ecdpm

Claiming back civic space

Towards approaches fit for the 2020s?

May 2020

Jean Bossuyt
Martin Ronceray

Belgium
partner in development

KINGDOM OF BELGIUM
Federal Public Service
Foreign Affairs, Foreign Trade and Development Cooperation

Table of Contents

List of Boxes ii
List of Figures ii
List of Tables ii
Acknowledgements iii
Acronyms iii
Executive Summary iv
Why this study? iv
Impact of the systematic assaults on civic space iv
Responses so far to defend and claim back civic space v
Towards a next generation of more proactive, coherent and coordinated approaches to civic space vi
Introduction 1
The context 1
Aim of the study 1
1. The expanding global phenomenon of 'closing' civic space 3
1.1. The growing trend of restricting space for civic action 3
1.2. Underlying drivers 7
1.3. Actors targeted 8
1.4. Methods and tactics used 8
1.5. Effects and impact of the systematic assault on civic space 9
2. Taking stock of current responses to defend and claim back civic space 13
2.1. Response strategies of bilateral and multilateral agencies 15
2.1.1. Overall menu of options available 15
2.1.2. Using the instrument of development cooperation to address civic space issues 18
2.1.3. Multilateral initiatives and diplomatic responses to closing space 25
2.1.4. Limited policy and operational coherence in combating closing space 28
2.2. The role and effectiveness of private funders 29
2.3. INGOs responding to closing space 30
2.4. Local CSOs and activists responding to closing space 32
3. The need for a major qualitative jump forward 35
4. Building blocks of a Generation 3.0 approach to civic space 38
4.1. Adopting a clear policy framework creating incentives for bolder action 38
4.2. Promoting whole-of-government policy coherence in favour of civic space 41
4.3. Nurturing whole-of-society approaches to civic space 43

4.4. Exploiting the potential of rights-based approaches 46
4.5. Bridging the gaps between development, security and humanitarian action 48
Bibliography 50

List of Boxes

Box 1: What are the constituent elements of civic space? 3
Box 2: More refined context-specific research is needed on a host of complex issues 14
Box 3: The track record so far of Belgium in addressing civic space 17
Box 4: Dialogue and dissent – an innovative Dutch scheme in support of CSO advocacy work 19
Box 5: The added value of politically savvy mappings of civil society 20
Box 6: What are the sources of legitimacy of local and international CSOs? 21
Box 7: A case of effective donor coordination in Uganda on governance and civic space 22
Box 8: How to balance contradictory incentives in supporting civic space 23
Box 9: Smart and agile support to democracy agents in the frontline 24
Box 10: Potential and limits of the Open Government Partnership 25
Box 11: Tips and tricks to effectively oppose restrictive laws 26
Box 12: Agreeing on a common diplomatic position: the case of Burundi 27
Box 13: Danish NGOs join forces to claim back civic space 31
Box 14: Overview of policies pertaining to civil society in OECD members 39
Box 15: How effective was the 'uptake' of the new EU policy on civil society? 40

List of Figures

Figure 1: The state of civic space in the world (CIVICUS Report 2019) 5
Figure 2: Civic space in Belgian partners (as of early 2020) 6
Figure 3: Denmark's multi-level response to shrinking civic space 16
Figure 4: Central framework of Oxfam's civic space monitoring tool 32
Figure 5: Local CSOs responding to civic space 33

List of Tables

Table 1: Forms of attacks against civic space 8
Table 2: Possible responses of the international community 15
Table 3: Categories of CSO responses to closing space 33
Table 4: Comparing approaches to closing civic space 37
Table 5: Examples of private sector contributions to protecting civic space 46

Acknowledgements

This study was funded by the Belgian Ministry of Foreign Affairs' Directorate-general Development Cooperation and Humanitarian Aid. The information and views set out in this study are those of the authors and do not necessarily reflect the official opinion of the ministry.

This paper could not have been written without the stakeholders who provided valuable insights – they are too many to list – including at the conference of 17 December 2019 at the Belgian Ministry of Foreign Affairs. The document also relies on the excellent work done by scholars, civil society organisations and specialised institutions on this topic (see the extensive bibliography). Their data and analyses helped to produce this overview document as well as operational grids that may guide policy-makers and practitioners. The authors thank DGD for the trust and support provided all along the process. We are also grateful for the in-depth review of an earlier draft by Hilde Herssens (DGD), Pieter-Jan Hamels (11.11.11) as well as Bruce Byiers and James Mackie (ECDPM). Thanks also to Inna Perova and Carlotta Maria Paschetto for layout. Feedback is welcome to jb@ecdpm.org and mro@ecdpm.org.

Acronyms

CoD	Community of Democracies
CSI	Civic Space Initiative
CSII	Civic Society Innovation Initiative
CSO	Civil Society Organisation
CSR	Corporate social responsibility
DfID	Department for International Development
DGF	Democratic Governance Facility
ECDPM	European Centre for Development Policy Management
EED	European Endowment for Democracy
EITI	Extractive Industries Transparency Initiative
EU	European Union
FATF	Financial Action Task Force
FICS	Funders' Initiative for Civil Society
ICNL	International Centre for Not-for-Profit Law
IBP	International Budget Partnership
INGO	International NGO
LGTBI	Lesbian, gay, bisexual, transgender, and intersex
M&E	Monitoring and Evaluation
MFA	Ministry of Foreign Affairs
NED	National Endowment for Democracy
NGO	Non-governmental organisation
NSAG	Non-state armed group
OECD	Organisation for Economic Co-operation and Development
OGP	Open Government Partnership
OHCHR	Office of the United Nations High Commissioner for Human Rights
PCD	Policy coherence for development
RBA	Rights-based approaches
SRHR	Sexual and Reproductive Health and Rights
UK	United Kingdom
UN	United Nations
US	United States
V-Dem	Varieties of Democracy
WGI	Worldwide Governance Indicators

Executive Summary

Why this study?

In a wide diversity of countries across the globe (including in Western Europe), the space available for civil society, activists and citizens has been under attack over the past decade. Reports confirm a recent ***acceleration of the trend*** of '*closing*' or '*shrinking*' civic space. ***Triggered by both state and non-state actors*** through legal means like repressive laws as well as through para-legal tactics (such as intimidation), the backlash does not only affect progressive CSOs involved in human rights promotion. It also targets a growing array of development and humanitarian organisations, community groups, charities, environmental activists, etc. This challenges ***internationally recognised rights*** (i.e. freedom of speech, association and assembly). Given the importance of a healthy civil society for purposes ranging from holding governments accountable to delivering services to communities, these assaults threaten ***inclusive and sustainable development*** as proclaimed in the 2030 Agenda.

By now, ***substantial knowledge*** has been accumulated on the underlying drivers behind the phenomenon, the types of restrictive/repressive tools most used as well as their consequences. Valuable experiences have been gained by local and international actors in responding to this expanding global problem. However, there is a growing concern that ***authoritarian powers remain ahead of the curve***, forcing those who seek to protect civic space into reactive approaches which fail to address the root causes of the threats and to mobilise all the levers at their disposal.

This is why the Belgian Ministry of Foreign Affairs commissioned this study to provide an update on how international as well as domestic actors have been responding to the expanding and increasingly sophisticated threats to civic space. This should help drawing recommendations for Belgian actors and other potentially interested stakeholders, on how to move forward in developing comprehensive, whole-of-society and rights-based approaches which allow to protect and reclaim space for democratic organisations.

Impact of the systematic assaults on civic space

Local civil society is on the frontline, and suffers greatly from closing space, with instances of organisations forced to disband, relocate or change activities, and unable to secure funding. Staff members are intimidated, detained or assaulted, sometimes up to death. Informal social movements without legal status experience similar threats, as well as journalists, academia and bloggers. When they do not suffer from the repression directly, they tend to do so indirectly through the mental burden induced by insecurity, which frequently leads to self-censorship and a redeployment of activity, away from advocacy for rights and towards service provision.

Development and humanitarian partners also experience pressures and restrictions, e.g. in terms of the type of programmes they can fund, lack of respect for international humanitarian law, limited opportunities for political dialogue, etc. In many instances, external agencies were forced to close down operations in a given country. INGOs are often in a position to relocate activities and can rely on international networks and expertise, but small structures can be threatened in their existence.

Deteriorated civic space contributes to ***wider movements of democratic recession***, through reduced scrutiny and reporting on policies and on human rights abuses as well as on attempts to subvert independent institutions. Further, it often results in ***political polarisation***, hate campaigns (e.g. on social media), violence as well as an erosion of norms -such as the acceptance of the role of opposition. It is not

solely a state-driven process, however, as this polarisation is promoted by numerous non-state actors and movements – illiberal, populist and reactionary ones in particular.

Responses so far to defend and claim back civic space

Over the past decade, the community of actors concerned has invested significantly in ***better understanding the phenomenon*** of closing civic space. Organisations monitoring civic space (such as CIVICUS and the International Centre for Non-Profit Law) as well as a multitude of researchers, journalists, think tanks and local organisations keep producing relevant analyses. However, more efforts are needed for dissemination, cross-fertilisation and effective uptake of this valuable knowledge.

All ***development partners*** are confronted with the issue of closing space. Yet their response strategies tend to differ in scope and intensity. In a first, quite pro-active group, we find actors such as Sweden, Denmark, the United Kingdom, the Netherlands, USAID and the EU. They have elaborated strategies for engaging with civil society which generally include ***commitments to address the 'enabling environment' for civil society*** or the closing space issue. They tend to engage at different levels: (i) *global* as in the 2016 reform of the Financial Action Task Force in order to ensure that regulations of capital movements does not undermine CSO funding; (ii) *regional* through coordinated initiatives; (iii) *national* through formal and informal political dialogues (with varying levels of success); and (iv) *local* through dialogue and support to domestic CSOs. They also move towards more equal political partnerships with local actors and try to put in place innovative funding instruments (e.g. the highly flexible emergency funds to support human rights defenders at risk).

Other bilateral actors (such as Belgium) also undertake various initiatives to protect civic space in partner countries or at the multilateral level. Yet, they tend to behave in a more reactive way, have a weaker overall political support base internally, less explicit policies and rather ad hoc institutional arrangements to coherently work on civic space. They also tend to lack clear operational guidance for staff members in the field.

The study also looks at support provided by ***private funders and the international NGOs*** (INGOs). It identifies a multitude of initiatives emanating from both set of actors. They either take the form of ***resistance strategies*** (e.g. efforts to create a more enabling environment by working on international norms, coalition building or shaping public opinion) or ***resilience strategies*** (e.g. to help local actors to adapt/survive by investing in CSO security, constituency building, local philanthropy). Yet reports and surveys suggest that both set of actors face structural vulnerabilities (e.g. the risk of being labelled as '*foreign agents',* high dependency on donor funding, limited collective action capacity, etc.). As a result, they often operate in silos (e.g. by focusing on *their* partners rather than building alliances) and generally respond in a risk-averse, ad hoc and short-term manner (following an *'adaptation and mitigation'* logic, rather than a proactive approach).

These various external players are all confronted with a set of ***complex strategic and operational dilemmas*** in protecting civic space and providing support / funding to local actors in hostile environments:

- ***What are the donor motives and implications of funding advocacy work in partner countries****?* Supporting CSOs in advocacy work implies a recognition of the *political* role played by donors and requires a different engagement strategy than service delivery (as experienced with the Dutch programme '*Dialogue and Dissent'*). This includes more equal partnerships, flexible monitoring and evaluation (M&E) systems, respect for downward accountability and sharing risks. It also requires flexibility in operational work of the CSOs supported. For instance, by allowing a shift from advocacy to service delivery if the political work becomes too dangerous (or a mix of both roles).

- ***Who are relevant domestic actors and how legitimate are they?*** **'***Civil society'* in a particular country tends to encompass a wide range of formal and informal organisations and movements, reflecting different identities, values, agendas, levels of rooting in society, etc. This raises important definitional issues around civil society and civic space. In polarised environments, the civic space is increasingly occupied by non-state actors that are not '*pro-democracy'* or '*pro-development'* (as defined in liberal theory). Hence, donors need to carry out actor mappings and address the legitimacy issue of CSOs as actors of change upfront.
- ***How to balance the need for flexibility and accountability when funding advocacy work?*** Too heavy reporting and accountability requirements tends to reduce the ability of organisations to adapt to reduced civic space. Yet the '*managerial approach'* in the aid system is hard to change**.**
- ***What type of risk analysis and management is required?*** It is generally acknowledged that further investments are needed in joint early warning mechanisms and pilot programmes with flexible funding modalities. Another priority is to avoid a '*delegation'* of the risks involved with the (financial) support provided to INGOs and their local partners.

While these dilemmas will remain on the table in the next years, there is a growing consensus that the ***current response strategies are useful but not sufficient***, considering the magnitude of the global assault and the sophisticated approaches by authoritarian forces (state and non-state actors). Existing approaches tend to be too reactive, conciliatory, ad-hoc and/or short-term. ***They are likely to be self-defeating as they confuse symptoms with root causes and are not focused enough on empowering actors and joining forces so as to be able to proactively claim back civic space.***

Towards a next generation of more proactive, coherent and coordinated approaches to civic space

A substantial stream of analyses argues that in order to overcome the structural shortcomings of current responses, a ***major qualitative jump forward is needed at three levels*****:**

- *Broadening the narrative on what is at stake in defending and reclaiming civic space.* The degradation of civic space is not just about people's right to organise or protest. It is a ***symptom and part of a much wider trend of global democratic recession and authoritarian resurgence.*** While the situation is different in each country affected (and therefore reducing the scope for clearly delineated typologies of countries), the phenomenon of deteriorating civic space stems from a fierce struggle between political forces, often underpinned by competing societal and governance models, narratives and values, and sometimes framed as opposing progressive forces and conservative ones. This is illustrated again by the COVID-19 crisis, as authoritarian and hybrid regimes seek to use this global health threat to reinforce their power by eroding democracy and civic space.

- *Recognising that civic space is 'changing' rather than 'closing'.* While Western-funded CSOs and many activists experience a significant backlash, ***new actors are gaining prominence in the civic arena***. These include a wide range of non-state actors aligned to authoritarian regimes in their will to undermine the space for progressive civic engagement. At the same time, new forms of civic activism are emerging world-wide, adopting much more fluid and informal organisational settings (e.g. protest movements, digital activism, etc.), partly in response to the closing space patterns. The reality is therefore much more one of an ***increasingly diversified, constantly changing and competitive civic space.***

- *Going to a higher gear in terms of strategic responses* in order to live up to the urgency, to this broader narrative of a 'changing' civic space and to the higher stakes at hand of democratic consolidation versus authoritarian resurgence.

