a form of piecemeal social engineering.

3.2 NIGERIA: A case study of taxing the informal sector

3.2.1 Overview

While the fairness of taxing the informal sector is contested globally, it challenges society, broadly, to engage more deeply on taxation and perceptions of fairness. In Nigeria, the informal sector is taxed at the local government. In the ODI report by Sharp et. al, it was concluded that the abundance of the country's natural resources (particularly oil and gas) probably limits public interest in domestic taxes.[139] However, the Civil Society Legislative Advocacy Centre (CISLAC) has been one of the CSOs globally that has engaged in advocacy of fairness in the existing tax framework that taxes informal sector workers. CISLAC has strived to make the revenue collection system fairer by eliminating the double taxation that had been occurring.

CISLAC is one of the few organisations that has demonstrated interest in domestic taxes. Part of the reason that CISLAC has not sought to eliminate the taxes imposed on the informal sector is that they see it as an avenue to expand the tax base in Nigeria.[140]

CISLAC believes that the taxing of the informal economy can enhance the social contract between taxpayers and local government whose tax is due, and who provide goods and services to the

137 TOE's proposed and adopted amendments to Article 18 are included in Appendix E.
138 TOE's proposed and adopted amendments to Article 18 are included in Appendix E.
139 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.
140 CISLAC. (2012) Expanding the Tax Base in the Informal Sector in Nigeria. Retrieved from https://maketaxfair.net/policy-brief-on-expanding-the-tax-base-in-the-nigerian-informal-sector/

65%

Estimated size of the informal sector in Nigeria

markets. In their surveys of market workers, they found that there was a willingness to pay taxes in exchange for service delivery.[141] This challenges perceptions of what is seen as fair versus unfair tax policy.

3.2.2 The nexus between research evidence and policy outcomes

In **Nigeria**, respondents generally agreed that policymakers use research evidence (in general) for creating systems of fair taxation. The extent to which CSO-generated research evidence is used depends at the level (federal, state, or local) it is proposed. At the federal level, the policy change towards harmonising taxes cannot be fully attributed to CISLAC. Policymakers at this level claimed that CSO research evidence could only be used as a basis for further research. There was a bias towards research that was internally produced by the revenue service or commissioned research (from renowned researchers, universities, or state agencies). At the local government level, four tax-to-service agreements were concluded.[142] At the state and local levels where the policy changes took place, policymakers worked with the CSOs as technical partners and some CSO recommendations were implemented. In five of the sixteen states, the research evidence-based proposals and recommendations by CISLAC and partners to eliminate the middleman in informal sector tax collection and to automate the systems have been adopted.

In our findings, the URE by policymakers was influenced by the following factors:

a. The desire by the revenue authorities to diversify domestic resource mobilisation away from oil dependency and openness to considering other revenue options;
b. Policymakers considering that area of study as a priority in the context of limited tax revenues to maximise domestic resource mobilisation which meant there was a demand for the research evidence produced by the CSOs;
c. The perceived credibility of the stakeholder putting the research evidence forward, particularly at the national level where ActionAid, Oxfam, and CISLAC were recognisable brands with track records in tax research evidence;
d. Policymakers' perceptions that the research evidence was "good", which are largely biased by EBP approaches;
e. Political interests, particularly at the local level to strengthen the fiscal contract between state and citizen, as well as the opportunity to optimise their tax collection; and
f. The persistent advocacy efforts by the CSOs, such as bringing market traders to the government officials' offices which increase pressure from the general public for policy changes.

3.2.3 The production of the research evidence

In 2012, CISLAC and Oxfam produced a policy brief proposing the expansion of the tax base in the informal sector in Nigeria. In the research, the organisations identified the informal sector as a huge and untapped section of the economy that could effectively be subjected to tax.[143] The

141 Interview with a CISLAC
142 CISLAC recorded agreements with four local governments: Akwa-Ibom, Cross-Rivers, Anambra and Ogun states within the scope of the project implementation. But the platforms have carried on with more negotiations outside the project timeline.
143 CISLAC. (2012). Ibid.

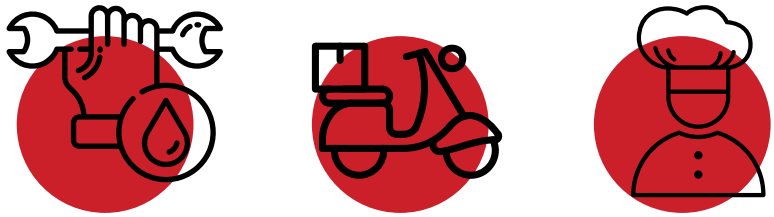
research was undertaken as part of its implementation on the Capacity for Research and Advocacy for Fair Tax (CRAFT) program and was written by an external consultant.
The use of external consultants to some extent confirms the findings from the ODI report which indicate that there is a lack of technical capacities within CSOs in Nigeria working in the tax space. According to CISLAC, consultants were chosen based on the "credibility of the person [in the tax space], knowledge, level of experience and familiarity within the sector in question" amongst other criteria.[144] Credibility was emphasised greatly, which in itself reflects the political nature of whose voice is considered versus others.
In 2014, CISLAC, ActionAid, and Oxfam furthered their research on the informal sector, undertaking a national tax review.[145] According to an interviewee, interest in conducting the national tax review was sparked by the oil boom which highlighted the need to diversify revenue resources. There was an acknowledgement that extractives will not last forever. This study produced a review of the state of revenue in Nigeria. There was an acknowledgement that better engagement with issues of taxing the informal sector required a deepened understanding of the tax system in its entirety at all three levels.
In 2015, the Tax Justice and Governance Platform[146] was established in Nigeria, composed of a variety of stakeholders in civil society as part of the global drive for equity and fairness in taxation. Platform hosts, or leaders, for 16 states were identified, based on their capacity to support the work as well as the ability to engage informal working groups within their state. The platform hosts were people who were already working in those communities and were responsible for coalescing informal sector workers on the ground. From CISLAC's position, this was done because they considered it "easier to work with clusters than with individuals."[147] These groups served as sample populations for the research that was subsequently undertaken.

Research commissioned by CISLAC was undertaken in eight states by consultants, with CISLAC providing management. The studies were conducted to provide an in-depth understanding of how the tax works in the various states as well as perceptions of fairness by the payers. The decision to conduct state-specific research demonstrates an appreciation by CISLAC on the importance of context.

The consultants were selected based on the earlier listed criteria, this time adding to their knowledge of the context. Consultants worked with the platform hosts to undertake research in the various states. Across states, the methodology included surveys that assessed the demographics of the various informal workers, the conditions that led them to the informal sector, how much they paid in taxes and levies, the frequency of payments, and the working conditions within informal sector markets. In one, a hotline was established for informal sector workers to report malpractice to platform hosts. This information was given to the researchers in collating their reports.
What emerged was that many informal workers were paying double taxes, worked under harsh conditions, and were not provided basic amenities such as bathrooms. This was considered a

Businesses in the informal sector include:

- Trading
- Spare parts
- Transportation
- Construction
- Agriculture
- Food preparation
- Credit facilities
- Mechanical and electrical work
- Dressmaking
- Information technology and communication
- Footwear
- Distilleries
- Gold and silver smiting
- Traditional healing



144 Interview with CISLAC
145 Interviews with CISLAC and affiliates
146 Part of the Tax Justice Network
147 Interview with CISLAC

breach of the fiscal contract between taxpayers and the basic services they should receive from the revenue generated from their activities. This double taxation occurred because there was a lack of transparent documentation outlining the taxes which those working in informal markets were liable for. The middlemen collecting the taxes were exploiting the workers and charging exorbitant taxes and levies and the payers had no receipts to show for their contributions. There were fake tax collectors also taking advantage of the system. The Lagos survey was conducted by an organisation that is focused on gender justice. Their findings showed that male revenue collectors perpetuated violence against informal sector workers. They also found that women felt unprotected in the markets, with negative ramifications for the care work which they were also undertaking while in the markets. Despite these issues, women were dedicated and willing to pay taxes and levies. Each state had its research document.

Consultants reported to dedicated people within CISLAC who are knowledgeable on the content. The research reports were also reviewed by external validators before being presented in validation meetings hosted by CISLAC. Interviewees from CISLAC indicate that verification of the findings is critical because "the possibility of denial is very [sic] high, which is why we carry out evidence-based and factual advocacy."[148] Policymakers can deny that what the report states is incorrect, thus it is important that the findings are robust and reflective of the experiences of the people on the ground.

Given the importance of credibility and validity, CISLAC was stringent on the quality of the research evidence that was published. An interviewer involved in the process indicates that only five of the eight research papers were considered "good." The three that were not considered good had "no strategy and did not map stakeholders."[149] The studies did not pass the validation process within CISLAC and with the external validator, and thus were canned. These processes within CISLAC demonstrate the systematic nature in which research evidence is produced.