The transition towards upgraded approaches to civic space will take time. Yet new thinking and practices are emerging that show the way forward. The study identifies major building blocks of a more structured and coherent response to the civic space challenges post 2020, including:

- ***Adopting a clear policy framework creating incentives for bolder action at different levels***. This is not a panacea. However, it signals an explicit political commitment to the issue, which can help broaden the range of actors and stakeholders involved (c.f. examples of Denmark or the EU *Civil Society Roadmaps*).
- ***Promoting whole-of-government approaches to civic space***. Policy coherence calls for the alignment of public action between sectors and related interests. It can be done in different ways (e.g. through official policies, inter-ministerial or departmental committees; higher political level responses, and also by mainstreaming civic space in other policies). Sequential approaches are to be preferred, which duly factor in the political and institutional limitations of striving for an ambitious response and take advantage of political momentum.
- ***Nurturing whole-of-society approaches to civic space***. The battle to protect and reclaim civic space cannot be won by CSOs, development partners or diplomatic efforts alone. It requires a much broader mobilisation of actors in society at large and at different levels. A wide range of promising new practices are emerging such as building alliances between CSOs and social movements and activists; reaching out to Parliament and the justice system; working with local authorities; building coalitions with the media and the digital society; mobilising crowdfunding and ensuring the collaboration of the private sector and its compliance with *corporate social responsibility* standards.
- ***Exploiting the potential of rights-based approaches (RBA).*** Four potential benefits can be obtained by applying RBA in hostile environments. The notion of *duty-bearers* and *right-holders* can be used to foster effective service delivery or mobilise the justice system to claim rights. It can help to confront the state with international, continental and regional obligations it has signed up to. There are also positive experiences in using RBA to *indirectly* support human rights and civil society when it is not possible to act directly (e.g. by focusing on socio-economic rights or on civic education, which tend to be less controversial than political rights).
- ***Bridging the gaps between development, security and humanitarian action*.** The adoption of integrated approaches is crucial to promote coherence and protect civic space across the board. Different narratives and approaches are currently being followed to foster this triple nexus, in line with the OECD-DAC recommendation adopted on 22 February 2019.

Introduction

The context

Each year, the surveys produced by the international watchdog CIVICUS and other sources show ***alarming figures on the space available for autonomous civic action*** by democratic forces. The trend towards "*closing*" or "*shrinking"* civic space is worldwide, and on the rise in the European Union (EU) as well. Triggered by both state and non-state actors, the assaults target an increasingly diverse group of organisations, activists and citizens. They challenge internationally recognised rights (e.g. freedom of speech, association and assembly) and weaken the foundations of accountable democracies. In the process, they also reduce the scope for inclusive and sustainable development as proclaimed in the 2030 Agenda.

This acceleration of attacks on civic space towards pro-democratic actors has been going on for more than a decade. During this period, quite some ***knowledge*** has been accumulated on the nature of the phenomenon, the drivers behind it, the type of restrictive/repressive tools used as well as their consequences. ***Valuable experiences*** have been gained by local and international actors that seek to protect the civic space in hostile environments through a diversity of responses ranging from adaptation to a repressive environment to unilateral and multilateral diplomacy. However, there is a growing recognition that ***more structured, comprehensive and creative approaches are needed*** by those interested in safeguarding democratic values and inclusive development to cope with this fluid and rapidly evolving global phenomenon. As the forces that seek to restrict the voice of citizens get smarter and more efficient every day, those wanting to reclaim democratic civic space also need as well to become more sophisticated in their response strategies.

Belgium has a longstanding tradition of supporting international human rights standards through collective action at EU level and in multilateral fora. Its development policy stresses the importance of strengthening civil society and fostering rights-based approaches. In practice, Belgian actors in development, humanitarian and diplomatic circles, have taken various initiatives to protect civic space in partner countries. Yet within the Ministry of Foreign Affairs there is a ***demand***, particularly in the dedicated civil society unit, to explore ways and means to streamline, rationalise and step up efforts made so far.

To this end, the Ministry has commissioned a study to the European Centre for Development Policy Management (ECDPM), an independent foundation specialised in EU-Africa relations, including thematic areas such as governance and civil society development.

Aim of the study

The purpose of the study is twofold:

(i) Building on existing knowledge, to provide an ***update on how domestic and international actors can effectively help protect/reclaim civic space***

(ii) To draw a set of ***practical recommendations*** for Belgian actors and other potentially interested stakeholders, on what could be done to promote whole-of-society, whole-of-government and rights-based approaches towards protecting / reclaiming civic space.

Methodologically, the study is mainly based on (i) ***documentary analysis*** *and* (ii) ***interviews*** with key actors within the Belgian context (Ministry officials, Embassy staff, NGOs, etc.), selected EU member states that have sought to adopt bolder and more comprehensive approaches in dealing with civic space issues (i.e. Denmark, Sweden, Netherlands, United Kingdom) as well as with multilateral actors, including

the EU and the OECD; and (iii) ***a one-day international conference*** in Brussels on 17.12.2019 (attended by over 100 actors and experts from different walks of life). The study findings are meant to feed into the Ministry's ongoing reflection on how to upgrade Belgium's response to the civic space challenge across the globe.

Civic space is under strain almost everywhere, and it reflects the overall worldwide trend of democratic erosion in old democracies, new ones and undemocratic countries alike. As of Spring 2020, the COVID-19 health crisis is causing damage to civic space directly by preventing activity, but also indirectly because it offers grounds to adverse forces for restricting public debate, with a risk of long-lasting consequences. The closure of civic space takes different shapes across countries, and while it is necessary to capture the global image, this study is primarily concerned with civic space *in developing countries*, and with how Belgium with a wide range of other actors can contribute to it.

After this introduction, the ***report is structured as follows***:

- Chapter 1 sheds light on the global phenomenon of the backlash against civic action, its main features and evolution over time.
- Chapter 2 focuses on the responses developed so far by concerned international and local actors in developing countries (i.e. aid agencies, foreign ministries, international NGOs, private foundations, local civil society and other domestic players).
- Considering the growing depth and intensity of the global threat against civic action, Chapter 3 explains why more sophisticated narratives and response strategies are required – such as the application of *whole-of-society*, *whole of government* and *rights-based* approaches.
- Chapter 4 examines how much progress has been achieved in making this qualitative jump forward towards more structured, comprehensive and proactive approaches in development cooperation and beyond.

1. The expanding global phenomenon of 'closing' civic space

This chapter recapitulates available knowledge on the global trend toward restricting space for progressive civic action as it crystallised during the last decade. This implies explaining ***how*** this closure manifests itself and ***why*** it has become a key feature of political life across the globe. It means looking at the ***expanding group of affected actors,*** but also shedding light on actors such as conservative anti-rights movements that are increasingly occupying a "changing" and increasingly "contested" (rather than just 'closing') civic space. It calls for an analysis of the ***wide range of (legal and extra-legal) methods and tactics used*** as well as a brief assessment of the ***impacts*** of this global threat.

1.1. The growing trend of restricting space for civic action

As a central pillar of a democratic configuration and a critical layer between state, business and family, civil society actors, in all their diversity, have sought to fulfil ***crucial roles***[1]. These include: ***delivering services*** to poor and marginalised people; giving them a ***voice*** in processes that affect their lives; ***advocating for change*** on a wide range of issues; holding governments and powerful non-state actors to ***account***; and promoting ***inclusive and sustainable development*** in line with the Agenda 2030 by making these goals relevant, useful and powerful for local actors.

There is no single definition, but ***civic space*** refers to the public arena in which citizens can freely intervene and organise themselves with a view to defending their interests, values and identities; to claim their rights; to influence public policy making or call power holders to account. In an ***open space*** the state is supposed to guarantee core freedoms (of association, assembly and expression) and allows citizen engagement in public policy-making. In a ***closed space***, all kinds of restrictions are imposed on these freedoms and participation, enforced by legal and extra-legal (repressive) measures. In reality, the space for civic action is seldom *fully* open or closed, but a fluid, highly context-specific and dynamic mixture of elements. The box summarises the main features of the civic space concept.

Box 1: What are the constituent elements of civic space?

- *Civic space is an essential part of the democratic fabric* as an arena for bargaining and contestation around fundamental political and societal choices (including "*who gets what and how*" or "*who bears what costs and how*")[2]. This space can also be occupied by actors who have different views on the exercise of power, on social justice or inclusive development.
- *Civic space concerns a wide range of actors and stakeholders.* The existence of an open civic space is not only key for civil society organisations (CSOs) involved in service delivery and/or advocacy. It is also vital for a wide range of other stakeholders such as individual human right defenders, journalists, informal social and youth movements, trade unions, political parties, media, etc.
- *Civic space depends on the institutional framework regulating citizen action.* The quality and nature of the formal "*rules of the game*" such as legal frameworks, processes and procedures that organise the civic space largely determine the possibilities for contestation and the scope of meaningful citizen voice

[1] Key civil society institutions in Belgium such as 11.11.11 and the NGO Federation have issued policy documents in that sense. See 11.11.11. Koepel. 2019. *Shrinking Space. Het kritische middenveld onder druk. Basisdossier campagne*. July 2019. As well as NGO Federatie. 2015. *Meerwaarde bieden in de samenwerking van de 21ste eeuw. Visietekst. Een agenda tot vernieuwing van en door de Belgische NGO sector*.

[2] Hossain, N et al. 2018. *What Does Closing Space Mean for development? A Literature Review and Proposed Conceptual Framework.* IDS Working Paper, Volume 2018, No 515.

and action[3]. These rules also define the available room for citizens/CSO to defend themselves. In recent years, more informal, extra-legal measures are taken to restrict space for critical civil society voices.

- *Civic space is a moving target.* The space for citizen engagement is never a given or a static thing[4]. It is not only determined by the pressures exerted upon it by governments and non-state actors. It is also shaped by the capacity and agency of CSOs themselves and their interactions with the other spheres of actors (states and markets).
- *Civic space is an integrated part of the 2030 Agenda.* SDG 16 is about promoting peaceful and inclusive societies for sustainable development, access to justice for all and "*building effective inclusive and accountable institutions at all levels*". This goal is translated in targets that stress the need for participatory decision-making (16.7) and access to information as well as protection of fundamental freedoms (16.10).
- *Civic space relates to context specific dynamics.* While there are common features and patterns in the worldwide phenomenon of closing civic space, each country/regional situation is different. Hence, the crucial importance of context-sensitive analyses on the evolving nature, shape and characteristics of the available space for civic action.

Attempts to squeeze civic space are not new. Throughout history, state and non-state actors have imposed restrictions on the voice and agency of citizens in different types of regimes. The fall of the Berlin Wall (1989) provided a recent point of rupture. The ***end of the Cold War*** unleashed a new democratisation wave across the globe, creating space for the participation of civil society in the political, social and economic organisation of countries. It appeared that authoritarianism had received a fatal blow and liberal democracy had won the ideological battle and become the universal model[5]. The resulting rise of civil society was coined as a "***global associational revolution***"[6]. Both domestic laws and international cooperation treaties reflected this liberal conception on the role of civil society[7]. Donor agencies provided a generous stream of financial support to empower civil society organisations as crucial agents in promoting democracy and development[8].

Yet ***this state of 'democratic euphoria' would turn out to be short-lived***. The 9/11 attacks and related '*War on Terror*" were accompanied by major backlashes on the respect for human rights. The "*color"* revolutions in Georgia, Ukraine and Kyrgyzstan ended in a relative stalemate. The Arab Spring turned soon into conflict and chaos or the restoration of authoritarian rule (with the exception of Tunisia). In the Western hemisphere autocratic tendencies re-emerged as well (e.g. in Russia, Hungary, Turkey) or attempts to curtail core democratic institutions such as the justice system (Poland). The multiple crises (migration, climate, financial, health) have created fear within the population on a global level, a symptom exploited by populist movements and persons. The phenomenon of closing civic space has now reached a tipping point of *"ubiquity"* and *"severity"*[9]*,* transforming itself in a global trend and threat. Such ***restrictions are "contagious"*** in the sense that *"similar laws designed to control [civil society] are multiplying across the world*"[10].

---

3 In the initial phase of the '*closing space'* phenomenon, autocrats had a strong preference to play around with legal and institutional provisions to silence critical voices and harass independent CSOs.

4 Buysse, A. 2018. *Squeezing civic space: restrictions on civil society organizations and the linkages with human rights.* The International Journal of Human Rights, Volume 22, 2018 - Issue 8.

5 Fukuyama, F. 1992. *The End of History and the Last Man*. Free Press.

6 Salomon, L.M. 1994. *The rise of the non-profit sector*. Foreign Affairs, July-August 1994.

7 The Cotonou Agreement, signed in 2000, between the EU and the countries of Africa, the Caribbean and the Pacific (ACP) is a case in point. According to this legally binding treaty, participation of civil society is a "*fundamental principle"*. This is translated in specific provisions (articles 4-8) that spell out the roles of civil society and include commitments to provide financial and capacity development support.

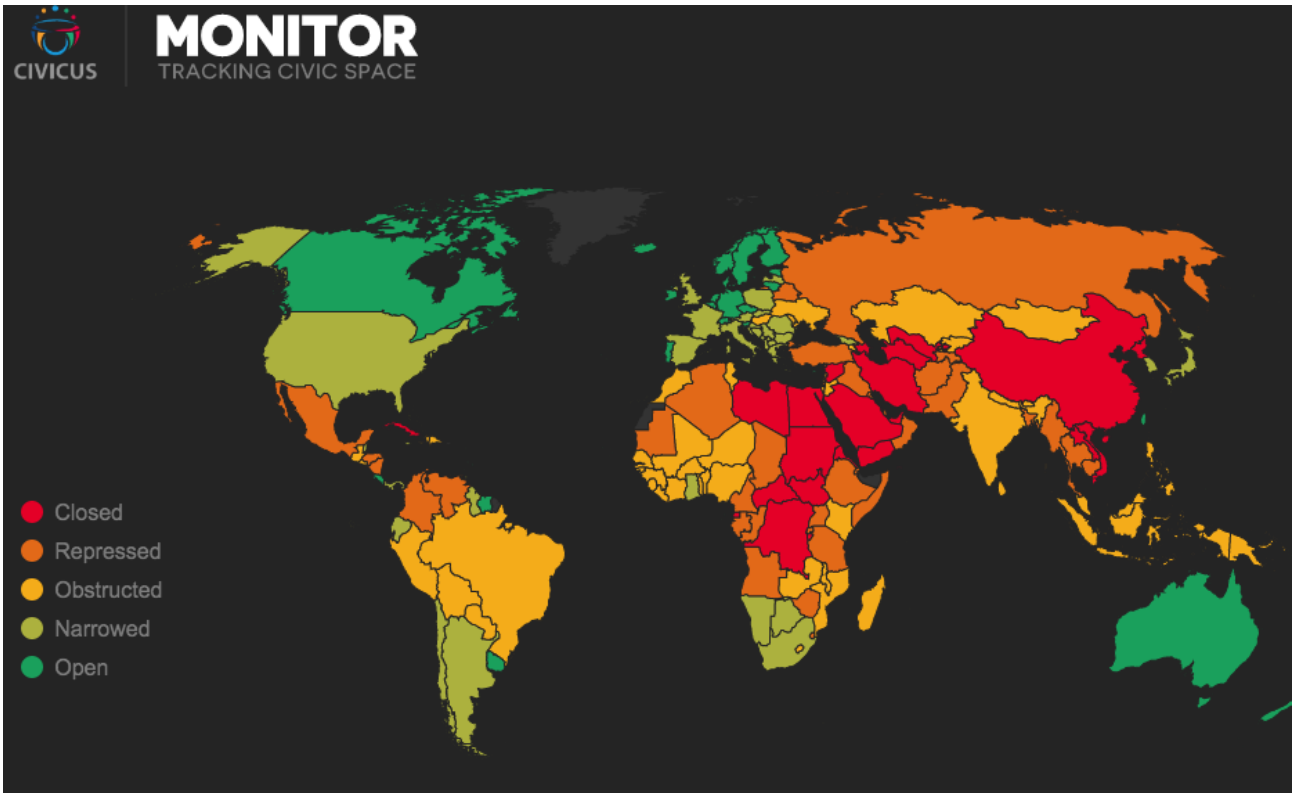
8 For a critical analysis of the proliferation of donor support to civil society in that period see: Ottaway, M. and Carothers, T. 2000. *Funding Virtue: Civil Society Aid and Democracy Promotion*. Carnegie Endowment for International Peace.

9 Carothers, T. 2015. *The Closing Space Challenge. How are funders responding?* Carnegie Endowment for International Peace. November 2015, p. 3.

10 European Foundation Centre and Funders' Initiative for Civil Society. 2017. *Why shrinking civil society space matters in international development and humanitarian action.* EFC, May 2017, p. 4.

CIVICUS (an international alliance of CSOs and activists) is tracking and monitoring civic space. It makes a distinction between five categories of countries – respectively with closed, repressed, obstructed, narrowed and open space. Figure 1 below illustrates well the scope of the global trends and the worsening conditions for civic action across the globe.

Figure 1*:* The state of civic space in the world (CIVICUS Report 2019)

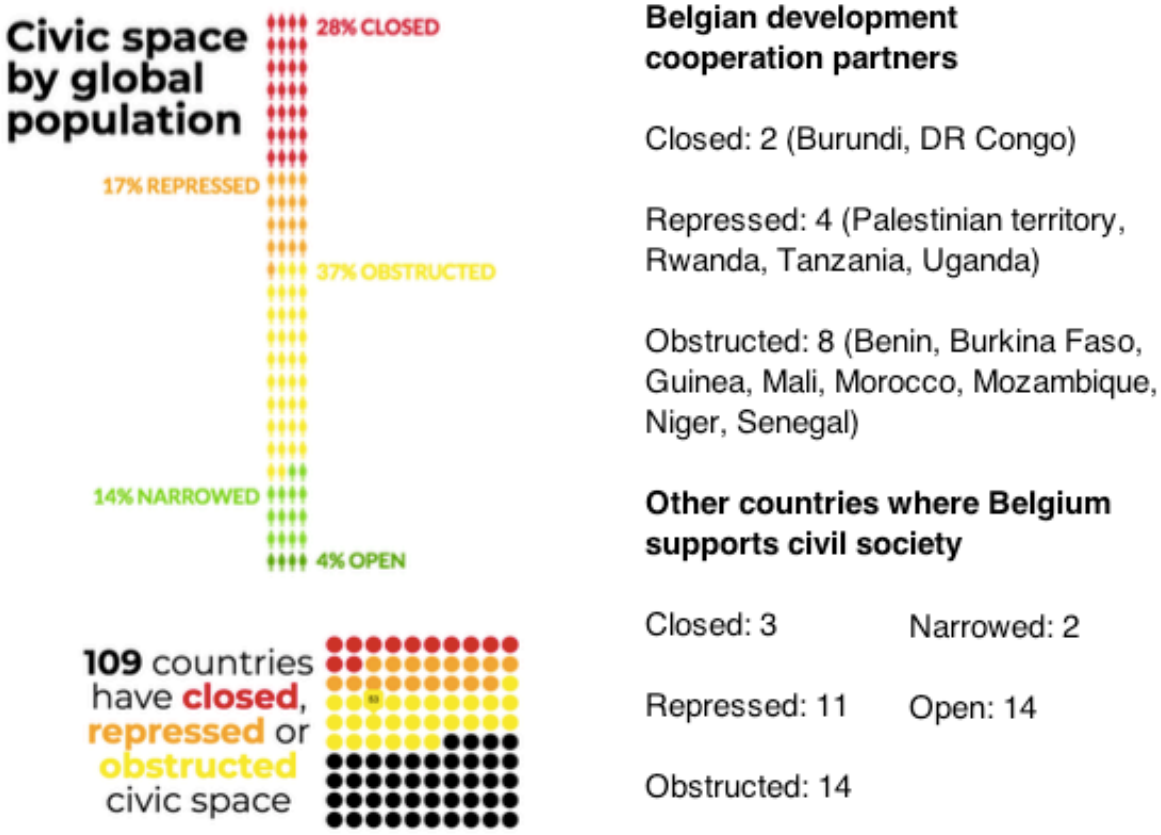


The accompanying narrative is that the space for civic space is in 2019 "*under serious attack in 111 of the world's countries -well over half- and only four percent of the world population live in countries where our fundamental civil society freedoms -of association, peaceful assembly and expression- are respected. There are now serious restrictions on civic space in every continent*"[11].

Figure 2 provides further details on the situation regarding civic space, also applying available evidence in the public arena to direct partner countries of Belgium's bilateral cooperation (primarily African countries) and to wider countries where it also supports the civil society, such as the Philippines or Nicaragua.

[11] Civicus. 2019. *State of Civil Society Report 2019.* With particular focus on Chapter 2 on *"Challenging exclusion and claiming rights".*

Figure 2: Civic space in Belgian partners (as of early 2020)



Source: Civicus/ECDPM

Other sources (tracking the quality of democracy using various datasets and indicators) corroborate the expanding phenomenon of restricting civic space, including[12]:

- The international NGO Freedom House monitors the evolution of political and civil liberties across the world. In its recent report: "*Freedom in the World 2018. Democracy in crisis*" in noted that the above rights around the world deteriorated to their lowest point in more than a decade.
- The United Nations Special Rapporteur on the Right to Freedom of Peaceful Assembly and of Association observed that closing space is also becoming an issue within the UN -where some governments resist allowing civil society engagement in the work of the global institution[13].
- In its 2017 Global Risks Report, the World Economic Forum examined the challenges posed by the clampdown on fundamental civic freedoms, concluding that *"a new era of restricted freedoms and increased government control could undermine social, political and economic stability and increase the risk of geopolitical and social conflict"*[14].
- The International Centre for Not-for-Profit Law (ICNL) is the leading source for information and monitoring on the legal environment for civil society, philanthropy, and public participation around the world. It systematically collects data and carries out analyses on the number of countries affected by closing civic space and the most frequent type of restrictions applied by governments.

[12] Other monitoring tools arethe Worldwide Governance Indicators (WGI), the Varieties of Democracy (V-Dem), the Economist Intelligence Unit's Democratic Index and International IDEA's Global State of Democracy indices.
[13] UN Rapporteur on Freedom of Peaceful Assembly and of Association. 2016. *The Year in the Assembly and Association Rights.*
[14] World Economic Forum. 2017. *Global Risks Report.*

1.2. Underlying drivers

Several interlinked factors help to explain the current backlash on civic space from a global perspective, some of which affect in priority new democracies, consolidated ones or other countries. They include:

- *Democratic recession and authoritarian resurgence.* From the early 1970s to the first decade of the century, the number of electoral democracies increased from about 35 to 110 countries[15]. Yet policies leading to the global financial crisis of 2007-8 generated economic turmoil, high unemployment and failing incomes for growing populations across the globe. This fueled and exacerbated longstanding anger and frustrations among important groups of citizens that felt or were '*left behind*', as well as a ***loss of confidence in democratic institutions***, paving the way for the re-emergence of authoritarian and populist leaders across the globe.
- *Political polarisation.* These authoritarian and populist forces draw on different drives within society (e.g. nationalism, conservatism, identity politics, etc.) and cultivate methods and discourses that lead to political *polarisati*on. It affects old and new democracies alike. It leads to the gradual corrosion of democratic norms and practices[16] and growing intolerance towards dissenting voices and marginalized groups. Fears for the power of civil activism and the free flow of information (in a digital world) push illiberal regimes to take pre-emptive measures that consolidate their power[17]. ***Polarisation takes on new shapes under the state of emergency many countries have adopted to tackle COVID-19*** in early 2020 as dissidents can be assimilated to traitors and face crackdown by regimes assuming emergency powers.
- *Competing development models.* As developing countries become less dependent on aid transfers, they regain space to determine their own trajectory. The shift in relative power from established Western democracies to non-Western actors has spurred a ***renewed emphasis on sovereignty norms*** and a pushback against perceived external interference. It weakens the clout of the normative approaches promoted by Western democracies in light of other 'models' (e.g. China or the homegrown 'developmental state' approaches that reject liberties in favour of development). It explains in part the weakening of multilateral governance systems.
- *Security and terrorism dynamics.* The security, refugee and migration crises have together contributed to a climate in which states (in both developing countries and the Western world) ***restrict human rights and liberties in the name of protecting core security*** concerns. Populist forces accessing to power, and moderate forces adopting their discourse with the aim to remain relevant, have accelerated the movement.
- *Questions about the legitimacy of civil society.* The rapid growth of the civil society sector across the globe from the 1990s onwards did not only have positive effects. It led to a rather unwieldy system, also populated by opportunist actors, lacking legitimacy and accountability. The ***limited self-regulation capacity of civil society*** and its level of reliance on foreign funding, turns it into an *easy target* for power holders keen to stigmatise them as foreign actors, related to terrorism, 'uprooted' cosmopolitan elites or *'enemies of the people'.*

[15] Fukuyama, F. 2018. *Against Identity Politics. The new tribalism and the crisis of democracy*. Foreign Affairs, September-October 2018.

[16] Carothers, Thomas, and Andrew O'Donohue, eds. *Democracies Divided: The Global Challenge of Political Polarization*. Brookings Institution Press, 2019.

[17] Carothers, Thomas, and Andrew O'Donohue, eds. *Democracies Divided: The Global Challenge of Political Polarization*. Brookings Institution Press, 2019.

1.3. Actors targeted

Crackdowns on freedom of expression and political dissent are targeting a diversified group of actors. Traditionally in development constituencies, the focus has been placed on activists defending political rights and aid-funded civil society organisations (with transnational links) involved in the fight against poor governance, corruption or predatory businesses. Particularly in authoritarian regimes and polarised contexts, it is important to recognise that restrictions on civic space also affect:

- A much wider category of human rights defenders (beyond political activists) who stand up for social, economic, cultural and environmental rights (e.g. protection of their land against pollution by extractive industries, discriminated indigenous groups, trade union people)
- A broader group of development NGOs and community-based organisations involved in different forms of advocacy and rights-based approaches (e.g. environmental CSOs).
- The growing set of informal social movements focusing on specific issues and able to massively mobilise (in particular through social media).
- The media, particularly critical bloggers / investigative journalists, as well as academia: opinion-makers with an indirect impact via the masses and the leaders they influence.

International development and humanitarian partners are generally part of the equation and experience different forms of pressures and restrictions (e.g. in terms of the type of programmes they can fund, the lack of respect for international humanitarian law, the limited opportunities for political dialogue, (sometimes abusive) criteria they need to respect to operate, etc. There are many instances whereby external agencies have been obliged to close down operations in a given country.

1.4. Methods and tactics used

The current ***systematic assault on civic space manifests itself in different*** forms, reflecting the growing sophistication of the toolbox used by authoritarian / populist regimes and non-state actors. As can be seen in Table 1 below[18], legislative measures are only one element of a much broader set of formal and informal efforts aimed at asserting political authority and cutting the wings of independent civil society, informal social movements, trade unions, independent activists, etc.

Table 1: Forms of attacks against civic space

Type of measure	**Concrete examples**
Crack downs on freedom of expression, assembly and association	*Institutionalisation of (para-)legal restrictions aimed at preventing demonstrations or print publications in the name of national security and public order
Legislative measures restricting the way in which CSOs are allowed to operate (e.g. in terms of roles, areas of work, networks, partners, etc.)	*Highly restrictive rules for registration of CSOs

[18] This table is inspired by the overview of methods and tactics used in the report by the European Foundation Centre: *Why shrinking civil society space matters in international and humanitarian action.* 2017, p. 7. It has been adapted with information drawn from other sources, including recent work by Saskia Brechenmacher (*Civil Society Under Assault. 2017* Carnegie Endowment for International Peace) and a major research project funded by the Dutch Ministry of Foreign Affairs on their theory of change and funding instruments for supporting advocacy work.

Selective prosecutions aimed at intimidating civil society as a whole	*Prosecution of independent CSOs on spurious charges of tax evasion and money laundering *Targeting of activists for security related offenses, and under charges of terrorism
Laws preventing organisations from receiving foreign funding	*Legislation stipulating that only CSOs which receive most of their funding (Often up to 90%) from domestic sources can work on advocacy or rights-focused activities
Monitoring, harassment and violence by police and the security apparatus	*Instituting travel bans for human rights activists *Threats and intimidation of family members *Tracking and wiretapping activists
Smear attacks targeted at CSOs	*Organised campaigns against CSOs that resist harmful development projects (e.g. in mining sector) * Taking advantage of one bad event to attack the whole sector (e.g. integrity scandals) *Demonisation of civil society using the state media *Spreading fake news and populist narratives aimed at delegitimising CSOs (framed as foreign political meddling, or building on anti-elite attitudes within society)
Efforts to reshape civil society by creating and co-opting civic actors	*Funding apolitical and pro-government organisations
Undermining the ability of organisations to communicate internally and externally securely	*Closing social media or co-opting them to access user data *Shutting down the internet during specific periods

The measures mentioned above generally emanate from ***state actors*** at different levels. In recent years, however, evidence shows that the ***assaults against civic space increasingly come from non-state actors*** -possibly but not necessarily acting as proxies for governments[19]. These include vested business interests, large corporations as well as conservative civil society actors, often linked to the political far right and propagating an anti-rights discourse and identity-driven agendas. The latter group has gained momentum in recent years in developing and post-communist worlds and in established Western democracies. In some cases, this conservative civil society is closely associated with illiberal political actors[20].

1.5. Effects and impact of the systematic assault on civic space

The negative effects of closing space on civic engagement are multiple and play out at various levels:

(1) With regard to civil society actors

The impact varies according to specific contexts and in line with the intensity of the assaults by state and non-state actors as well as the values and resistance / resilience of CSOs, social movements and activists. Recurrent negative effects, particularly for formally organised local CSOs include:

[19] Van Kesteren, F. 2019. *Dealing with Shrinking Civic Space: It is not just the state we have to worry about.* INCLUDE, 27 June 2019.