3.2.4 The entry of the research evidence into the policymaking process

The first engagement with policymakers was outside of the policymaking process. Various stakeholders, including policymakers at the federal and state levels, market authorities, political affiliates, other CSOs, and informal workers were all invited to the validation meetings (outlined above). The approach from CISLAC was to engage stakeholders to "[be]come part of the journey."[150]

CISLAC and platform hosts submitted letters to the various governors and policymakers responsible for tax administration and collection. This process was mutually exclusive from the validation engagements. In the meetings, CISLAC and partners had to introduce themselves and make clear why they were relevant to the discussions. To these gatherings, they took the policy briefs and the longer research evidence papers. CISLAC had collated the findings from the research papers into shortened policy briefs outlining the current situation as well as the recommendations. CISLAC's strategy was to focus on the number of local governments that were losing revenue due to the double taxes and the exploitation of taxpayers. CISLAC and partners attempted to focus on the scientific appeals of quantitative data as a way to persuade policymakers.
Another strategy to get the research evidence into the hands of policymakers and thus into the policymaking process was through indirect means. CISLAC focused on public education and resistance. Consistent with the ODI's findings, this specific topic in double tax was topical enough to spur mobilisation and public resistance at the state level.

The information was shared in language-sensitive manners through town hall meetings and using booklets. Sensitising informal workers to their rights led to resistance on the ground. The taxpayers would ask for receipts and refuse to pay unverified tax collectors.
As part of the advocacy strategy across states, CISLAC and partners worked on changing the narrative that "people don't want to pay taxes". They argued that the poor and vulnerable are not opposed to paying taxes and that they want government to "let [their] tax money work for [them]."[151] The organisations used 'live testimonies' whereby, in one instance, informal tax workers wore t-shirts showing how much they had paid in levies and taxes to government officials' offices. An interviewee from the unions stated that he also appreciated that there was a documentary

What emerged was that many informal workers were paying double taxes, worked under harsh conditions, and were not provided basic amenities such as bathrooms. This was considered a breach of the fiscal contract between taxpayers and the basic services they should receive from the revenue generated from their activities. This double taxation occurred because there was a lack of transparent documentation outlining the taxes which those working in informal markets were liable for.

148 Interview with CISLAC
149 Interview with CISLAC affiliate from Oxfam
150 Interview with CISLAC
151 Interview with platform host (CISLAC affiliate)

produced that demonstrated the practical reality of informal workers. There was also a media campaign on social media and radio.

The approach taken by CISLAC demonstrates a multi-approach to how research evidence may be considered to enter into the policymaking process without only focusing on the formal processes. It also brings to the fore the complex politics within the policymaking process, including the question of fairness and fiscal contracts between states and taxpayers. It helps us to better understand how policymakers engage, or not, with contentious tax proposals.

3.2.5 Policymakers' engagements with the research evidence

The approach taken by CISLAC demonstrates a multi-approach to how research evidence may be considered to enter into the policymaking process without only focusing on the formal processes. It also brings to the fore the complex politics within the policymaking process, including the question of fairness and fiscal contracts between states and taxpayers. It helps us to better understand how policymakers engage, or not, with contentious tax proposals.

In Nigeria, uptake of URE by policymakers was influenced by who the suppliers of the research evidence were. The research evidence could not be seen to be advancing a political agenda and, therefore, the producer of the research was a critical consideration. The producers needed to be seen as credible within the area of tax policy in Nigeria. Policymakers perceiving the producers of research evidence as being reliable, based on experience, played a critical role.

CISLAC's name and the Oxfam affiliation played a role in policymakers engaging with the research evidence. One policy maker noted that familiarity played a role in how they approached the research evidence being presented. This raises concerns around which CSOs' research evidence is likely to be used versus not, which is based on perceptions of who they are. This in itself is political. Oxfam is recognisable because it is a global NGO with major funding and thus over time has been able to establish itself at an international level. Conversely, local, smaller, and less funded organisations may not be considered.

The policymakers shared a strong sense of what is considered to be "good" data. In an interview, a tax policymaker indicated that they considered good research to be "unbiased, factual, evidence-driven, empirical, containing strong recommendations that are implementable, and context-specific."[152] The ability to validate the study by outside entities was also raised. Another policy maker indicated that it was important that researchers quantify their research and answer the following questions:

1. **How much, in tax revenue, would the policy proposals put forward generate?**
2. **How did the researchers arrive at those findings?**
3. **What were the sources of data?**
4. **To what extent does empirical accuracy draw from national datasets?**
5. **In what ways will the proposals be beneficial to the government in terms of efficiency and effectiveness?**

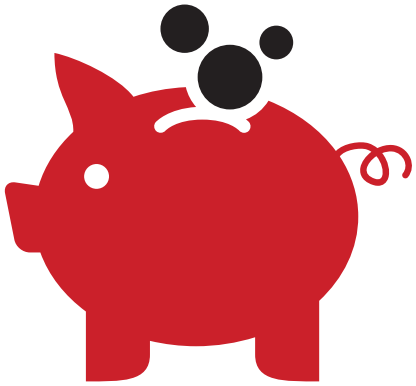
These are elements that had been considered by CISLAC and partners as outlined earlier in this section on Nigeria. A policymaker noted that what made the proposals from CISLAC and partners stand out was that they had used examples from the Economic Community of West African States (ECOWAS) in their recommendations.

Eight local governments who agreed to take part in the initiative, worked with CSOs directly to implement the solutions proposed. Using the research evidence produced, the CSOs were able to point out areas in which taxes were overlapping and thus leading to double taxing. The local government authorities were responsible for providing the documents reflecting the taxes due from workers in markets. The local internal revenue authorities and the CSO representatives were together tasked with revising the taxes to eliminate the double taxation. The collaborative work allowed the policymakers and CSOs to launch pilots of automated tax revenue collection systems and adapt recommendations that had been initially put forward in the original research evidence. For example, in Akwa-Ibom state at the local level, they launched an automated tax-paying system.

Another important outcome of this process was the establishment of tax-to-service agreements in four states. This means that local governments came to agreements with informal workers on how the revenue would be used to better the conditions of the markets. This is important for perceptions of fairness in tax policy.

Despite CISLAC and partners presenting the research evidence consistent with what policymakers indicate as leading to use, this was not always the case. There were numerous instances where state and local policymakers did not respond to the requests by CSOs to engage them on the findings of their research evidence. This finding is consistent with ODI's report which found that "[i]nfluence

152 Interview with a policymaker at the federal level



60 - 65%
APPROXIMATED CONTRIBUTION to the economy by the informal sector IN NIGERIA

often depends on public-sector officials in the individual states and their openness to civil society involvement." An interviewee stated that "who is in power determines the use of research."[153] This remains a key concern for CISLAC. Despite the fact that the initiatives were undertaken at such a large scale, there are few reported successes - less than 50% of the sample size.

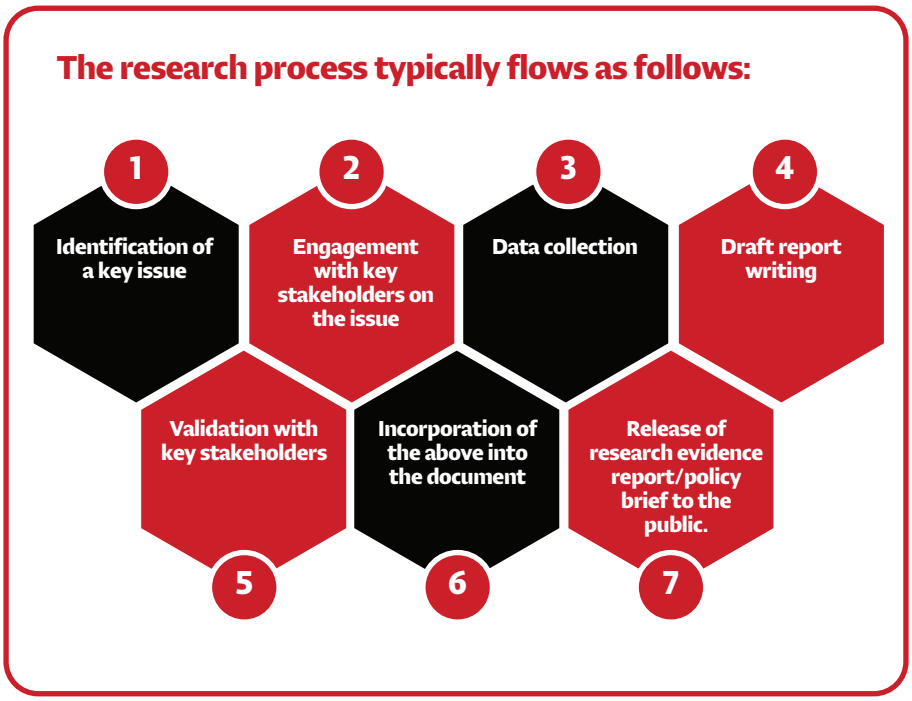
There were reports of corruption, which were limiting the URE. It is possible that some policymakers are directly gaining from the lack of transparency in revenue collection as well as the policies guiding the taxes and levies. An interviewee from a CSO indicated that there were a number of cases where they were unable to locate the documents which outline the rates and levies for which taxpayers are liable. Issues of transparency cannot be divorced from issues of corruption. This is also a larger political issue and one that contributes to the lack of URE and undermines the effectiveness of research evidence-based advocacy.
It was noted in one interview, however, that changes in policymakers made implementation more challenging. There were cases where decisions were solely made for election gains and the follow-through abandoned. Consistent with the ODI findings, URE was largely determined by who was in power at the time and subsequently.