[20] For a clarification of the notion of conservative civic activism, based on a comparative analysis of nine country cases, see: Youngs, R. (ed). 2018. *The Mobilization of Conservative Civil Society.* Carnegie Endowment for International Peace.

- the difficulty of continuing to work on advocacy or rights-based issues, possibly leading to closure or exile;
- reduced capacity to attract funding, resulting in shrinking activities and a focus on organisational survival -which often means restricting the work to mere service delivery to ensure the ongoing support of governments and the basic maintenance of the structure;
- self- -censorship in order to protect staff and the organisation;
- as a result of the inward-looking survival strategy and the risks attached, a diminished capacity to engage in horizontal partnerships and alliances -that are crucial to achieving effective changes;
- reduced outreach to domestic political actors and processes and to international partners;
- organisational stress resulting from excessive bureaucratic and reporting obligations and the need to find alternative institutional forms (e.g. shift to for-profit structures);
- a huge human cost, including mental exhaustion, following harassment, intimidations and sheer repression, including the killing of activists[21];
- an overall weakening of the civil society sector as a whole.

(2) With regard to human rights and democratic governance

Patterns of negative impact can equally be observed in this broader area, including in terms of:

- reduced information flows and monitoring of government abuses of human rights, corruption or infringements to the law by the security apparatus;
- erosion of norms such as the acceptance of the opposition's legitimacy;
- less restraint by governments in subjugating core institutions such as the legislative or the judiciary;
- reduced voice and protection for marginalised and disempowered groups (LGBTI, women, migrants and refugees);
- decreasing number of narratives challenging the dominant discourses of political and economic elites
- growing indifference in society to attacks out of fear (self-protection);
- weakening of checks and balances related to public accountability;
- growing polarisation, hate campaigns (through social media) and political violence.

(3) With regard to humanitarian action

On paper, humanitarian action should be an area less targeted by civic space restrictions since it relies on a principle of neutrality and it is needs-based, fluid and short term. The authoritarian motives for restricting CSO space should not apply as much as to civil society organisations which engage in advocacy. In practice however, this neutrality is frequently undermined in contexts that are polarised and where civic space is under threat. Neutrality does not protect humanitarian action from facing the same problems as other segments of civil society, such as difficulties with registering legally or accessing the financial system (ICNL 2016). It hampers effective application of the '*Grand Bargain*', a multilateral initiative committing donors and aid organisations (amongst others) to providing 25% of global humanitarian funding to local and national actors. Government ***attempts to politicize aid and impede access to funding for local CSOs*** are also paramount in countries 'in transition' (where humanitarian aid interfaces with development cooperation).

Humanitarian action is particularly vulnerable to (post 9/11) antiterrorist regulation because it takes place to a large extent close to crisis epicentres and in physical proximity to problematic actors under sanctions or blacklists, so financial restrictions tend to be more acute than for other CSOs. Measures such as due

[21] According to the organisation Front Line Defenders' latest report, in 2018 some 321 human rights defenders were killed in the world because of their work. (FLD 2019).

diligence rules (e.g. by banks) increase the administrative burden over humanitarian action, and sometimes leads to the termination of programmes.[22]

(4) With regard to inclusive and sustainable development

The linkages between closing civic space and development impact are complex. This is illustrated, for instance, by the phenomenon of the '***developmental states***', which have achieved high growth rates and human development progress in the absence of an open civic space and an independent civil society. Conversely, many (hybrid) democracies in the developing world with a formally existing civic space, have struggled to conclude sound development deals and ensure social justice.

Much will ultimately depend on the deeper political agendas and motivations behind the drive to close civic space. To understand context-specific dynamics, a closer analysis will be required of the underlying '***political settlement***' in a given country as well as on the related '***politics of inclusive development***'. Experience across the globe has demonstrated it is not enough to have a basic freedom to express opinions, claim rights or demand justice and accountability. The existence of some democratic space for citizens, CSOs or social movements has at the end of the day limited meaning if there is also not sufficient power and traction to push political and economic elites to engage in a genuine dialogue on how to address the fundamental challenges of the country[23].

That is why the development impact of closing space for civic engagement depends largely on the context. One of the questions discussed during the concluding Conference in December 2019 is whether a '*typology*' could be constructed of various contexts with resulting implications for possible response strategies. The message here is that ***a strictly delineated typology of country contexts would not be compatible with the non-linear, dynamic and often unpredictable nature of civic space processes***[24]. Furthermore, most country contexts would fall between categories.

While a ready-to-use toolkit is not an effective option, there are a number of lenses and related indicators that can be used / combined to assess the situation[25]:

(i) The **type of regime** in place has an incidence, as illustrated by the following possible examples:

- The most deep-rooted autocracies sometimes control the provision of services better than more contested ones, which makes it possible, up to a limited point, to 'do without' services-oriented CSOs. However, space for political advocacy by CSOs is often minimal.
- In contested authoritarian settings, civil society can offer platforms to political entrepreneurs, where they develop a base and engage in advocacy. This is no smooth sailing however, as 'insecure' regimes which face contestation tend to adopt a highly repressive approach towards any form of dissidence.

[22] For instance, "*British NGOs undertaking humanitarian operations in or near areas where non-state armed groups (NSAGs) are active face increasing restrictions on their access to the financial system, including delayed transfers, the freezing of funds and in some cases the complete closure of bank accounts."* (Keating & Keen, 2017).

[23] Hossain, N. et al. 2018. *What Does Closing Space Mean for Development? A Literature Review and Proposed Conceptual Framework*. IDS Working Paper, Volume 2018, No 515, p. 7-8.

[24] A case in point is the difficulty of responding to countries with a "*deteriorating*" environment for civic action. How to assess when a country slides into this category? How to cope with different degrees of deterioration that may prevail? On the basis of what criteria does one determine that the situation gets much worse and becomes a more structural attack on civic space?

[25] Alongside the referenced sources, this analysis draws on findings from expert discussions at the 17 December 2019 conference.

- In hybrid democracies, the space for an independent civil society is real but it can be squeezed by powerful alliances between political and economic actors (e.g. around the management of natural resources or land), with detrimental effects on social cohesion.
- In democratic settings showing populist and/or authoritarian inclinations, civil society is resilient but frequently under attack, unless it stands behind the development agenda of the ruling coalition and accepts to come closer into the fold of political power. This may also prevent independent critique, dissent and the search for alternative development solutions[26].

(ii) The **type of state context** influences how (closing) civic space impacts sustainable development:

- The more fragile the state (as in least-developed countries), the more crucial civil society is for the ***supply*** of basic public services. It is also typically more reliant on international funding to do so, so it is vulnerable to moves that undermine these funding channels.
- In extreme cases (failed states), civil society occupies all the functions normally fulfilled by a state. Reconstruction (after a civil war or a catastrophe) can involve some competition, and closing civic space can be linked to the state reclaiming its normal role of supplier of services.
- In conflict-ridden settings, the widespread restrictions on civil society in the name of security and anti-terrorism take a systemic dimension. Only organisations servicing basic human needs under a mandate of neutrality such as principles for humanitarian action may work unscathed at times. The risk for CSOs to be portrayed as '*taking sides'* becomes a major threat for their capacity to supply services and even more so to demand them from the state.
- In authoritarian 'development states' there is virtually no scope for autonomous action of independent civil society organisations. Yet the government can often show a track record in terms of economic growth, improved service delivery or even fight against corruption. These positive outcomes may induce development partners to be much less demanding towards the government involved on human rights and civic space issues.
- In settings of more consolidated statehood (such as middle income-countries, all the way to more advanced states), the state provides services and the role of civil society focuses more on advocacy. Closing civic space there is more frequently associated with repression of public liberties for regimes to consolidate their hold on power. This, in turn, may undermine the ***demand*** for policies in favour of sustainable development, and limit the appreciation for support (and steering) from abroad.

(iii) **Time** is a third lens to assess the situation of civic space.

Phases of democratic expansion and autocratic resurgence alternate in waves around the globe.[27] In the former, respect for civil society is usually a given. In phases of autocratisatio*n*, civic space closes as part of the arsenal of measures to *'neutralise'* democratic institutions and actors.[28] Juncture points between phases tip the balance between potentially hugely different dynamics. For instance, before the Tunisian revolution in 2011, survival was the main realistic horizon of civil society movements, but after this episode they became a key player in shaping the rules of the game.[29]

[26] Ibid, p. 8.
[27] Van Kesteren, F. 2019. *Dealing with Shrinking Civic Space: It is not just the state we have to worry about.* INCLUDE, 27 June 2019.Lührmann, A. and Lindberg, S.I. 2019. *A third wave of autocratization is here: what is new about it?* Democratization. 1-19.
[28] Ronceray, Martin and Bruce Byiers. *Elections in Africa – Playing the game or bending the rules?* ECDPM Discussion Paper 261. ECDPM: Maastricht. October 2019.
[29] Shahin, Y. *Pushing Back against Narrowing Space for Civil Society in Tunisia - The Power of Coalition*. The International Consortium on Closing Civic Space Report. December 2018.

2. Taking stock of current responses to defend and claim back civic space

As restrictions on fundamental freedoms and civic space became widespread and intensified, a first generation of response strategies emerged. On the domestic front, local CSOs and activists were particularly exposed and had to adopt survival and coping strategies. The review will first consider the learning curve of concerned international and domestic actors regarding the closure of civic space. Then it will examine the main responses by bilateral and multilateral donors while shedding light on the barriers to effective action. This is followed by a specific focus on the strategies followed by private funders, international NGOs (INGOs) as well as local civil society. Such a bird's-eye view should help identifying the strengths and weaknesses of current approaches. This, in turn, may contribute to defining 'what should come next' in terms of defending and claiming back civic space (see chapter 3).

Over the past decade, the community of actors concerned with civic space has invested significantly in better understanding the phenomenon. In addition to specialised agencies involved in monitoring civic space (such as CIVICUS and the International Centre for Non-Profit Law, ICNL), there is a ***growing body of knowledge*** coming from research – ranging from think tanks, advocacy organisations, INGOs, funders to academic research[30]. In order to adequately disseminate the knowledge thus generated, a wide array of seminars, international conferences and trainings have been organised in different parts of the world to exchange experiences and identify common priorities.

While this helped to raise overall awareness, there are ***important limitations in terms of effective uptake*** of this knowledge due to the following factors:

- Sensitisation to civic space challenges is real among donor staff, INGOs and CSOs that work on areas of governance and human rights. Yet when it comes to broader development constituencies, dealing with traditional aid programmes, the awareness and / or preparedness to act is more limited due to other priorities. This reduces the scope for integrated approaches coalitions.
- The analyses produced come predominantly *"from organizations situated in the Global North, which have not always systematically disseminated this work to activists and organizations that operate in closing space contexts"*[31].
- Effective responses to closing space largely depend on a fine knowledge of country-specific roots, triggers and dynamics. Restrictions on civic space occur for different reasons in different contexts. However, compared to the stream of more generic analyses, there is a relative dearth of in-depth research, empirical evidence and specific knowledge on what really happens in-country regarding civic space. This often limits the scope for a more pro-active stance, mobilisation and action.
- Quite some relevant experiences and lessons learnt by individual external agencies remain undocumented and not shared across organisations.
- While the knowledge base got more solid over time, there are still major research needs on the fine print of civic space dynamics (see Box 2 below).

[30] Examples include (i) the Ariadne network, a peer-to-peer network of more than 600 funders and philanthropists who support social change and human rights; (ii) the related Donor Working Group on Cross-Border Philanthropy (established in 2014; (iii) the Funders' Initiative for Civil Society (dating from 2016) bringing together private philanthropists; (iv) the International Consortium on Closing Space (Icon) put in place by the US-based Center for Strategic & International Studies; (v) the Enabling Environment for Civil Society Working Group run by the Human Rights and Democracy Network; (vi) the Environmental Funders Working Group on Civil Society and (vii) the Carnegie Endowment for International Peace.

[31] Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck?* Carnegie Endowment for international peace.

Box 2: More refined context-specific research is needed on a host of complex issues

- What are the formal and above all *informal* tactics used by governments (and affiliated/co-opted non-state actors) to restrict the space for CSOs and activists?
- What impacts do restrictive measures have on affected CSO and the sector as a whole?
- Under what conditions can effective alliances be constructed between organised civil society and informal social movements, or with other groups of actors such as business, religious groups, etc.?
- How is civic space changing at local level where proximity creates opportunities for problem-focused interaction between state and society?
- Why do citizens often remain passive when states are closing space? To what extent and how could the enhanced availability of opinion data could help human rights actors and CSOs in building stronger domestic constituencies?
- What is the impact of international solidarity and engagement on state behaviour and civil society advocacy?
- What role does technology play in pushing back or reclaiming civic space?
- Does it make a difference if funds originate from private philanthropy, governmental or multilateral sources?

2.1. Response strategies of bilateral and multilateral agencies

2.1.1. Overall menu of options available

Over the past decade, donors have sought to address the issue of closing civic space by acting at different levels (international, regional, national) using a diversity of tools (development cooperation, diplomatic pressures, political dialogue, other initiatives). Table 2 below[32] provides an overall menu of possible policy and operational options to protect, adapt and expand civic space in different contexts.