3.3 ZAMBIA: A case of taxing the tobacco industry

3.3.1 Overview

In Zambia, it is yet to be seen how much of a role CSO research evidence on tobacco legislation will play in final policy outcomes. While this case is ongoing, it, however, provides some insights into some of the important contexts to be considered in URE by policymakers. Our research partner in Zambia was the Centre for Trade Policy and Development (CTPD), a non-profit, membership-based trade policy think tank established in 2004 in Zambia. CTPD aims to promote equitable, pro-poor trade policies and practices in Zambia through trade reform at national, regional, and international levels. In addition, the organisation facilitates the participation of member organisations and stakeholders to promote trade and investment services as a tool for poverty eradication. There are two underlying foci to the work of CTPD: Trade Policy and Tax Policy. CTPD targets a range of actors in their advocacy, including both state and non-state actors. Within the former, CTPD cited legislators, local authorities, and policy makers as key stakeholders while with the latter, they noted the public, civil society, and the private sector.
The use of research evidence is critical to a number of areas of CTPD's work. The contribution on regulating the tobacco industry identified in an interview with CTPD was a key illustration of this. As mentioned above, in 2018, the government tabled the Tobacco Products and Nicotine Bill of 2018 (The Tobacco Control Bill). The Tobacco Control Bill is effectively a domestication of the World Health Organisation's Framework Convention on Tobacco Control.[154] This bill is what sparked CTPD's engagement with the issue of tobacco control and taxation.

153 Interview with a CISLAC
154 See here: https://www.who.int/fctc/en/



3.3.2 The nexus between research evidence and policy outcomes

The use of research was not linear: government entities often fed into CSO research which fed back into their research. At the time of review, policymakers had engaged with CSO research evidence through consistent consultation at all stages of the research, including conceptualisation and validation. The preliminary study shows that the responsiveness of policymakers so far has been dependent on their stations and positions in government. For example, those in the health department were more willing to take up tobacco legislation proposals than those in finance. This will have direct bearings on the extent to which the research evidence is used.

3.3.3 The production of research evidence

CTPD has a specialised research wing with four desks dedicated to different areas; public finance management, extractives, legal, and trade and development. Each desk is responsible for identifying and developing a research agenda following the identification of specific issues. This is done by monitoring developments in the private sector, legislative arena, or other government announcements. The research wing has a high degree of qualifications, with senior researchers expected to have a post-graduate degree, and researchers and assistants, a degree. Two of the four senior researchers have doctorate degrees. The research process typically flows as follows:

1. **Identification of a key issue**
2. **Engagement with key stakeholders on the issue**
3. **Data collection**
4. **Draft report writing**
5. **Validation with key stakeholders**
6. **Incorporation of the above into the document**
7. **Release of research evidence report/policy brief to the public.**

The process of deciding to embark on the tobacco legislation research project is indicative of the wide range of factors that contribute to research being undertaken. In response to a question regarding what motivated it, the lead researcher noted that it was through CTPD's participation in the Zambia Tax Platform that they became aware of TJNA's work on tobacco legislation. They noted that during the same period, the World Health Organisation released a report on the cost burden of providing healthcare as a result of tobacco use. This was then juxtaposed against the backdrop of the Zambian government noting, in their National Development Plan, that tobacco was an industry earmarked for growth. The researcher noted that they were initially focused only on advocacy, but as the activities progressed it became evident that they would need to generate evidence to support this. The director noted that in the beginning, TJNA as a partner was convinced of the necessity of research evidence on this issue. However, the CTPD director felt it was important enough that he dedicated research capacity to it without compensation. One

of the lead researchers agreed, arguing that in order to "get in the space," they had to generate research evidence in this area. This followed four steps with corresponding outputs:

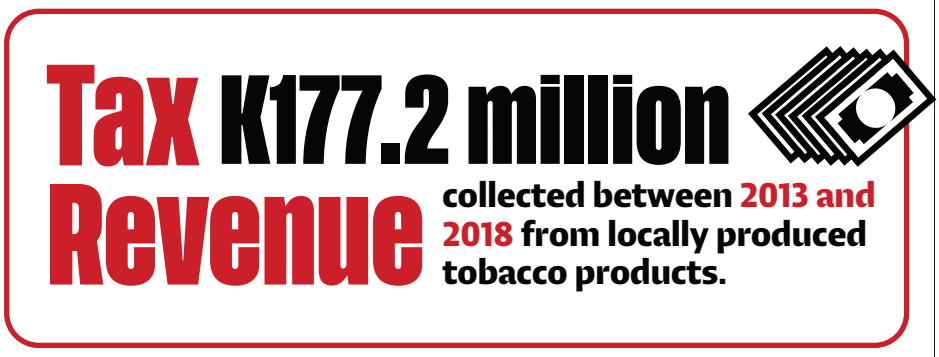
1. ***The development of a policy brief in 2018 that assessed the Tobacco Control Bill***.[155] This policy brief outlined the role of tobacco in the Zambia economy with a particular focus on the fiscus. This involved both an assessment of revenue generation (from the domestic and international market) as well as the cost to the Zambian healthcare sector of the impact of tobacco-related illness. The report provided an in-depth review of the legislation and assessed its efficacy, especially through comparisons with South Africa, Australia, and Kenya. It ends with a number of recommendations regarding the regulation of tobacco in relation to the proposed Tobacco Control Bill.
2. ***A policy brief on the proposals for tobacco taxation in Zambia***.[156] This policy brief gave an overview of tobacco production in Zambia, the legal framework governing the tobacco industry, the impact and levels of tobacco taxation in Zambia, and proposals for increasing tobacco taxation.
3. ***A policy brief on the illicit trade of tobacco in Zambia***.[157] This was an investigation into the illicit trade of tobacco in Zambia to illustrate how much revenue the government was losing through this. It made a number of proposals for how this government can limit this.
4. ***The alternative livelihoods project report.*** This outlined potential alternative ways for tobacco farmers to generate livelihoods should an increase in regulation and taxation of the industry impact on their ability to generate an income (public report forthcoming). This study was said to be motivated by the fact that CTPD was aware of the potential negative impact on farmers of tobacco control.

3.3.4 The entry of the research into the policymaking process

CTPD noted that the government is typically engaged in the research process at two stages: before a study begins and at the validation of results phase. The former was deemed valuable firstly because it allows for better data collection. This was also seen as an important opportunity because it meant that CTPD was able to scope what evidence the government already had and thereby ensure no duplication. Their involvement in the latter was seen as important because it meant that "government buy-in on the evidence is obtained early."[158] CTPD engaged with a variety of stakeholders including relevant ministries, but also the Zambia Revenue Authority (ZRA) and parliament. ZRA notes that on CTPD's tobacco research they were consulted at a number of stages:

- ZRA assisted CTPD in providing presentations on regulatory and taxation issues with regard to tobacco;
- ZRA provided research findings which were used as inputs into CTPD's work on the Tobacco Control Bill;
- ZRA provided feedback on the proposals made by CTPD on the Tobacco Control Bill, in particular, the feasibility of these proposals;
- ZRA participated in validation workshops and the launch of CTPD's reports and policy briefs.

As described above, this project has involved the production of a total of four documents – two policy briefs on the illicit trade of tobacco in Zambia and the Taxation of tobacco in Zambia and



155 Mange, CG. (2018). Review and analysis of the Tobacco Products and Nicotine Bill 2018. CTPD Report.
156 Chizonde, B. (2020). Proposals for Tobacco Taxation in Zambia. CTPD Policy Brief.
157 Chizonde, B. (2020). Ibid.
158 Interview with CTPD

two reports. The first report was an analysis of Zambia's Tobacco Control bill while the second study is yet to be completed but involves identifying alternative livelihoods for tobacco farmers. CTPD highlighted that these reports made them the "go-to" people for understanding tobacco legislation and taxation. They spoke about this research "steering the conversation" and them being seen as an "authority" on this.

3.3.5 Policymakers' engagements with the research evidence

Staff from the ZRA noted that CTPD's studies had been submitted as part of the Tax Policy Review Process, a process of considering submissions to be included in the national budget. Given ZRA's involvement, outlined above, there has been a significant amount of creation and engagement with CTPD's documents which provides an optimistic expectation that the research evidence will be used.

On the other hand, it can be seen as a conflict of interest for the research evidence to be used given ZRA's continuous engagement with CTPD throughout the process from the production of the research evidence itself to the policymaking process. There are concerns around which other voices will be considered, and whether CTPD will be prioritised higher because of the ongoing relationship, thus resulting in a lack of meaningful participation with other CSOs.

As the policymaking process develops, it will be interesting to assess how policymakers will deal with the competing mandates and priorities (health versus revenue) amongst policymakers from different governmental departments. The questions that remain are: What policy changes will be adopted? To what extent will policymakers use research evidence to determine which policies will be adopted?