Table 2: Possible responses of the international community

Support for local resistance and adaptation using development cooperation instruments	• Emergency funds for activists, including legal assistance and digital security awareness raising and protection • Accepting to rename the type of support provided from advocacy into "*service delivery*" while exploring ways and means for CSOs to pursue this type of work under the service delivery banner • Reinforcing the visibility and legitimacy of CSOs by focusing on their positive contribution to development • Encouraging civil society networks and multi-stakeholder coalitions to influence policy or demand accountability, using evidence-based research and media-campaigns with carefully chosen "framings" • Empowering CSO and networks to participate effectively in '*invited spaces'* or official dialogue fora with state agencies (e.g. on budget transparency, social protection, trade deals) • Reshaped funding methods to better fit the realities of closing space • Measures to encourage greater local philanthropic support for civil society
Diplomatic pressure and international policy change	• Bilateral and multilateral diplomatic initiatives • Mounting campaigns and mobilising international actors to speak with "*one voice"* in order to resist restrictive laws • Encourage regulatory best practices • Efforts to strengthen relevant international norms • Modification to the Financial Action Task Force (see below) • Bolstering engagement by multilateral organisations • Exploring new partnerships with business actors and social movements such as trade unions, religious groups, etc.
Changing the way donors operate	• Operating remotely when necessary • Developing sharper communication strategies • Engaging in greater risk analysis • Reconciling managerial approaches to delivering aid (e.g. bureaucratic reporting, M&E and accounting requirements) with the need to put local actors at the centre of addressing civic space • Increasing cooperation with local funding partners and with peers

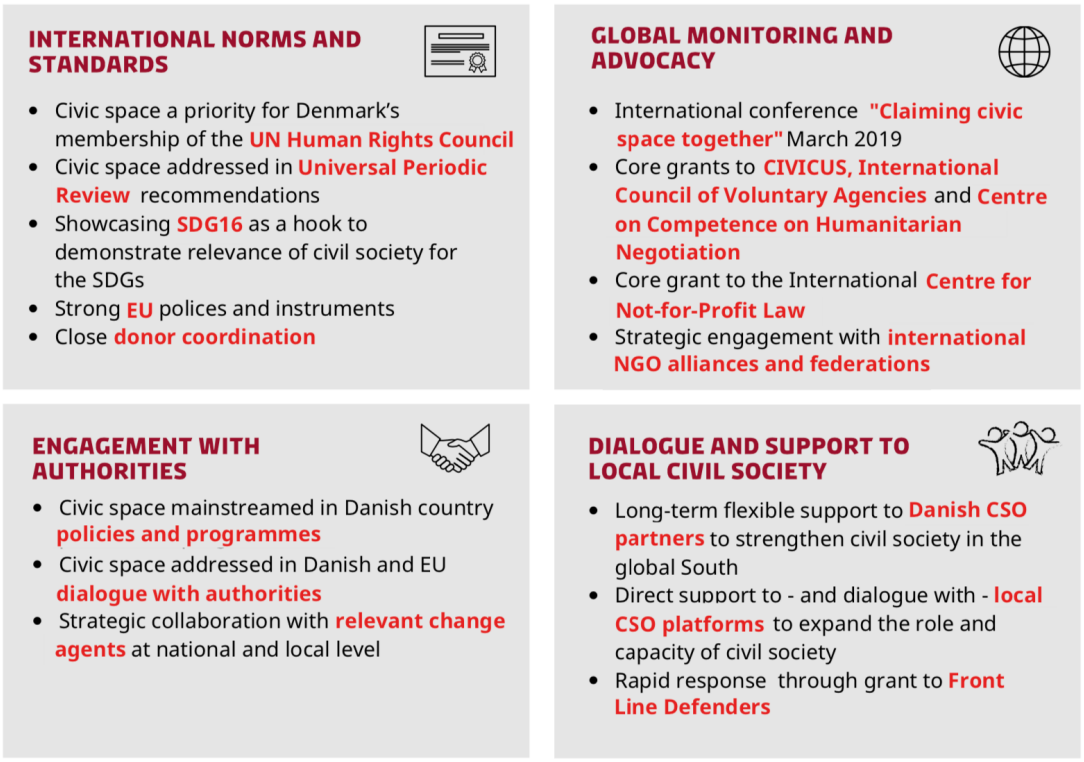
It is important to stress that the ***levels of engagement on civic space issues vary substantially among bilateral and multilateral donors***:

- ***Some actors have invested quite systematically and consistently*** in the topic and strengthened their overall political and institutional capacity to act. They have formulated clear strategies for engaging with civil society (that are regularly evaluated and updated), which generally include commitments to address

[32] Based on Carothers (2015 and 2019) as well as other sources.

the "***enabling environment*"** for civil society or the closing space issue. They have done efforts to build their knowledge base through (often unpublished) studies, raise awareness about the challenges of closing civic space, reaching out to humanitarian actors and, where possible, to a wider set of foreign policy actors. They tend to engage at different levels (global, regional, national, local), move towards more equal political partnerships with local actors and try to innovate their funding instruments. In some cases, the support is also concerned with finding proactive ways and means to claim back civic space (beyond mitigation approaches on a reactive basis). In this category we find countries like ***Sweden, Denmark*** (see Figure 3 below), ***United Kingdom and the Netherlands as well as the EU*** as supranational actor***.*** Worth mentioning is also the United States under the Obama administration, who saw the closing space phenomenon as threatening national security interests. The situation has changed quite drastically under the Trump presidency, as reflected in the US regression on supporting democracy and human rights abroad[33].

Figure 3: Denmark's multi-level response to shrinking civic space



- Other donor agencies are doing valuable things to defend civic space and support local CSOs in their respective partner countries. They may also promote international initiatives or be active in relevant UN fora. Yet their overall approach tends to be reactive, ad hoc and adapting to closing space -rather than pushing it back. They often lack a clear and comprehensive policy on the matter. The issue is primarily addressed in specific divisions (typically a dedicated civil society or human rights unit) and carried forward by committed individual staff at Embassy level, lacking a solid political and institutional support base within the ministry. There are limited efforts to raise awareness, create alliances that bridge different interest groups and ensure coordinated and coherent political responses across the board. France,

[33] Brechenmacher, S. and T. Carothers. 2019. *Defending Civic Space: is the International Community Stuck*? Carnegie Endowment for International Peace, p. 10.

Germany[34] and Belgium would seem to enter in this category. The Flemish umbrella NGO has just launched a campaign to sensitise different Belgian audiences on the issue of closing space, underpinned by a comprehensive and well-documented report[35]. It contains an assessment of how Belgium currently deals with the whole issue of closing space. Box 3 integrates this analysis while adding elements collected during our consultation process (also with Embassy staff).

Box 3: The track record so far of Belgium in addressing civic space

Belgium has a tradition of engaging on human rights issues, particularly at UN level or at country level (e.g. towards human rights defenders). In recent years, Belgium has explicitly adopted a rights-based approach in its development cooperation. It has also invested in the topic of human rights and businesses by translating the 2011 UN Guiding Principles on the matter into a National Action Plan (July 2017). This foresees in a wide range of possible actions, based on voluntary or binding measures. Civil society is associated to the process, including in assessing implementation. At Embassy level, remarkable initiatives are often taken to ensure effective responses. Efforts are made to confront closing space realities in humanitarian aid and countries in transition (including through more sophisticated analysis. Promising initiatives are taken to foster alliances between private sector and civil society (e.g. "Beyond Chocolate – Partnership for sustainable Belgian chocolate") which indirectly may also contribute to reducing tensions on civic space.

Relatively flexible programme-based funding (that respects the autonomy of Belgian CSOs) is provided over a period of five years. The recently introduced tools of joint context analysis of joint strategic frameworks between official aid and indirect (NGO) actors involved in a country also create opportunities to address civic space issues in a more concerted manner. A substantial part of the Ministry's funds towards NGOs support advocacy work through local partners. When tensions arise with partner governments, the policy of the Ministry of Foreign Affairs is amongst others to explore how local CSOs could be an alternative channel for aid delivery (such as in the DRC). However, this approach encounters major limitations in practice and may even at times provide grist to the mill of further repression against local civil society (see p. 24). As a medium-sized donor with limited capacities and leverage, Belgium actively encourages action at EU level on civic space issues (e.g. by pushing for alignment with the EU civil society roadmaps or supporting political declarations by the EU on specific human rights concerns)[36].

A problem is that these initiatives and efforts are not underpinned by a clear political vision and a comprehensive strategy towards the closing space phenomenon[37]. There is also a lack of clear instructions on how to deal with the issue and of operational guidance for Embassy staff (e.g. on how to concretely apply rights-based approaches including specific tools). In practice this means that measures regarding civic space matters are generally of ad hoc and short-term nature, primarily pushed forward by specific units and individuals without being institutionally embedded. While there are informal mechanisms for information sharing and at best also some form of coordination involving various departments (primarily on a regional basis, such as for the Sahel and the Great Lakes), these do not suffice to give the issue the political prominence and structural responses required.

[34] At the official level, German policies and practices on the issue of closing space are less visible and structured than the Nordics. Yet German foundation (Konrad Adenauer, Friedrich Ebert, Nauman foundations) often are at the forefront of analysing the phenomenon, fostering multi-actor dialogues, providing critical support to changemakers.

[35] 11.11.11. 2019. *Shrinking Space. Het kritische middenveld onder druk. Basisdossier campagne 2019.* July 2019.

[36] Source: Interviews with Embassy staff and feedback from officials in HQ.

[37] A finding corroborated by the abovementioned 11.11.11 dossier.

2.1.2. Using the instrument of development cooperation to address civic space issues

This section summarises ***key lessons learnt by bilateral / multilateral agencies*** in defending and reclaiming civic space through development cooperation instruments. Available evidence suggests that the development community has found it challenging to address this phenomenon effectively. While a host of valuable initiatives targeting civic space have been supported over the last decade using development funds, the donors involved (including forerunners like the Scandinavian countries, the UK, he Netherlands or the EU) have been confronted with tricky questions and dilemma's that have not yet found satisfactory answers

Four dimensions merit particular attention:

- clarifying donor motives to engage with civil society and implications for their own role in supporting civic space initiatives;
- identifying the '*right*' and '*legitimate*' local partners to work with, based on up-to-date analysis;
- defining adequate engagement approaches and funding strategies;
- conducting proper risk analysis and impact assessment.

(1) What are the donor motives and implications of funding advocacy work in partner countries?

Donors have two main reasons for working with civil society in partner countries: (i) to ensure effective service delivery (particularly to poor and marginalised people) and (ii) to strengthen civil society as independent change actors in their own right -advocating for changes in policies and governance practices. The resulting intervention logics differ quite fundamentally according to the type of support envisaged.

In the first perspective, local CSOs deliver services and the ***donors' concerns are primarily technical and oriented towards getting value for money.*** The prevailing approach is '*managerial'* with donors assessing who is best placed to provide the service, generally on a competitive basis (through modalities such as the Calls for Proposal). The ensuing contractual relationship is based on the principal-agent model. Accountability relations are mainly oriented 'upwards', i.e. to the client or funder. The supply of external funding inevitably affects the nature of the CSOs involved as they tend to align with donor priorities and think frames, thus reducing the scope for autonomous action on the basis of their own agendas.

In the second logic, local CSOs are perceived as governance actors in their own right and ***vehicles for social transformation***. The donor focus is not primarily technical but of a ***political nature***. It is about empowering CSOs to get access to institutions, participate in policy processes, push for norms and demand accountability. If this is the aim, traditional donor recipient relations or principal-agent models are no longer fit for purpose. Supporting advocacy work by CSOs, informal movements or activists by definition implies forging a political partnership with the domestic actors involved. It means accepting that local civil society should be central in the process -as they assumedly have the legitimacy to act on civic space issues. This type of donor support also requires ***more flexible monitoring and evaluation systems*** (aligned to the messy environment in which CSOs intervene and the non-linear nature of change processes) as well as ***relevant 'downward' accountability mechanisms***. Last but not least, it challenges donor agencies to walk the talk in pushing for change in complex environments. It does not suffice to fund laudable initiatives abroad, enabling domestic CSOs to work and externalising all risks involved. By funding domestic CSOs to '*shake up*' vested interests and norms, donors become part of the equation. They need to have their own theory of change (regarding aims and risks of their interventions) and have to be ready to take their own responsibilities (e.g. by protecting local CSOs involved, pressuring governments to respect international treaties and domestic laws regarding civil society participation, etc.)

This is not just a theoretical discussion. It has major implications for the way in which donor agencies design, implement, monitor and evaluate support programmes targeting advocacy work and related civic space issues in partner countries. The Dutch experience with an innovative funding programme aimed at CSOs acting as governance actors, entitled 'Dissent and Dialogue' is a most interesting example of all the challenges, dilemmas and limitations of an openly political approach to supporting civil society (see Box 4 below).

Box 4: Dialogue and dissent – an innovative Dutch scheme in support of CSO advocacy work

In 2014, the Ministry of Foreign Affairs (MFA) of the Netherlands published its policy note 'Dialogue and Dissent' to give shape to a series of new Strategic Partnerships with CSOs for 'lobby and advocacy'. The programme sought to strengthen the 'political role' of civil society (e.g. giving voice to powerless people, claiming rights, demanding accountability) as well as build a strategic partnership with the Ministry (Embassies), based on respective comparative advantages. As the title of the programme suggests, relations would 'consist of both *samenspraak'* (dialogue) and *tegenspraak* ('dissent'). As part of the Dialogue and Dissent programmes, 25 (consortia of) CSOs were selected as strategic partners in the area of lobby and advocacy for the period 2016-2020.

Genuine joint learning efforts were organised around this innovative scheme. This included independent research and sharing of results on the validity of the 'theory of change' underpinning the programme. The focus was on some of the core assumptions, such as the possibility of a balanced partnership between CSOs and funder, the scope for real 'dissent' or the ability to have more flexible monitoring & evaluation (M&E) systems under the prevailing 'managerial logic' in the aid system, etc.). Inevitably, in this learning process, it became clear how much impact the closing space phenomenon had on the work of the various Strategic Partnerships[38]. The Dutch government used this knowledge to refine its overarching policy (June 2019) regarding the reinforcement of civil society (e.g. less fragmentation, more equal partnerships, better complementarities) and renew its portfolio of programmes and funding instruments for the future[39].

(2) <u>Who are relevant actors and how legitimate are they?</u>

That second question and operational dilemma follows automatically from the previous challenge. If donors assume the responsibility and risks of funding local CSOs in hostile environments, they must also make clear choices on "*who"* they support and "*why*".

Civil society actors in a particular country cover a wide range of registered NGOs, as well as unstructured and unregistered movements and informal groupings of activists sharing a common cause. They can have a nation-wide basis, a regional or local one. They can be embedded in international movements (as in the case of national chapters of the Amnesty international federation or the Oxfam family). In this constantly evolving arena, there are actors with a genuine potential to be a driver of change (at various levels). Yet there are also CSOs that have become part of the aid establishment and may be "*too close to comfort*" to be transformative[40]. There are equally more or less '*shady'* organisations with specific ideological underpinnings (for instance on the basis of serving one community against another) as well as a growing number of GONGOs (created, co-opted and funded by governments) and other non-state actors with conservative / illiberal agendas acting as proxies to restrict civic space.

[38] For more information see the INCLUDE, NOW-WOTRO and Dutch MFA research project on: New Roles of CSOs for Inclusive Development (2017-2019).

[39] Ministerie van Buitenlandse Zaken. 2019. *Beleidskader Versterking Maatschappelijk Middenveld. Brief aan de Voorzitter van de Tweede Kamer der Staten-Generaal.* 4 November 2019.

[40] Banks, N & Hulme, D. & Edwards, M. 2015. *NGOs, States and Donors Revisited: Still too Close to Comfort?* World Development, vol. 66 (C) pages 707-718.

In such conditions, the risk of '*betting on the wrong horse'* or missing relevant actors (particularly less structured movements) is huge. This complex and fluid arena invites donor agencies to invest in ***context analyses, as well as civil society mappings*** (based political economy analysis) to refine the picture of *'who is who*' in a particular country and who can act as a genuinely democratic actor. For instance, much dynamism resides with informal movements, including of technology-savvy youth. They tend to be much more rooted in society (than aid-dependent CSOs), can act swiftly (as they lack hierarchical structures) and shake up ruling elites (as they tend to have a strong mobilising power). However, experience suggests it is not easy for aid agencies functioning along managerial lines, to flexibly engage with such movements or fund them in a smart manner. In the past decade, the EU has invested considerably in doing civil society mappings, refining over time its approaches and methodologies as explained in the box below.

Box 5: The added value of politically savvy mappings of civil society

The European Commission has been one of the donors championing mappings of CSOs as a key tool to define adequate engagement and funding strategies. Early mapping exercises (from 2005 onwards) were primarily focused on the *actors* of civil society (e.g. overall typology of CSOs, organisational aspects). The mapping approach has become over time more political and increasingly looking at how CSOs interact with state authorities (at central and local levels), other actors (such as the private sector and social movements, ad hoc protest movements) in a given environment, which can be enabling or disabling.

Experience demonstrated that the usefulness of mappings highly depends on (i) a clear sense of purpose by the donor commissioning the study ('*why do we want a mapping?');* (ii) a methodologically sound, transparent and respectful process involving CSOs from the outset; as well as (iii) an involvement of all relevant actors from the donor side (beyond dedicated civil society units or focal points). Another trend is to have more focused mappings of a sectoral or thematic nature (e.g. CSOs involved in budget transparency).

Such mappings can also help to assess the ***sources and levels of legitimacy of potential civil society partners*** in a given context (see Box 6 below). External actors cannot be a substitute for endogenous dynamics, carried forward by (preferably a coalition of) local actors having legitimacy because they have genuine roots in their own society, represent real voices, add value, provide downward accountability and are not seen as dependent only on foreign funding. This inquiry into '*who is legitimate'* may be a confronting exercise for donor agencies who tend to rely on '*usual suspects'* sharing their (liberal) values. This has been dilemma in Arab countries with moderate faith-based organisations, who may have a potential to contribute to change but have generally been disregarded by normative donor agencies.

Box 6: What are the sources of legitimacy of local and international CSOs?

Based on several country case studies produced by civil society activists across the globe, the Carnegie Endowment for International Peace identifies **five sources of legitimacy** that organisations can seek to cultivate and highlight. Legitimacy for civic groups can be derived from:

- WHO they are, i.e. their identity as societal actors, an element to be bolstered by practicing direct representation, ethical leadership, shaping counternarratives (debunking myths about civil society).
- WHAT they do, i.e. the agendas they pursue, a building block to be strengthened by ensuring local relevance, giving voice to the powerless, having a diverse portfolio (e.g. combining service delivery and advocacy work).
- HOW they work, where several principles are key, including the need for downward accountability towards local constituencies; maintaining political independence and ensuring transparency about objectives and methods.
- WITH WHOM they work, particularly by fostering broader alliances within society; bridging existing divisions in polarised contexts; finding new allies (e.g. in the media or private sector); and exploring feasible partnerships with the state (while avoiding co-optation).
- WHAT IMPACT they have, which in the case of advocacy CSOs implies, for instance, to be able to show a track record of credible work, accumulated expertise on topics and quality products/services.

(3) How to smartly support and fund advocacy work in a coherent manner?

The donor track record on ensuring a consistent and coherent strategy in terms of using development cooperation instruments to address the civic space issue is mixed. As mentioned before, some agencies have engaged in a quite pro-active, strategic and diversified way on the topic (Sweden, Denmark, the Netherlands, the UK and the EU) while others adopted more ad hoc, reactive responses, which also have their merits.

However, evidence suggests both groups of external players face major hurdles to be effective and achieve impact for reasons linked to limited policy coherence with other competing foreign policy considerations (see below), weakly internalised mandates to turn this into a priority as well as inadequate tools and capacities to steer and monitor efforts done. The mixed track record is also linked to the structural constraints in which donor agencies operate in terms of their own 'authorising environment', financial and accounting regulations as well as available staff and expertise. Other coordination initiatives, on a more thematic basis, hold an important potential to address civic space issues with more chances of impact than if acting in silos, as illustrated in box 7 below.

Box 7: A case of effective donor coordination in Uganda on governance and civic space

The Democratic Governance Facility (DGF) was initially established in July 2011 by eight Development Partners: Austria, Denmark, Ireland, the Netherlands, Norway, Sweden, the United Kingdom and the European Union, as a governance programme aimed at providing harmonised, coherent and well-coordinated support to state and non-state entities to strengthen democratisation, protect human rights, improve access to justice and enhance accountability in Uganda. The vision statement for the current work phase is: "*a Uganda where citizens are empowered to engage in democratic governance and the state upholds citizens' rights*"[41].

The DGF's work includes direct partnership with local and regional civil society organisations -thus reaching out a more diverse set of actors (many of whom would normally not enter into the radar of participating donor agencies). It works on human rights issues in a restricted context, where pooling the funds among like-minded donors offers more weight than individual action. Its modalities are also relatively flexible since it provides a mix of project and core funding, and exchanges closely with its local partners which allows the donors involved to received information from the ground and coordinate subsequently. Reportedly, the DGF's ability to work politically is somewhat constrained by the fact that its board is composed of ambassadors of the member countries, which have to maintain good relations with their host country, but as a whole it multiplies its members' ability to reinforce local civil society and its advocacy.[42]

With regard to funding modalities, some donors have started factoring in the fact that their own support can be part of the problem and reinforce the claim of authoritarian regimes that these CSOs are '*foreign agents*'. It is also evident that the wide diversity of actors in civil society have different capabilities and cannot be targeted in the same ways. Yet donors operate under regulatory framework covering modalities that often do not allow for direct engagement with modest local partners (due e.g. to envelope threshold, or simply because direct engagement is considered too risky or work-intensive). This leads to contradictory injunctions in the development cooperation sphere as *"funders often discuss [the] imperative [for flexible and renewed approaches] —sometimes framed as the need for greater local ownership—but still implement it inconsistently*"[43]. Box 8 below illustrates how the dominant "*managerial approach"* in the aid sector sits uneasily with the need for pro-active, flexible support strategies adapted to the volatile and risky conditions prevailing on the ground.

41 https://www.dgf.ug/page/what-dgf
42 Source: interviews with donors.
43 Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck*? Carnegie Endowment for international peace.

Box 8: How to balance contradictory incentives in supporting civic space

On the one side, donors are called to embrace more flexible, less risk-averse, more adaptive approaches and modalities, so that organisations they support are empowered and in the driver's seat. On the other side, they remain bound to antagonistic principles of verifiability, accountability and value-for-money. These imperatives are not fading, and sometimes even increasing when development assistance is subject to some form of a legitimacy deficit in the eyes of their own taxpayers, not least when populist movements seize the topic.

Accountability to their own taxpayers requires funders to ensure transparency of the use of their funding. However, data on human rights promotion activities and in related work areas can be highly sensitive, and it can help repressive regimes counter civil society's efforts if it falls in the wrong hands. Opinions are divided on this: *"some civil society funders feel that making their assistance more transparent will help reduce suspicion and pushback, while others fear that greater transparency will only facilitate repression"*[44]. Hence between well-meaning but potentially damaging transparency procedures and their own judgement on risks incurred, funders and organisations sometimes have to arbitrate at their own risk[45].

Providing flexible funding, especially core funding (also to small and unregistered CSOs) with adapted M&E and reporting requirements and allowing shifts in timing or substance of intervention, ***goes against some of the deeply ingrained practices in the development assistance world***. Risks involved in funding local CSOs directly (especially fiduciary risk with smaller structures) as well as the high level of administrative and transaction costs in funding a higher number of smaller beneficiaries, have deterred most donors from making full use of the modalities at their disposal.

In the same logic, interviewees stressed the importance of understanding and altering the incentives for staff to make use of all possibilities when appropriate. In practice, this could mean an effort to incentivise reasonable risk-taking by donors, or recognising and rewarding more what constitutes success in the area of civic space promotion. At the same time, all the studies and reports on closing space, concur that greater flexibility in programming, in the design and final (decentralised) decision-making of interventions, in the choice of actors and actual support and funding modalities, is crucial to help civil society survive and adapt to shrinking space. This explains why some advances were obtained in this uphill battle, such as regulatory changes which enable more flexible forms of CSO support than previously. The European Endowment for Democracy offers an interesting example of an innovative and effective engagement and funding tool (see Box 9).

[44] Carothers, T and Brechenmacher, S. 2019. *Defending Civic Space: Four unresolved questions*. Carnegie Endowment for international peace.

[45] Source: interview with INGO.

Box 9: Smart and agile support to democracy agents in the frontline

The *European Endowment for Democracy* (EED) was established in 2013 by the EU and EU member states as an independent, complementary mechanism for providing fast and flexible technical and financial support to democratisation and human rights promotion in the European Neighbourhood (Eastern Partnership as well as North Africa & Middle East regions). In practice, EED supports those who cannot be reached by other donors and existing EU instruments. This includes selected civil society organisations, pro-democracy movements, civic and political activists, and independent media platforms and journalists working towards a pluralistic, democratic political system. They also target newly created or non-registered organisations, informal platforms, youth groups and individuals. A 2017 EU evaluation on capacity building support in support of civil society in the Neighbourhood South (2012-2016) was very positive on the quality of approaches and methods used by EED to engage with credible 'changemakers' in complex environments. The actors on the ground appreciated in particular the regular coaching through dedicated experts with high knowledge of the context and relevant language skills; the flexibility towards financial management while remaining strict on the respect of accountability requirements; the opportunities for networking (also in Europe) and the concerns with sustainability of actions.

(4) Enhanced risk analysis and management

This is a crucial instrument for donors to 'navigate' in the increasingly complex and fluid civic space arena, calling for systematic adjustment and innovation in response strategies, according to the context specific realities of a given country. Some key lessons can be derived from the practice over the last decade:

- ***Pushing too strongly donor views*** on how to deal with closing space or defend particular norms (e.g. the rights of LGTBI) goes counter to principles of local ownership. This can in turn backfire against donors by making the norms promoted by their grantees appear all exogenous, and help regimes intent on delegitimating them by portraying them as foreign agents pursuing agendas that are not in line with the 'people's expectation[46].
- ***Joint early warning systems are missing*** to detect and even anticipate new attacks on civic space
- A good practice is to ***elaborate a risk assessment typology***, following the example of the UK's Department for International Development (DfID), which includes fiduciary risk – a particularly high one with smaller organisations, which can nevertheless be targeted due to their added value. Since 2017, a funding facility called ***'UK Aid Connect'*** attempts to target civil society with more agility, flexibility and tolerance for risk than standard funding lines, in the spirit of piloting these modalities within a specific facility rather than working on the standard rules immediately.[47]
- Yet ***even with flexible funding schemes, donors may still end up 'delegating' risks*** to its partner organisations which then face the dilemma of passing them onwards to local partners or keeping it (e.g. by taking or not responsibility for delays in project completion or project failures, all of which may stem from deteriorated civic space). Ethical principles and legal requirements can thus go against one another, and some actors mention the usefulness of a 'due diligence' principle whereby funders should strive to also support their grantees diplomatically in situations of closing space.

[46] Mendelson, S. 2015. International Center for Not-for-Profit Law. 2018. *Effective Donor Responses to the Challenge of Closing Civic Space*.

[47] https://www.gov.uk/international-development

2.1.3. Multilateral initiatives and diplomatic responses to closing space

Multilateral activism by donors and INGO's has been deployed with relative success to push for relevant international norms regarding civic space and raising global awareness on the phenomenon. For instance, it helped tackle international counterterrorism objectives that have facilitated closing space. Indeed, the ***Financial Action Task Force*** (FATF) provisions against terrorism financing (as well as against other illicit financial flows) have unwillingly provided governments with a legitimation to prevent and constrict NGO financing. This was particularly problematic because compliance with the FATF standards can be set as a precondition for FDI, development assistance or trade. Revising the FATF standards in 2016 was the result of coordinated diplomatic lobbying, and while some concerns subsist, the imperative to balance well anti-terrorism and civic space is now increasingly acknowledged and monitored by dedicated groups[48].

Among ***UN fora***, the Human Rights Council's Universal Periodic Review is a state-driven process to assess the human rights records of all UN Member States, allowing to raise issues pertaining on civic space. Periodically, the mandate of the UN special envoy for human rights needs to be renewed and renegotiated. Countering the lobbying by repressive States to reduce its ambition and means is a periodic multilateral effort which in turn keeps international structures stronger in defending civic space[49]. Similarly, within the European Union (EU) and other regional entities there is scrutiny of human rights records which allows to take up issues, and formal mechanisms to express concerns over the track record of countries[50]. Some multilateral structures are an entry point for targeting closing space in specific parts of the world[51].

In the last decade several ***global initiatives*** have been launched to make governance more transparent and accountable to citizens. They seek to strengthen and protect efforts by domestic advocacy groups across the world engaged in monitoring the transparent use of public resources. These include the Open Government Partnership (OGP), the Extractive Industries Transparency Initiative (EITI) or the International Budget Partnership (IGP). Based on a multi-stakeholder logic (comprising national and local authorities as well as CSOs), they push for freedom of information laws, legal and regulatory measures or fiscal transparency through dialogue, voluntary commitments and joint action. These initiatives are assumed to keep the space open or increase it by influencing positively on the enabling environment for citizen engagement and watchdog CSOs in particular. Yet the OGP experience shows some of the challenges and limitations of this type of global initiatives (see Box 10 below).

Box 10: Potential and limits of the Open Government Partnership

The Open Government Partnership (OGP) is a multilateral initiative launched in 2011 by countries and civil society organisations that aims to secure commitments from governments (of all parts of the world) to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. It is increasingly factoring in the diagnostics on deteriorating civic space in its work. The OGP brings together (central and local) governments and civil society to design and implement jointly action plans. It seeks to make large amounts of government data available in user friendly formats, which in turn allows civil society to play a stronger role on this basis in holding participant governments to account for progress achieved. The initiative relies on citizens and civil society groups to engage with governments to elevate open government to the highest levels of political discourse, providing 'cover' for difficult reforms,

48 International Center for Not-for-Profit Law. 2018. *Effective Donor Responses to the Challenge of Closing Civic Space*. Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck?* Carnegie Endowment for international peace.

49 Source: interview with donor officials.

50 See for instance in the EU the multilateral action reacting to Hungary's restrictions to civic space: https://ec.europa.eu/commission/presscorner/detail/en/IP_19_4260

51 See for instance the Benelux countries' activism at the UN in favour of a number of human rights defenders at risk In Myanmar, Saudia Arabia and Cuba.

and creating a supportive community of like-minded reformers from countries around the world[52]. Its limit is that it depends largely on the extent to which governments contribute in goodwill[53].

Furthermore, while progress has been achieved by authorities in providing transparency, it can be observed that ***many OGP governments simultaneously close the space for civic action***. This fuels fears that such global initiatives are joined just to get some international legitimacy or attract private sector investments. Another trap is to focus on a "*narrow, top-down conception of openness*"[54] without its corollary of civic participation, oversights and related fundamental freedoms of association, assembly and expression.