3.4 UGANDA: A case of Double Tax Agreements (DTAs)

3.4.1 Overview

CSOs in Uganda have long called for renegotiations of DTAs to curb challenges of Illicit Financial Flows (IFFs) and to maximise domestic resource mobilisation. Given the highly political and top-down nature of the treaties coupled with the lack of transparency to what extent research evidence is used in the processes, remains a critical issue. Our research partner in Uganda was the Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI), and is one CSO that has been at the fore of advocating for the renegotiation of DTAs. The organization was founded in 1996 after the World Trade Organization (WTO) Singapore Ministerial Conference. The organisation was formed in response to the sentiment that African countries were marginalised in WTO negotiations and other international fora. The founders of SEATINI felt that African governments' capacity to negotiate was limited, and that the participation of other stakeholders in the private sector, civil society, and MPs was minimal. Related to this was a perception that the capacity of CSOs in these countries was limited. The domestic private sector and MPs were similarly excluded and/or ill-equipped to engage. SEATINI Uganda was established in 2001 as part of the SEATINI network and serves as the regional coordinating office for East Africa.[159] SEATINI Uganda focuses primarily on trade and tax issues. In particular SEATINI is concerned with "how taxation and debt financing impact on the welfare of citizens and promote options for mitigating the negative effects of these forms of financing".[160]

SEATINI Uganda programme officers cited strengthening the capacity of various stakeholders as a key goal in helping citizens push for accountability. They noted that in Uganda, there was often a push for governments to spend more, but without attention to where the money was coming from. They believe that they have been able to change this. A report by the ODI identified SEATINI Uganda as "the main NGO with discreet 'structured engagement' with the Ministry of Finance, Planning and Economic Development on national taxes."

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3.4.2 The nexus between research evidence and policy outcomes

In **Uganda,** there were some disputes over which of the CSO's research evidence produced ***prompted*** government action, or the extent to which it ***influenced*** the process once it had already commenced.

159 The values and mission of SEATINI-Uganda can be found here: SEATINI. (n.d). Our Vision, Mission and Values https://seatiniuganda.org/our-vision-mission-values/
160 SEATINI Uganda. (2020). Financing for development. https://seatiniuganda.org/financing-for-development/
161 Sharp, S., Sweet, S. & Menocal, AR. (2019). Ibid.

$37.37 BILLION
The Gross Domestic Product (GDP) in Uganda in 2020

Factors that influenced uptake of research evidence by policymakers were:

a. **The extent to which research evidence was made available on the CSOs' website and the extent to which it was reported on in the media (multiple stakeholders interviewed noted that their awareness of the research came through these channels rather than formal engagements with the CSO);**
b. **Capacity building initiated by CSOs to help the policymakers better understand the research evidence; and**
c. **The role of country donors in influencing the government policymaking process.**

3.4.3 The production of the research evidence

SEATINI Uganda working on taxation identified their work on DTAs as a key success in the use of research evidence to impact fair taxation policy. In 2014, SEATINI published a research report with ActionAid-Uganda that examined the negative impact that DTAs were having on domestic resource mobilisation efforts.[162] The rationale for the publication of the report was its strong alignment to SEATINI-Uganda's broader goals of limiting tax evasion and avoidance as well as ensuring, in the words of a SEATINI interviewee, "that we emphasise everyone pays their fair share of taxes."[163] SEATINI-Uganda said they had noticed that DTAs had many loopholes that were enabling companies to avoid paying fair shares. The most contentious was with the Netherlands and Mauritius, and this is why they were seen as key cases for the study. The rationale for focusing on this was because it built on previous work but was also influenced by the expertise of the advisors sitting at ActionAid and SEATINI. An interviewee at SEATINI noted that "given that these people [the external people positioned at SEATINI and ActionAid] had expertise on this, it made sense to tap into this."[164] Also, the report was written at the time when the Ugandan Ministry of Finance, Planning and Economic Development (MoFPED) announced a review of its tax treaty network. In their review of Uganda – written in 2016 – Hearson and Kangave note that "the review presents an opportunity for Uganda to formulate a clear, evidence-based approach to tax treaties, beginning by asking questions that African countries seem rarely to have posed – or else to which they have forgotten the answers. They include the following: what effect do Uganda's tax treaties have on investment flows and tax revenue? What are the costs and benefits of tax treaties with particular partners and containing particular provisions? How many taxing rights are worth giving up to reach an agreement with a potential treaty partner? What would be the consequence of cancelling a tax treaty? Above all, why does Uganda have tax treaties?"[165] During this time, the government halted DTA negotiations until a framework was developed to guide such negotiations.

3.4.4 The entry of the research into the policymaking process

A number of CSOs advocated for the importance of ensuring fair taxation during this multi-year process of renegotiating the DTAs and developing a framework for doing so. SEATINI was involved in this, including taking part in a meeting with the team from the Dutch Ministry of Finance,

162 SEATINI and ActionAid. (2014). Double Taxation Treaties in Uganda: Impact and Policy Implications, Retrieved from https://uganda.actionaid.org/publications/2014/double-taxation-treaties-uganda-impact-and-policy-implications
163 Interview with SEATINI
164 Interview with SEATINI
165 Hearson, M., & Kangave, J. (2016). Ibid.

organised by Oxfam in the Netherlands (NOVIB).[166] Alongside this, they conducted a number of capacity-building efforts with CSOs under the Tax Justice Alliance to understand the clauses within DTAs in order to understand their impact on revenue. During this process, they also noted engagement with MPs on the Committee on Finance, Planning and Economic Development many of whom were described as "not even knowing what DTAs were."[167] They cited the fact that even when policies were adopted by the MoFPED they could be rejected by Parliament (although MPs interviewed noted the limitations to this in practice). It was apparent that part of their theory of change for how to mitigate this was the improved use of research evidence. For example, one of the informants noted that what they learnt in response to interactions with MPs was that, "we need to come up with new strategies and new evidence on how to convince the policymakers."[168] Research evidence became important for SEATINI when advocacy attention shifted more to the government because of the nature of DTAs. The research on DTAs also presented an opportunity to "narrow down the discussion"- away from taxation in general to a specific policy - and therefore engage with the government more effectively. For SEATINI, different methods were needed for engaging the public as opposed to engaging the government. SEATINI noted the fact that it was only when they shifted from raising public awareness to engaging the government (and in particular the Ministry of Finance) on a more technical issue that they also shifted their focus to research and skills development.

In the use of research evidence in this advocacy by the CSO in question, public mobilisation was not cited as a key strategic focus for their advocacy, perhaps reflecting the complex nature of DTAs and their limited resonance with the public. Rather the focus was on skills development and targeting the government. The importance of capacity building was frequently cited, in particular, because this was deemed as a "technical matter."[169] This is further supported by the fact SEATINI Uganda noted that not all the research went into the report or was made public, but was rather used to inform internal discussions and knowledge.

3.4.5 Policymakers' engagements with the research evidence

SEATINI cited this report as being critical to the decision by the government to review DTAs and develop a framework for their renegotiation. It is difficult to assess the extent to which SEATINI's research into DTAs has been influential in the process to develop a framework for the renegotiation of DTAs. While SEATINI, parliamentary researchers, and MPs cited the SEATINI review of the DTA policy as instrumental in the government's review process, a Ugandan Revenue Authority (URA) official stated that there hadn't been any use of their research in the review process (though they stated that they believed it would be a good thing if more of it had been used.). URA officials indicated that the media coverage of SEATINI's research played a role in them using the research evidence produced by SEATINI. The policymakers stated that they accessed research evidence via the CSO organisation's website. This is perhaps indicative of differing interpretations of what constituted the official use of evidence, with personal research seen as different from official processes. The interviewee termed their research as being "informally sourced."[170]

Regardless, in conversations with researchers at SEATINI, there seemed to be limited attention paid to mapping out the policy engagement process and deciding on strategic entry points. The impact of the research is therefore difficult to trace. This reflects the dynamic, nonlinear and indirect ways which CSOs may choose to engage in the context specific policymaking process. This impression is reinforced by the responses from other stakeholders regarding the impact of the SEATINI report which was often quite vague. Parliamentary policy analysts noted that the research from SEATINI "greatly helped" in raising awareness to higher government officials regarding how the country is not benefitting from the DTA process, and cited them as helping to start a process of review of the DTAs. However, none of the people interviewed cited direct contact with the NGOs as informing the policymaking process. Rather they cited finding the reports through their own research (typically on the website) as well as its presence/inclusion in online and print media. The extent to which the research directly informed the final policy development, however, is not clear. Government officials rarely cite research evidence produced by CSOs when they use it which makes it challenging to directly attribute URE to CSOs.