Broader initiatives include the ***Community of Democracies*** (CoD). Established in Warsaw in 2000 as global inter-governmental coalition, it aims to promote democratic values and practices. It seeks to foster "coordinated diplomatic response to democratic backsliding – especially the restriction of civic space – through concerted diplomatic actions"[55] .

There are also ***cross-border initiatives driven by civil society actors*** themselves that seek to build multi-stakeholder partnerships to protect civic space around the world. These include closely related global networks and processes such as:

- the World Movement for Democracy, created in 1999, brings together local groups, CSOs and civil society networks to ensure mutual learning, collaborative activities and joint advocacy work at international level. It focuses in particular on defending "*democratic space",* including through the provision of funds and technical assistance to local partners and the development of common positions regarding restrictions on legal environments[56].
- the Civic Space Initiative (CSI) was put in place in 2012 by four international partners: the abovementioned World Movement for Democracy, the International Centre for Non-Profit Law (ICLN), Article 19 and CIVICUS. Funded primarily by the Swedish Government, it raises awareness and influence policymakers and human rights bodies at various levels (global, regional) on the importance of a free civil society. At national level, it seeks to empower CSOs to defend and promote civic space freedoms and engages in advocacy campaigns to create an enabling legal environment. Based on experiences gained in over 35 countries, CSI has identified key factors that may help to successfully combat legal restrictions (see Box 11 below).

Box 11: Tips and tricks to effectively oppose restrictive laws

Five key lessons have been learnt by CSI in its advocacy work:

1. Campaigns to halt restrictive NGO laws have to be led by domestic actors (with donors in a supportive role)
2. Broad coalitions of local actors are required to make a difference
3. Targeted external technical assistance can help refining advocacy strategies
4. Careful attention must be given to how and when relate to the media in the campaign
5. A multi-dimensional advocacy strategy -combining domestic lobbying, media engagement, coalition building and international diplomacy- provide more chances of success

52 https://www.opengovpartnership.org/about/
53 Lidauer et al, 2019.
54 Brechenmacher, S. 2019. *Opening Government, Closing Civic Space: Resolving the Paradox*. Carnegie Endowment for International Peace. June 2019.
55 https://community-democracies.org/
56 The World Movement for Democracy is primarily funded by the National Endowment for Democracy (NED) which hosts its seceretariat.

- the Civic Society Innovation Initiative (CSII), launched in 2014 by a mix of bilateral agencies and INGOs, aims to *"support new and established approaches to promote, strengthen, and connect a vibrant, pluralistic and rights-based civil society in open, closing and closed spaces*"[57]. Working through regional hubs, it stresses the cardinal need to "co-design" relevant responses with the full inclusion of local CSOs from the outset -so as to avoid donor driven analyses and approaches that do not factor in well the perspective and needs of domestic actors).

A recent assessment of these global civil society initiatives[58] confirms their potential and illustrates this with successful interventions by each of these actors. It also highlights overall lessons learnt in terms of protecting and/or reclaiming civic space, including the need for: (i) inclusive, cooperative approaches that engage a broad spectrum of local civil society actors; (ii) context-specific communication strategies that develop locally resonant narratives expressing civic space norms; (iii) core, flexible and long-term funding for these cross-border initiatives to achieve meaningful impact.

Western countries furthermore often apply ***pressures on governments that restrict civic space***, whether in an attempt to counter the move, to prevent further ones or simply to make a statement in the form of communiqués. For a concrete example, see the case of Burundi (Box 12).

Box 12: Agreeing on a common diplomatic position: the case of Burundi

In 2018 in Burundi a new CSO law made the legal environment untenable for a number of local and foreign NGOs. Among other things, the government required from them to disclose ethnic statistics on their staff, which goes against a number of ethical principles. Western-funded organisations had to roll back or terminate their activities, and their funders engaged in discussions on how to react diplomatically. It took several weeks to reach agreement on a communiqué. Arguably the number of funders involved let to a relatively 'mild' communiqué respecting all of their views. The bill remained in place but many organisations were subsequently allowed to re-register while providing only minimal ethnic information, although it is impossible to ascertain whether the communiqué played a role in this mixed outcome[59].

There are other documented cases (Armenia, Azerbaijan, Cambodia, Ethiopia, Hungary, Israel, Russia, Ukraine as well as Kirghizstan) where restrictive NGO laws (using the discourse of interference by *'foreign agents')* were finally abandoned after several years of international activism[60]. In DRC as well, in the run up to the 2018 presidential election, a law restricting foreign funding was placed on the legislative agenda and then dropped, in the face of international pressures but also domestic ones.

In the same logic, international actors have dedicated their energy to ***promoting civic space through formal and informal political dialogue***, which can be structured around development assistance and bring together several development partners depending on the setting. This channel allows to convey messages more discretely than through public communiqués, although both can go hand in hand. It also allows to tie considerations of civic space with the delivery of cooperation programmes (positive incentives), whereas 'naming and shaming' can lead or amount to a sanction. It is a more 'constructive' approach, often preferred by diplomats, which may in some cases work (e.g. depending on the nature of ties with the country, the capacity to speak in a united way at EU level, the weight of competing powers,

[57] Civil Society innovation Initiative, htpp://csiilearn.org.
[58] Hetz, F. and A.E. Poppe, 2018. *Responding to Closing Civic Space: Recent Experiences from Three Global Initiatives*. A Report of the CSIS Human Rights Initiative. ICON. The International Consortium on Closing Civic Space. September 2018.
[59] Source: interviews with donors and CSOs involved.
[60] Brechenmacher, S. and Carothers, T. 2019. D*efending Civic Space: Is the International Community Stuck*? Carnegie Endowment for international peace.

etc.). Yet ***this "quiet' diplomacy tends to have also major limitations***, including the risk of diluting the human rights and democracy principles at stake and giving a level of legitimacy to oppressive regimes[61].

However, the reality of leverage within political dialogues is often difficult to identify. All the more so in contexts where restricting civic space may appear to regimes as a survival strategy, and where they may be able to rely on other Western and on non-Western support to compensate for the losses they may incur if Western donors make their support conditional to an alleviation of closing space measures. Reportedly, civic space has so far only been integrated in political dialogue inconsistently, and with only limited and occasional coordination among like-minded funders[62] This reflects a broader issue of policy coherence, which is discussed below.

2.1.4. Limited policy and operational coherence in combating closing space

The International Centre for Non-Profit Law (ICNL) stresses the need for coherence within individual governments to avoid conflicting objectives and to speak with one voice, as well as coherence between like-minded actors[63]. However, ***coherence has proven particularly difficult to achieve in the area of civic space***, in the absence of an overarching goal of promoting civic space which could apply across all levers of public actions which impact it. While for instance changing the FATF reduced the incoherence of anti-terrorism efforts with the goal of promoting civic space (see previous section), whenever a trade-off arises at the country level, it is seldom arbitrated at the highest level in favour of civic space. Such trade-offs include trade or security partnerships with countries conducting a crackdown on civil society.[64] Donor responses are frequently characterised by a ***reactive approach*** to closing space, taking place after things occurred and after other actors responded and a new status quo has emerged.[65] In a number of cases, they have successfully advocated on an ***ad hoc*** basis in favour of specific organisations and individuals, but with limited success in systematizing the approach and in ensuring coherence across parts of government and coordination with partners. It explains why *"diplomatic pressure has often been inconsistent and poorly coordinated*".[66]

Several inter-related factors explain the limited track record in terms of policy coherence on civic space (pointing to factors that also apply in wider agendas regarding policy coherence):

- The ***overall awareness*** on the gravity and wider risks related to the phenomenon of closing / changing civic space is ***still limited***.
- ***Limited political priority*** attached to the issue at the higher levels of government, which reduces the leverage and effectiveness of specific (ad hoc) actions or advocacy attempts undertaken. Typically, a donor may raise diplomatic concerns on civic space issues but this is seldom accompanied by measures that can induce authoritarian governments to reconsider their actions. There is often a reluctance to

---

61 See Roth, K., Executive Director Human Rights Watch. 22 July 2019. *UN Chief Guterres Has Disappointed on Human Right. New Strategy Needed for Second Half of Term*.

62 European NGO Confederation for Relief and Development (CONCORD), *"EU Delegations Report 2017: Towards a More Effective Partnership with Civil Society,"* March 2017; Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck?* Carnegie Endowment for international peace.

63 International Center for Not-for-Profit Law. 2018. *Effective Donor Responses to the Challenge of Closing Civic Space.*

64 Incoherence with the goal to promote civic space is for instance a diplomatic retortion measure to condemn a liberticide law being cancelled out by a simultaneous tightening of trade relations, or when civil society from a developing country is denied entry visa into Europe for a capacity building training out of concerns that some might overstay. In these cases, concerns of the trade and interior ministries respectively could have been de-prioritised or harmonised with the goal to promote civic space.

65 See for instance on the EU: *Human Rights under threat: exploring new approaches in a challenging global context*. 19th EU-NGO Human Rights Forum 5th-6th December 2017.

66 Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck?* Carnegie Endowment for international peace.

spend too much political capital on this question as it may antagonize the government and jeopardise the delivery of development aid.

- This lack of prioritisation reflects a more fundamental problem at the level of Western governments on ***how to reconcile values and interests***. This dilemma also plays in the broader field of democracy, governance and human rights. In the real world, value-driven EU demarches encounter growing limitations (in terms of credibility, effectiveness, impact) as they co-exist of with core interests of the EU/Member states related to geopolitical, economic, trade, security and migration agendas
- ***Lack of common vision on what can be achieved and how*** to address civil space in a structured and long-term manner. This, in turn, is linked to the tendency of donors acting on their own in relation to civic space as well as to the existence of ***longstanding divides in the international donor community*** (e.g. between development and human rights and between those and the humanitarian actors). While all these actors are now confronted with the closing space phenomenon, their '*DNA',* interests and operating methods differ widely and do not facilitate collective action.
- The ***multiple facets of the closing space phenomenon are also conducive to incoherence***. As reported by interviewees, development cooperation actors can for instance take a formal position regarding changes in the law which lead to a deterioration of the civic space, but they do not have influence on other processes which may de facto close the space for civic action such a government measures to fighting terrorism.

2.2. The role and effectiveness of private funders

This is another important category of actors in the area of defending and reclaiming civic space. Private donors mobilise substantial resources and are in principle able to operate more 'freely' and flexibly than official agencies. A recent ***survey by the Funders' Initiative for Civil Society*** (FICS) provides interesting insights in the work of private grant makers in the area of human rights, civil society development, the environment, culture and media, humanitarian action, LGTBI rights, mainly located in US and Europe[67]. FICS has developed a typology based on two (partly overlapping) responses:

- *Resistance strategies*, encompassing efforts to resist closing space or create a more enabling environment (e.g. working on international norms, coalition and alliance building, shaping public opinion).
- *Resilience strategies* are those that help ensure civil society can function even if space is closed or closing (e.g. CSO security, capacity development and constituency building, local philanthropy, etc.).

It is interesting to note that 40% of respondents to the FICS survey said they had a unique grant-making programme or explicit strategy on closing space and a further 24% say they have '*mainstreamed'* the issue. Still, in the same survey, 78% of the respondents argued that their organisations were not yet paying enough attention to closing civic space. The FICs report concludes that *"while there's a lot more talk recently about practical solutions -like narratives or supporting local coalitions- putting their money where their mouth is has yet to manifest at any scale".* This suggests that many private donors are equally risk averse (in order to protect their core business) and in an ad hoc response mood, focusing on short-term responses (e.g. emergency funds, as official donors also do).

[67] Funders' Initiative for Civil Society. 2018. "*Go Big or... ? Trends in Closing Space Grant-Making*, Global Dialogue. December 2018.

2.3. INGOs responding to closing space

On paper, the various categories of INGOs (political and/or developmental, humanitarian) could play a number of ***critical roles in defending and claiming back civic space:***

- Capacity development of local partners as legitimate, trusted and effective organisations in service delivery and advocacy work (or a combination of both)
- Support to networks, coalitions and alliances of CSOs, citizens, activists, etc., amongst others to promote an enabling environment for civic action
- Facilitation of dialogue and collaboration between governments and civil society
- Exercising pressure on official donor agencies to stand up for the protection of civic space
- Facilitation of linkages between domestic actors and regional/global networks
- Lobbying for relevant international norms regarding essential freedoms and civic space.
- Act as intermediaries between funders and local actors
- Providing flexible funding to allow local CSOs to adjust to restrictive environments, re-orient their portfolio towards less sensitive topics or roles (e.g. service delivery with more "hidden" elements of advocacy).

An important asset to perform these roles is that ***INGOs tend to have relative capacities to adapt to deteriorating contexts***. They can for the most part rely on good international information networks, partnerships with peers, local actors as well as private and public funders. They often have the critical mass to mobilise capacity for legal expertise, awareness of security issues, etc. Operating across countries they can, if need be, relocate their activities when the going gets rough, although the extent to which this puts them in jeopardy depends from the level of flexibility of the funding they receive. The mix they often enjoy between public, individual and private donors (and the legitimacy they draw from it) consolidates this flexibility which can allow to keep their operations afloat when civic space deteriorates. When an organisation like Oxfam UK was kicked out of Sudan, it managed to transfer its activities to a partner from the Oxfam confederation.

Over the past decade, there have been many INGOs, particularly those involved in rights-based approaches and governance, that sought to adapt and renew their policies and practices at various levels. In the framework of this study, it is not possible to go in any depth on the wealth of experiences accumulated in the past years by INGOs.

Yet INGOs also tend to display some ***structural vulnerabilities and weaknesses:***

- As non-governmental entities drawing their funding largely out of their '*home*' countries, they can be among the first to be labelled ***'foreign agents'*** and be prevented from working.
- The high dependency ***from government*** means they can be pressured to align with (shifting) official donor policies, geographic and thematic priorities, approaches and funding instruments. It also implies INGOs become part and parcel of the aid chain, with its complex relationships, accountability requirements and procedural restrictions. All this can tie the hands of INGOs willing to creatively and pro-actively engage in civic space issues and provide relevant support to domestic actors.
- The tendency to work in silos is equally strong in the fragmented and competitive INGO world. Most organisations deal on their own with issues of civic space, generally linked to what happens with their own partners. There is a lack of solid mechanisms to share information, exchange good practices, strategize together, divide tasks or lobby towards their governments to take the issue more seriously. This is compounded by the existence of longstanding divides within the INGO sector (e.g. between development and more political INGOs or between those and the humanitarian sector).