In general, there was seen to be widespread engagement between MPs and CSOs on policy issues

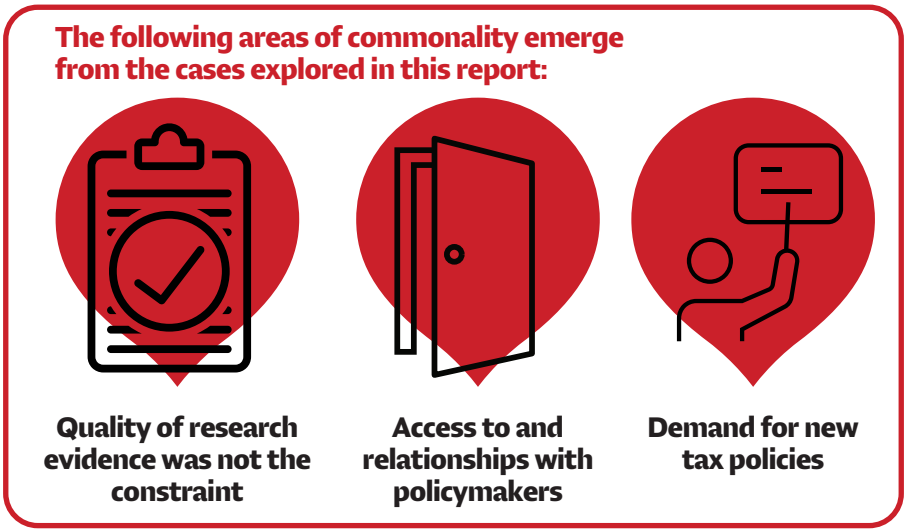
166 For an account of this process see: https://uganda.oxfam.org/latest/blogs/role-strategic-partnerships-fight-against-economic-inequality-through-influencing
167 Interview with SEATINI
168 Interview with SEATINI
169 Interview with SEATINI
170 Interview with policymaker

by all interviewed for this study. This is typically done via knowledge-sharing workshops. However, it was noted, by various stakeholders, that there is less engagement between parliamentary technical research teams and CSOs and that this was a problem as these are the people who are responsible for furnishing the committee members with the relevant information for discussions. MPs cited the fact that they face a high workload, including the need to campaign, and that this means there is heavy reliance on the technical teams associated with each committee. This implies that these technical committees are important places for advocacy for CSOs. However, MPs and SEATINI also note that most of the policymaking decisions happen at the Cabinet-level, and this limits parliament's role in developing and accessing it. Policy analysts did, however, state that in general, more research needed to be done at the formulation phase. Discussions with SEATINI and other stakeholders show that the relationships between a CSO and government are not homogenous. This is differentiated according to various ministries and different government entities.

3.5 Synthesis of case study findings

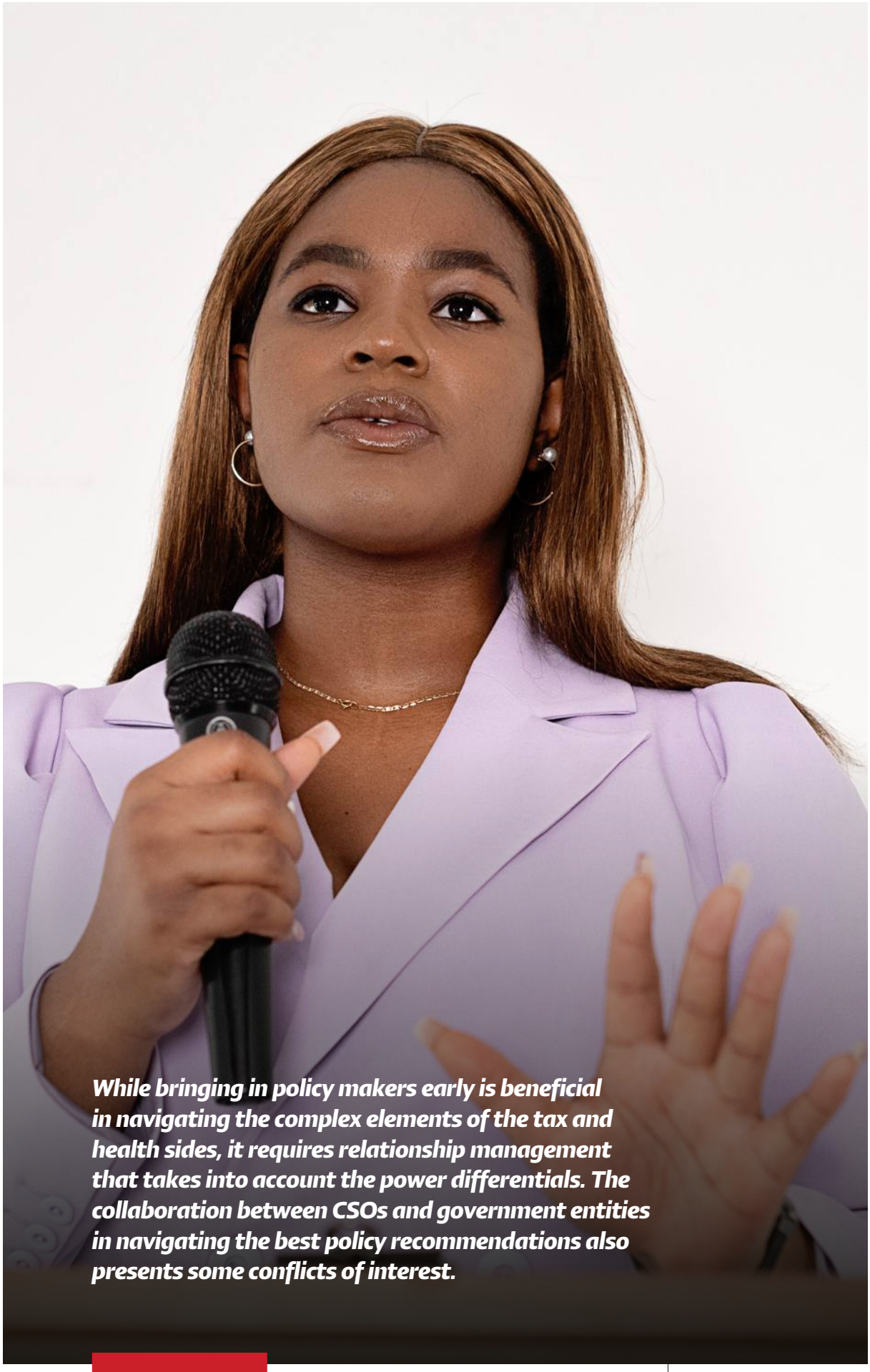
The following areas of commonality emerge from the cases explored in this report:

* **Quality of research evidence was not the constraint:** Despite the issues raised on access to data to produce research evidence, research evidence produced by CSOs was generally perceived to be technically strong. There is a strong indication that there is a strong preference for research evidence that was premised on international evidence comparable to their own contexts. Research evidence that proposes solutions is also more likely to lead to uptake as opposed to one that focuses on diagnosing the problem. The production of credible research evidence is important, but it is the non-technical constraints/opportunities that should be the focus when considering the URE. This is consistent with Sharp et al.'s (2019) findings, which point to non-technical constraints as being critical to understanding civil society's engagements in tax policy.
* **Access to and relationships with policymakers:** Proximity to policymakers, and thus power, is a common factor among the CSOs. Whether policymakers were engaged through capacity building initiatives, or whether these policymakers were engaged bilaterally, relationships with policymakers appear to be highly valued by CSOs and an important component to URE. Access to policymakers, however, also raises issues of conflict of interest particularly if the policymakers are deeply involved in the development of the policies themselves. It also raises concerns about power between the CSOs and policymakers. In addition, even where there is documented success, policymakers are generally reluctant to attribute ideas directly to CSOs because it is important to them that they are considered non-partisan and not seen to be influenced by CSOs or other stakeholders. How about power asymmetries between CSO's themselves?
* **Demand for new tax policies:** Through our case studies it was evident that timing played an important role in the URE. The CSOs tended to conduct research regardless of timing and entered into the policymaking processes when they deemed the timing was right. Across the cases, the demand for new tax policies for the policymakers was influenced by: a) pursuits to increase and diversify domestic resource mobilisation, and b) the level of internationalisation of the policy area which includes the global dialogue on the tax issues.



Below are the non-technical constraints/opportunities that underpin URE in the specific tax policy areas:

- **URE and investment codes:** Engaging with the tax policy proposals through the finance committee routes means that the political affiliations and priorities of MPs need to be considered and responded to. Where MPs do not have the technical know-how, the uptake of URE can be limited. In the case of Tunisia, for instance, it is important to consider whether the success is due to the CSO proposing a part change as opposed to a complete overhaul of the domestic tax policy. The gradual policy change approach could be beneficial, especially when taking into account business power and the trade-offs between multiple competing social values.
- **URE and taxing the informal sector:** The local-level nature of informal taxation presents a different set of challenges from URE at the national level. It relies significantly on the local government's priorities and the political will to implement solutions that emerge from the research evidence produced by the CSOs. URE is further constrained by the continuously changing leadership, which means that even if adopted by one administration, the implementation may be undermined by the next. Thus, advocating for the URE requires sustained pressure through mass mobilisation at the local level. The URE in this type of policy is significantly impacted by access to information, therefore transparency is a critical concern.
- **URE and DTAs:** The lack of transparency and participation in the process by tax revenue authorities and ministries of finance makes assessing URE by policymakers quite challenging. Advocacy in DTAs could benefit from transparency and participation that advocating for other tax policies come with. Public mobilisation may not be a key strategic focus for their advocacy given the complex nature of DTAs and their limited resonance with the public. Engaging with the government directly and indirectly is critical to URE by policymakers. Policymakers being influenced indirectly, without direct relationships, worked in Uganda. The extent to which URE produced by local CSOs is used is influenced by political power that is underpinned by how internationalised the topic is as well as the power of multinationals.
- **URE and taxation of the tobacco industry:** The URE for this policy is complicated by the tensions between different departments that are working towards different imperatives (for example, growing the tobacco industry to increase jobs, exports, and revenue) and cutting tobacco consumption (to improve health outcomes). Research evidence needs to respond not only to tax fairness, but also to health implications and other macroeconomic outcomes which are challenging. While bringing in policy makers early is beneficial in navigating the complex elements of the tax and health sides, it requires relationship management that takes into account the power differentials. The collaboration between CSOs and government entities in navigating the best policy recommendations also presents some conflicts of interest. In Zambia, the involvement of the government in the production of the research evidence itself may be seen to be problematic if the evidence is used by the government. It brings to question issues of power and the CSOs agency. Will the government use the research evidence because it has systematically influenced the outputs to be aligned with its priorities? To what extent does the research evidence reflect the CSOs ideas versus the government's?



While bringing in policy makers early is beneficial in navigating the complex elements of the tax and health sides, it requires relationship management that takes into account the power differentials. The collaboration between CSOs and government entities in navigating the best policy recommendations also presents some conflicts of interest.

04 LESSONS FOR CSOS AND FUNDERS

This section is a synthesis of what worked well in particular contexts and considerations based on literature reviews as well as researchers' reflections on their experiences in the space. The following lessons can be drawn out from the cases above for CSOs to consider (contextually) to improve the likelihood of policymakers using their research evidence:

- **Increasing policymaker demand:** It is not enough to simply generate "good" research. Research evidence will only be used to inform policy if it is accessible, valued in terms of ease of readability, and if policy recommendations are perceived to be clear and concise by policymakers. To stimulate demand, CSOs and researchers need to consider the capacity of policymakers and the institutions in which they work to use research. They also need to be aware of broader contexts and factors that enable or constrain engagement with research. Capacity building of policymakers was noted in all of the case studies. The Building Capacity to Use Research Evidence (BCURE) programme provides some guidelines on how CSOs can undertake this based on studies in Kenya, Bangladesh, Pakistan, and South Africa.[171]
- **Targeting individuals/groups of policymakers as part of ongoing engagement:** This requires that CSOs go beyond generalised "workshops with parliament" or presentations and target specific actors with tailored information. Different arguments can be made for the same policy change and these should be used to appeal to various actors, as was highlighted in the Tunisia and Zambia cases. Such targeted engagements should take into account the leanings of the policymakers. They should also be ongoing and consistent so that relationships are developed. It is also likely that the more individuals within government are exposed to research that is directly related to their work, the more they will demand such research. CSOs and researchers, however, should not box policymakers into positions. Policymakers are flexible and dynamic and CSOs and researchers need to be able to adapt as appropriate.
- **Bringing in policymakers early:** CSOs and researchers should not wait until research is complete to involve policymakers. Policymakers should be included in the design and brought along the process early to increase buy-in and to create feedback loops as was cited in the Zambian case. The feedback loops will strengthen the research evidence output. The policymakers will also feel empowered to support research that they know and understand. Measures such as training and workshops are critical for this process and have been linked to increasing policy demand. However, the risk of bringing in policymakers early is that their interests may direct the process in their favour. Hence, relative power relations have to be assessed. It may be the case that targeting like-minded policymakers is more ideal, as in the case with Tunisia. They can be sources of data enriching the research evidence production itself.
- **Building a non-partisan reputation:** Policymakers across studies indicated that ***who*** produces the research is critical. While all researchers have specific goals that they seek to accomplish, they must not be seen to be politically affiliated. CSOs and researchers who establish themselves as technical partners are more likely to be successful. This is particularly important in a pragmatic policymaking process where policymakers do not want to be seen to be working with a biased party. Objectivity is the soul of good research.
- **Ensuring research accessibility to increase indirect influence:** The entry of research evidence into the policymaking process is not linear. Policymakers within government also conduct their research which they feed into broader government processes. It is therefore critical that CSOs ensure that their research is accessible and widely available. User-friendly and accessible websites can boost URE. In Uganda, policymakers indicated that they had used the research evidence upon encountering it in their research through media reports and on various online platforms. Indirect channels (outside of parliamentary processes) require strategies to frame and communicate research in a variety of ways. The outcomes of these efforts should be monitored and evaluated.
- **Building internal capacity:** CSOs must produce studies that can be validated and have robust results. CSOs need to develop internal capacities, methodologies, and research skills to produce credible research evidence. In the Nigeria case study, the research evidence was largely undertaken by consultants as opposed to the CSO itself. While the primary purpose of research evidence is aimed at direct targeting of the policymaking process, CSOs cited building internal capacity as another key rationale for pursuing it. Often the building of internal capacity had a snowball effect on producing further research evidence, thus allowing for a greater chance of policy impact. Simply, this is to say that while some research may not have a direct impact on the policymaking process now, the capacities built during that process may serve research that has policy impacts later. Capacity building is also critical for the credibility of the research.
- **Entering the policymaking process strategically** – ***timing is everything***: When, where,

171 The Building Capacity to Use Research Evidence (BCURE) programme was an initiative funded by the UK Department for International Development (DFID) from 2013–17. The final report presents the findings of the three-year realist evaluation of BCURE. Available online: https://www.itad.com/wp-content/uploads/2020/02/BCURE-Final-Evaluation-Report-Exec-Summary-1-1.pdf

and how are critical questions that need to be answered to increase the uptake of research evidence. It is critical that CSOs and researchers identify the appropriate avenues through which to enter the dialogue (for example, parliament, special committees, or local government) when the time is right (for example, when the issue is topical). As was noted in Uganda, while CSOs often engaged with MPs directly, they did not engage with the technical committees that served them. MPs who were interviewed cited the fact that because of time pressures, they often rely on the advice and reports by these technical committees, making them critical targets for research advocacy. In Tunisia, the CSO in the past had a parliamentary correspondent who was responsible for monitoring discussions and assessing when there were "windows of opportunity" for the CSO to put their research evidence into the arena.

4.1 Reflections for funders

Funders play an important role in influencing what work is undertaken by CSOs. As noted earlier, the choice by CSOs to work on international tax issues, as opposed to the domestic ones, for example, needs to be understood at the engagement points between CSO, government, funders, and broader civil society. For this reason, considerations for funders are highlighted here. The considerations are meant to help funders better support CSOs to enhance URE in policymaking processes. The availability of CSO research evidence needs to also be better understood with reference to the significant influence funders have in funding, producing, and making available relevant research which can be used in the tax policy process. Below we outline some elements funders should reflect on. This is informed by other literature on civil society support and feedback from those working on tax issues.

Below are tentative and initial considerations funders should explore based on this research and desk review on ways in which they could begin thinking about their role in these processes and how to better support CSOs:

- **Investing in understanding the context:** This paper has highlighted the importance of understanding the political and economic context of the various cases. It is important that funders also grapple with the complexities of the political processes occurring in their sponsor countries to be able to provide the appropriate support to maximise the URE by policymakers.
- **Involving CSOs in the co-creation of funding programmes and modalities from the outset:** Haynes et al. (2020) find that funding approaches that are promising in one context, are unlikely to be successful in all contexts.[172] It should be considered how the political nature of funding can be improved through participatory planning.
- **Funding internal capacity:** Funding for internal capacity building and the production of the research evidence is critical to ensure that the CSO outputs are strong technically and considered as 'hard' evidence by policymakers. Funding should not solely be biased towards advocacy and external engagements.
- **Reconsidering funding timelines:** Funders should consider long-term funding that is not attached to projects/research outputs that are narrowly defined. Literature has emerged on how donors can be more effective and support CSOs better on this front and these recommendations should be considered.[173] This literature can be traced back to over a decade ago. Funding timelines from funders tend to be fixed in ways that do not follow the same timelines as the production and use of research evidence. Across case studies, it was raised that timing (influenced by domestic and international factors) of when the CSOs and researchers enter into the policymaking process played a key role in whether research evidence was used. This implies that while research evidence production is important, inserting it into the policymaking process at a "wrong time" time may not lead to its use. It is important that funders are aware that timing plays a critical role in achieving the desired outcomes.
- **Building-in flexibility in funding:** The study focused on demonstrating the ongoing engagements between CSOs, their research evidence, and the URE by policymakers. CSOs and researchers are often operating in complex, nonlinear processes that should be iterative to yield the desired outcomes. Flexibility could benefit CSOs to better adapt their strategies, as needs emerge and policymaking processes evolve (various stages of the policy may entail a different model).
- **Funding non-traditional advocacy:** Advocacy strategies should also include non-traditional advocacy funding for dissemination. For example, funding for targeting policymakers and

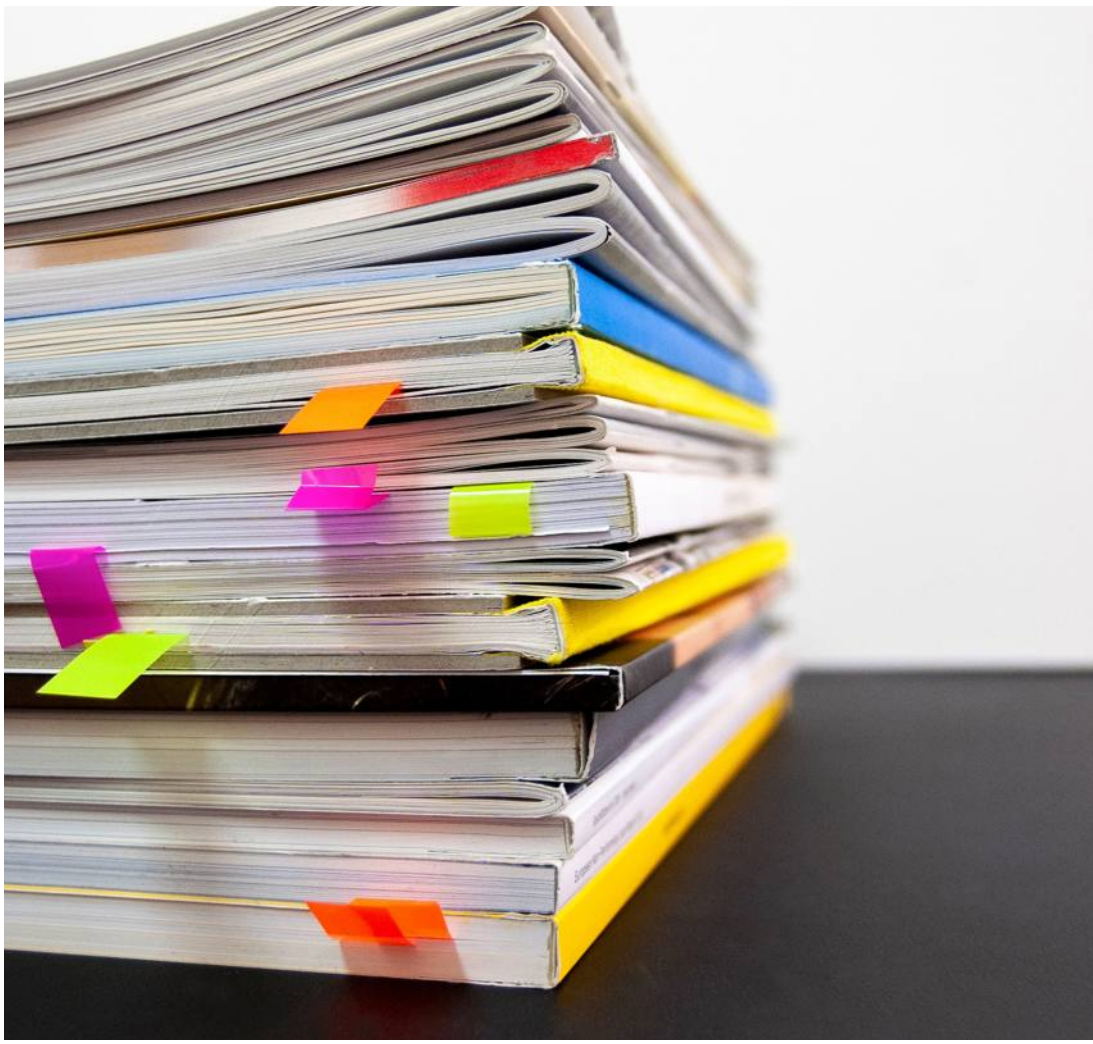
172 Haynes, R., Ireland, V. & Duke, J. (2019). Funding civil society organisations & networks: promising approaches to financing development in the 21st century. Retrieved from https://forus-international.org/en/resources/71

173 See Natsios, 2010; Rocha Menocal and O'Neil, 2012; Valters and Whittey, 2017 amongst others

policymaking processes (See the recommendation for CSOs on ensuring research access). As indicated in Tunisia, the CSO was no longer able to afford to resource a parliamentary officer who can keep on top of the various parliamentary topics. They identified this as an important activity for identifying when they should enter into the policymaking process. In Uganda, the policymakers found the CSO website to be a useful resource to access their research evidence. The researchers of this research found it challenging to navigate some of the websites of the CSOs studied for this report.

- **Assessing the visibility and positionality:** What emerges from this research is that depending on the type of policymaking process, funders can either create credibility or have a negative impact on the URE. In technocratic (top-down) models, the profile of the funder increased credibility for the CSO, whereas in the pragmatic (participatory) models, the profile of the funder and the visibility of the funder could potentially threaten the CSO's status as being non-partisan. Non-partisanship was a key consideration for policymakers. It is important that funders continuously assess how they profile the organisations they fund and themselves.
- **Creating ecosystems of research production and access**: Funders could play a critical role in helping the CSOs they fund to create linkages to universities and other researchers considered credible.

Future research needs to consider the following in depth: the role that actors have played in funding and communicating research evidence by CSOs; how funders have influenced policy and research priorities, questions and methodologies; what interests and incentives funders possess in relation to the research evidence produced, and how this engages with the tax policy measures; where funders are international stakeholders, how their interests and incentives intersect with those of national actors; and how to take seriously the political process of funding itself, including how it impacts the URE and policymaking process.



CONCLUDING REMARKS

–This study demonstrates the complexity of understanding the use of civil society research evidence by policymakers. What this study has done is to explore these questions in context-specific ways. Thus, the findings are relevant to the extent that these case studies are comparable to civil societies' social ecology of relationships, organisational settings, and political and policy contexts. It is possible that the URE could be attributable to events and processes not observed and/or documented in this paper, particularly the role of International Financial Institutions and other influencers such as the OECD in shaping the discourse over time.

The study adds to the growing literature on the intersection of URE and policymaking processes. It puts forward a systematic review of how policymakers themselves engage with outputs generated by civil society or the ongoing engagements between the CSOs and tax policy processes. In Tunisia, for example, this study helps us to better understand what makes URE effective when CSOs are more involved, compared to a previous state-centered and externalised policy context where international actors played a dominant role. In Nigeria, the study helps us to understand the URE by policymakers in the context of a contentious domestic tax proposal (taxation of the informal economy). In Zambia, the study helps us to understand what determines URE when there are competing mandates and priorities (health versus revenue) amongst policymakers from different governmental departments and also highlights non-technical constraints. In Uganda, what makes URE effective is relatively exclusive (on a technical front) tax policymaking processes where external actors have great influence.

APPENDIX

Appendix A

Table 1: Historical overview of the evolution of tax systems

Period	Major events	Theories of development	Theories of taxation	International advice on reforming tax systems
1920s–1945	First world war and Great Depression	Promoting economic development not an explicit policy agenda. International relations start to be influenced by rethinking the role of state.	Decline of laissez-faire emphasising minimal taxation. Emergence of institutionalist school more concerned with social welfare.	US financial missions primarily concerned with 'financial interests', but equity considerations start to emerge. In colonies, taxation about muddling through and 'crisis management'.
1945–1970s	Second world war and decolonisation	'Development economics' emerges as a field of study: promotes state-led capital accumulation to foster economic development.	Different schools of thought coexist. Structuralists see tax policy as a tool to promote industrialisation through import substitution.	Tax advice (from the US) influenced by Keynesian and institutionalist perspectives of advisers. Often diverged from actual practices of using taxation to promote industrial development.
1980s	Oil shocks, debt crises	Washington Consensus asserts that state intervention and policies that distort markets are primary barrier to development.	Principle of neutrality dominates tax reform. Tax policy should be non-distortionary and allow markets to promote development.	Promotion of value-added tax to compensate for reduced trade taxes. Financing budgets through 'seigniorage' also criticised.
1990s–2000s	Policy failures, end Cold War	Washington Consensus complemented with a focus on 'good governance' and strengthening 'institutions'.	Principle of neutrality remains in tax policy reform, but tax administration reform becomes more prominent and can support wider improvements in 'governance'.	Tax policy advice largely unchanged, but a raft of administrative reforms introduced including semi-autonomous revenues authorities, large taxpayer offices and improved taxpayer services.
2010s	Global financial crisis	A move away from grand theories of development towards coming up with more robust empirical answers to smaller, more manageable questions. Shift in focus from institutional blueprints towards understanding how institutional change happens. The role of politics also becomes more prominent.	Renewed recognition that context matters and second or even 'third-best' tax policies might be appropriate in certain contexts. Greater focus on questions of international tax and losses from tax evasion and tax avoidance.	Greater tolerance for tailoring reform to context and increased use of diagnostics to pinpoint weaknesses. Taxpayer data and experiments to generate insights that can improve tax compliance. International taxation becomes major area of focus.

Source: Dom, R. & Miller, M. 2018. Reforming tax systems in the developing world: What can we learn from the past? Overseas Development Institute.

Appendix B

Across case studies this was the baseline for the questions asked. The questions were adapted to the context and adjusted as needed during the interview.

Assessing policy makers approach to research

1. How do governments use research to design tax systems?
2. Do they rely on research? How so?
3. What is the link between tax research quality and policy influence?
4. What is the relationship between evidence and narratives in the policymaking process?
5. How do policy makers use research in general?

Assessing policy makers approach to research (selection)

1. How do policy makers select which tax research to use?
2. What types of tax research and data sources do policy makers prefer?
3. What is the relationship between research quality and uptake?
4. Who has influence?
5. Is influence exercised directly or indirectly by the research provider?

Assessing policy makers approach to research (policy process)

1. Why might certain types of research evidence for fair taxation be more effective at certain points in the policy process than others?
2. What factors and conditions have facilitated or inhibited the potential use of research evidence or fair taxation during the policymaking process?
3. When in the process is research solicited and used?
4. What impact does budgetary constraint have on the types of evidence needed/used?

Assessing policy makers approach to research (politics)

1. How do tax ideas enter the political arena?
2. How does research evidence for fair taxation compete with other sources of information to influence policy decisions and practices, and what are the factors that influence the relative attention to different sources of information?

Assessing CSOs approach to research (planning)

1. How thoughtful are CSOs before embarking on fair tax research?
2. How carefully is the research topic considered? How is it identified? Is it related to identified gaps?
3. How carefully do CSOs plan their tax research? For example, do they follow a process like this:
    - Definition of the problem that the CSO is seeking to address, including definition of the target (affected group) and elaboration of the magnitude of the problem;
    - Design of the research study;
    - Implementation of the study;
    - Determination of practical applications (policy programmes) and implications;
    - Communication of research findings and implications;
    - Application of results to policy, programming and interventions.

Assessing CSOs approach to research (audience and participation)

1. How carefully do CSOs consider their audience?
    - Are competing priorities considered?
    - Are relationships between researchers, policy makers and practitioners considered?
    - Are concepts of what constitutes "evidence" considered?
2. How carefully are users integrated into the design? For example, do they consider:
    - Involving the intended audience from the beginning of the research project;
    - Understanding the information needs and constraints of the intended audience;
    - Inviting inputs into research design;
    - Reflecting intended audiences in the actual design.
3. Does it draw on local knowledge?

Assessing CSOs approach to research (the how)

1. How much attention is paid to how they conduct tax research?
2. How thoughtfully are methods chosen?

Assessing CSOs approach to research (context)

1. Do CSOs understand the policy processes and where in the process do they try to intervene?
2. Do CSOS assess the policy context? For example, do they ask:
    - Who are the key policy actors (including policymakers)?
    - Is there a demand for research and new ideas among policymakers?
    - What are the sources of resistance to evidence-based policymaking?
    - What is the policy environment?
        - What are the policymaking structures?
        - What are the policymaking processes?
        - What is the relevant legal/policy framework?
        - What are the opportunities and timing for input into formal processes?
    - How do global, national and community-level political, social and economic structures and interests affect the room for manoeuvre of policymakers?
    - Who shapes the aims and outputs of policies?
    - How do assumptions and prevailing narratives (which ones?) influence policymaking; to what extent are decisions routine, incremental, fundamental or emergent, and who supports or resists change?

Assessing CSOs approach to research (advocacy/communication)

1. Do organisations develop a strategy to influence policy within which the fair tax research fits, before embarking on the research?
2. How do CSOs build a narrative around the research?
3. Do organisations develop a communications strategy for the research that takes seriously:
    - Ability to simplify complex ideas
    - Presentation of results
    - Understanding learning styles of policy makers
    - Etc.
4. Are messages pre-tested?
5. Who is the face of the research and is this well considered?
6. What are the sorts of outputs? How well matched are they to the audience? What format do they appear in?
7. Are the links between research and lobbying well considered?
8. How integrated is the research into the campaign? What role do they play in advocacy?
9. Is the research used by other CSOs? What role does it play in coalitions? Does it have a link to communities / organisations with a mass base?
10. Linked to training?

Assessing CSOs approach to research (assessing impact)

1. Are the impacts monitored? How? Why? With what tools?
2. Is fair tax research celebrated?
3. What happens after the campaign? Are they learnt from? Is there a system of knowledge mapping and lesson learning?

Appendix C

CSO Profiles

Tunisian Observatory of the Economy (TOE)

Founded in 2012, the Tunisian Observatory of the Economy (TOE) has undertaken a multidisciplinary and pluralistic approach to designing and advocating for economic policy reforms in Tunisia. Established by researchers, analysts, and activists concerned about public policies after the onset of the Tunisian revolution, which occurred between December 2010 and January 2011. This NGO has sought to contribute to policy by contributing to progressive economic thinking in the country, providing information and training opportunities, and by collaborating with various stakeholders to respond to the developmental needs of Tunisia.[174] In 2017, TOE reports that they were able to successfully employ research evidence to change tax policy towards fairer taxes in Tunisia.[175]

Civil Society Legislative Advocacy Centre (CISLAC)

Founded in 2011, Civil Society Legislative Advocacy Centre (CISLAC) is a non-governmental, non-profit legislative advocacy, information sharing, and research organisation. It arose from the need to address defects in the legislative advocacy work of civil society and open a channel through which legislators can also access civil society groups. CISLAC aims to strengthen the work of civil society on legislative advocacy and bridge the gap between legislators and the civil society.

CISLAC – through its engagement with the government processes in Nigeria – has contributed towards the passage of several legislations. such as the Fiscal Responsibility Act, National Tobacco Control Act, National Health Act, Public Procurement Act, and Nigeria Extractive Industry Transparency Initiative Act. CISLAC promotes transparency and accountability in governance, as well as the domestication of international conventions at the Federal and state levels in Nigeria through advocacy, presentation of memoranda, and public awareness programmes and media engagement.

The work of the Centre for Trade Policy and Development (CTPD)-Zambia in Tobacco legislation advocacy

The Centre for Trade Policy and Development (CTPD) is a non-profit, membership-based trade policy think tank established in 2004 in Zambia. CTPD aims to promote equitable, pro-poor trade policies and practices in Zambia through trade reform at national, regional, and international levels. In addition, the organisation facilitates the participation of member organisations and stakeholders to ensure that trade and investment serves as a tool for poverty eradication. There are two underlying focuses to the work of CTPD: Trade Policy and Tax Policy. CTPD targets a range of actors in their advocacy, including both state and non-state actors. Within the former, CTPD cited legislators, local authorities, and policy makers as key stakeholders. With the latter they noted the public, civil society, and the private sector.

The Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)- Uganda

The Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) was founded in 1996 after the World Trade Organization (WTO) Singapore Ministerial Conference. The organisation was formed in response to the sentiment that African countries were marginalised in WTO negotiations and in other international fora. The founders of SEATINI felt that African governments' capacity to negotiate was limited, and the participation of other stakeholders in the private sector, civil society, and Members of Parliament (MPs) was minimal. Related to this was a perception that the capacity of CSOs in these countries was limited. The domestic private sector and MPs were similarly excluded and/or ill-equipped to engage. SEATINI Uganda was established in 2001 as part of the SEATINI network and serves as the regional coordinating office for East Africa.[176] SEATINI Uganda focuses primarily on trade and tax issues. They have four programme areas: Trade policy and negotiations; Agriculture, trade and rural transformation; Financing for development; Equator School of Development.

174 Development Assistance Roadmap Portal in the Middle East. 2020. The Tunisian Observatory of the Economy (OTE). https://darpe.me/implement-entries/the-tunisian-observatory-of-the-economy-ote/
175 Initial Interview with a researcher
176 The values and mission of SEATINI-Uganda can be found here: SEATINI. (n.d). Our Vision, Mission and Values https://seatiniuganda.org/our-vision-mission-values/

Appendix D

Figure 8: Ratification Process in Uganda

INTER-MINISTERIAL CONSULTATIONS	CLEARANCE CERTIFICATE	INTERNATIONAL NEGOTIATION	CABINET/ PARLIAMENT AUTHORIZATION	RATIFICATION
• Convened by Ministry responsible for implementation of proposed treaty. • Rcommend participation and signature of proposed treaty	• Submission of Committee recommendation to Attorney General (AG) • Having considered all legal implications, AG may issue a 'Clearance Certificate" for participation	• Once "Clearance Certificate" reaches responsible ministry, it proceeds to participate in international negotiation process. • Meanwhile, the inter-ministerial committee meets again to evaluate benefits and obligations that may arise from participation in the treaty.	• Upon recommendation of the Inter-Ministerial Committee, Cabinet Minister tables motion in Parliament or presents Cab memo to cabinet seeking authorization to ratify the treaty.	• Once Cabinet/ Parliament approves ratification, the Minister of Foreign Affairs proceeds to draft, sign and deposit or exchange the instrument of ratification.

Source: Kigenyi (2010) & www.euclid.int

Appendix E

Tunisian Observatory of the Economy

TOE drafted Article 18 of the Finance Law[177] with the following provisions:

- The Ministry in charge of finance establishes an annual report comprising, most notably, the following data:
  - Amounts allocated to tax and financial incentives granted in the previous financial year. The data must be disaggregated by economic sectors, the governorates as well as the delegations;
  - Number of jobs created by the enterprises having benefited from the incentives during the previous budget year disaggregated by job category;
  - Export turnover for enterprises having benefited from the incentives during the previous year; and
  - Situation of the enterprise having benefited from the incentive with regard to the continuity of its activity and its sustainability;
- The Ministry in charge of finance presents to the general assembly the report referred to above with the draft of the appropriations bill;
- The evaluation of the impact of the tax and financial incentives in export, employment, and regional and sectoral development. The methodology used for evaluation must outlined and described;
- The authority in charge of the investment incentives is obligated to inform the Ministry in charge of finance outlined this far within a deadline not exceeding the end of first quarter of each budget year;
- The above-mentioned evaluation report is published by the Ministry after the adoption of the appropriations law; and
- The article will be effective in the appropriations law from 2020.

177 The Finance Law (in French: "Loi de Finances") is a legal act that mainly authorises the expenditure of government funds and set funds aside for specific expenditures. The Law was drawn up by the Ministry of Finance (in conformity with Decree No. 75-316 of 30 May 1975 setting out the powers of the Ministry of Finance) in the form of a decree, to ensure, in conformity with the legislation and regulations already in force, the implementation of the State budget, subsidiary budgets, administrative public establishment budgets, as well as special treasury funds.

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