The combination of these factors may explain why evidence suggest that ***most INGOs are adapting to closing space rather than challenging it***. There is growing awareness of the phenomenon, but many do

not see this as a fundamental threat to their overall missions and actions. They adopt a risk mitigation approach focused on safeguarding their actions in the field and the access to funding. Analysts coming from the civil society world captured well this perceived tendency among INGOs: "*The 'new normal' is simply to re-configure grant programs to ensure that they do not fall afoul of new national laws; others are changing organizational structures or reducing the scope of their work overall; or, they are limiting partnerships and maintaining a distance between the more outspoken spectrum of development and human rights actors. Sometimes, as a last resort, funders and INGOs are making the painful choice of pulling out of difficult operating environments altogether*". However, other INGOs would argue that pulling out can also be a strategic decision opening windows of opportunities to engage in a different manner and still provide valuable support to local CSOs.

Against this background, it is interesting to note that processes have recently been launched by INGOs to develop more structured approaches to civic space challenges, including changes in policies, methods of work as well as in capacities to analyse situations and provide smart forms of support to local partners. A case in point is the "*Civil Society Strikes Back*" initiatives by the Danish community of development and humanitarian NGOs, with the backup of the Ministry of Foreign Affairs (who saw this as a strategic component of its own attempts to strengthen its overall responses towards civic space).

Box 13: Danish NGOs join forces to claim back civic space

"*Civil Society strikes back*"[68] was initiated as a reaction to the challenges facing civic space across the globe. It consisted in a collective stocktaking and learning process, facilitated by the Global Focus's Civic Space working group (composed of Danish humanitarian and development organisations and the Danish Ministry of Foreign Affairs). The dialogues (including through an international conference) resulted in the formulation of ***10 Strategies and Civic Space recommendations*** on how Danish civil society with national and international partners can work together across civil society, governmental, and private sectors to globally strike back to create a more open and enabling civic space. In this package, one can find strategies focusing on the civil society operating in the frontline (e.g. the need for rapid responses, digital resilience, long-term funding), calls for action at multilateral levels and for "*holding shrinkers accountable*". The joint document states unambiguously that the Global Goals (Agenda 2030) will not be achieved without civic space. Danish actors also commit themselves to *"go local*", i.e. to put local people at the centre of the process as equal partners as well as to works towards a "*common language*" on civic space across sectors within civil society.

Another innovative practice comes from ***Oxfam International.*** Five years ago, the network started a reflection on deteriorating civic space by launching a cross-confederation working group. The group started by *"getting the organisation to realise it had an issue"* (awareness raising), lobbying the public but also its own senior leadership. This was followed by working out an internal strategy, including a toolbox for action[69]. Its most recent tool aims to supporting organisations to carry out context and risk analysis with regard to closing space -in close collaboration with various categories of local CSOs[70]. It aims at analysing different dimensions of civic space at local and national level while providing a monitoring framework to understand what is happening in civic space through indicators (the 9 elements at the periphery of the below figure 4), track trends (by comparing from one year to the other) and highlight priority areas that need addressing (because they degrade or underperform). This analysis can be used to inform decision-making, strategy definition, programming and risk management on the issues related to civic space.

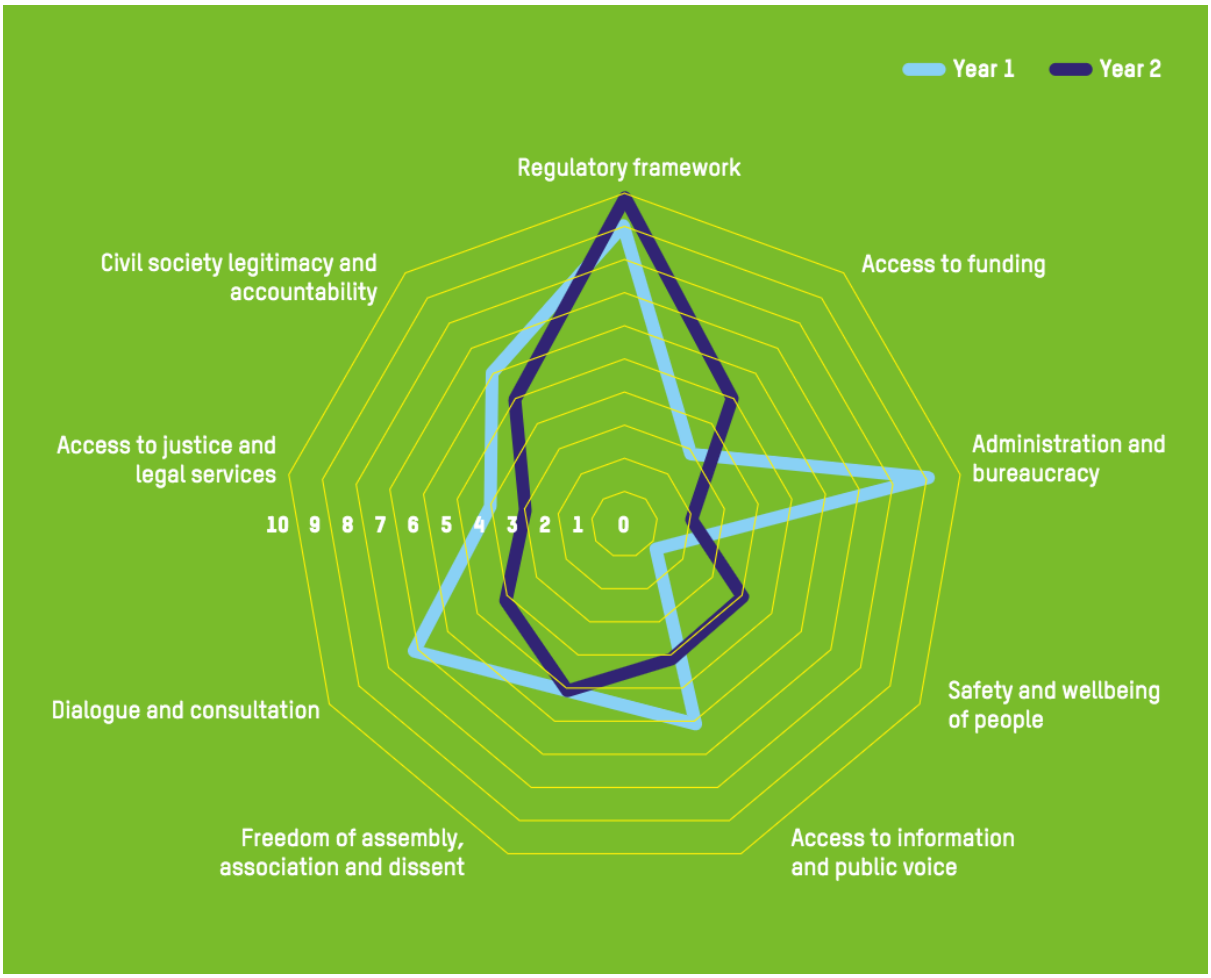
[68] Global Focus, Danish CSOs for Development Cooperation. 2019. C*ivil Society Strikes Back. Joint Strategies to ensure Development and Humanitarian Action.*

[69] Oxfam. 2018. *Space to be Heard: Mobilizing the power of people to reshape civic space*. Briefing Note.

[70] Source: interview. See also the toolkit (Oxfam, 2019).

Another interesting example of upscaling knowledge and capacity to act concerns ActionAid. In 2018, it published a study to draw the lessons from its country offices' experience of changing civic space. They summarise these in four possible strategies: (i) seeking closer collaboration with governments; (ii) compliance with legal requirements; (iii) supporting local CSOs to carry out advocacy and (iv) indirect lobbying (through other donors)[71].

Figure 4: Oxfam's civic space monitoring tool (comparing it over 2 years for a given country)



Source: Oxfam, 2019

2.4. Local CSOs and activists responding to closing space

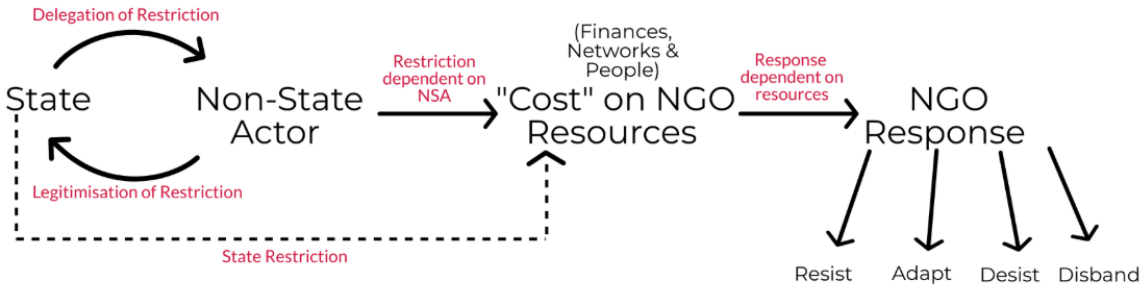
Local civil society is often the ***most fragile link*** in the chain of actors concerned by the closing of civic space – ***although they play essential roles***. They are generally the actors directly confronted with state restrictions and repression, so they should be closely involved in discussions on how to support them. The international community is willing to protect and support these domestic actors, but that often further complicates their work. Authoritarian/populist regimes can easily play out a battery of discourses and arguments to depict the CSOs involved as *'foreign agents'* or '*enemies of the people*'[72]. In addition to this, CSOs increasingly endure attacks by non-state actors such as businesses, '*independent*' media, traditional authorities, private militia, etc., joining forces (in a visible or hidden way) with state institutions.

[71] ActionAid, 2018. *Attack on Civic and Democratic Space. Strategies and Lessons from Action Aid's responses.*
[72] Broere, M. 2019. *Is een middenveld dat zich beperkt tot de nationale grenzen een vogel voor de kat in een autoritaire staat?* Opinie in MO* 9 September 2019.

Such pressures are also experienced by organisations in Europe, like International Planned Parenthood Federation (IPPF) working on Sexual and Reproductive Health and Rights (SRHR).[73] It faces growing political and religious opposition by (transnationally organised) actors using fake news, playing on people's emotions through co-opted media, and using an anti-gender ideology. The informal Youth for Climate organisation is another example of a movement facing important pushback by political as well as non-state conservative actors.

This plurality of repressive forces needs to be recognised in order "*to look beyond the formal institutions of the state to identify the various, and fluid, forms of repression while ensuring even more flexible and tailor-made approach to support CSOs operating within such contexts"*[74]. Figure 5 below summarises the impact of closing space (in the shape of legal / extra legal restrictions imposed directly by the state and via non-state actors) for local CSO and activists' ability to operate, and the responses they can adopt.

Figure 5: Local CSOs responding to civic space



Source: Civicus, 2019 presentation

Building on this model, NGOs have the following options in response to closing space: ***resist, adapt, desist or disband***. A growing literature offers a wide range of examples on how and why this was done in different situations. The table below, which draws on the Civicus typology, provides a few examples of such coping strategies, with a few overlaps. It is worth noting that unlike INGOs, local CSOs, individual activists and informal social movements have limited means to document / publicise their own efforts and lessons learned, so the reliance on external researchers is higher.

Table 3: Categories of CSO responses to closing space

Type of response	Concrete examples
Resistance	* Documenting internet disruptions for political purposes, in order to inform advocacy * Identifying and publicising forms of closing civic space and implications for wider development

[73] The global network IPPF delivers quality, integrated sexual and reproductive health services with a focus on reaching the poor and vulnerable to ensure that no one is denied the services they need due to service provider attitudes, stigma, discrimination or inability to pay.

[74] Van Kesteren, F. 2019. *Dealing with shrinking civic space: it is not just the state we have to worry about*. INCLUDE Platform. 27 June 2019.

	* Opposing attempts to divide civil society into 'good actors' (contributing to the national development agenda) and 'bad actors' (that defend democratic accountability and human rights) * Choosing carefully advocacy targets that have leverage without leading to repression * Investing heavily in finding the right 'framing' for advocacy work (that align with local norms, expectations, resistances) and 'winning narratives' to structure a 'backlash to the backlash' * Mobilising citizens' and youth movements combining formal and informal approaches * Enhancing CSO accountability towards constituencies so as to strengthen legitimacy
Adaptation	* Adopting less confrontational lobbying campaigns, applying a degree of self-censorship and working within the framework of national development policies or another (formal or informal) agreement with the authorities * Engaging more at local level, where the constraints may be less important * Building alliances with peers to exchange information and coordinate responses to repression * Combining advocacy work and service delivery – using the latter as a catalyst for civic education and as an indirect way to advocate for rights * Seeking domestic sources of financing such as local philanthropy, to compensate for the risks associated with foreign funding in restricted space. * Providing micro-digital security cards and encryption technology for staff and partners
Desisting	*Moving from advocacy or mixed work to pure service delivery *Moving away from contentious work areas like democratic and human rights to less contentious ones like health *Moving from work at the centre of government to work at the local level altogether
Disbanding	*In many closed environments, CSOs that engage in political advocacy have disappeared *Others have gone 'off the radar', operating out of the public eye, in response to repression

3. The need for a major qualitative jump forward

> *While the issue of closing civic space initially appeared to be a discrete challenge, consisting primarily of restrictive NGO laws and a backlash against cross-border civil society funding, it now appears to be just one part of a much broader pattern of global democratic recession and authoritarian resurgence (Carothers & Brechenmacher, 2019)* [75].

> *Rather than a contest over civic space or even human rights, this is a struggle between competing narratives and values…. In the end, it is about power -of 'power over' being used to dominate and repress those less powerful, and those less powerful organizing with others for collective, positive change… hence the importance of a power framework and analysis for effective and appropriate strategies to (re) claim or create space and reinforce rights. (just Associates and the Fund for Global Human Rights, 2018)*[76].

In the preceding Chapter 1, it was observed that the attacks on civic space continue to expand and intensify, now also increasingly pushed by non-state actors (such as nationalist and xenophobic forces, religious fundamentalists, science 'deniers' (especially as regards climate and health) etc.), using an increasingly sophisticated toolbox. The backlash does not only affect progressive CSOs involved in human rights promotion, but a growing array of development and humanitarian organisations, community groups, charities, environmental activists, etc.

The international community of public and private donors is increasingly aware of and knowledgeable about the phenomenon of closing space. In the last decade, they embarked on a learning and experimentation curve – though not as fast as the authoritarian and conservative forces that drive the change and utilise the context to their advantage, not least the COVID-19 crisis as it resulted in increased government powers and less international attention to political manoeuvres. Chapter 2 reviewed the range of responses which have been developed and applied (with diverse levels of ambitions and success). It also noted that the most recurrent response of international actors is a primarily reactive *"adaptation and mitigation"* approach to constraints on civil society. The number of initiatives that seek to engage in advocacy to challenge / reclaim closing civic space, are more limited and less structured.

There is growing awareness that ***currently prevailing reactive, conciliatory, ad hoc and short-term approaches are no longer sufficient*** considering the nature and magnitude of the challenges at stake. Most of them are likely to be self-defeating as they confuse symptoms with root causes, underestimate the systemic and long-term nature of the phenomenon, and are not focused enough to empower actors and coalitions for positive change.

In this logic, there are recurrent ***calls for a fundamental change in perspective, ambition and approaches***. This major qualitative jump forward is needed at three levels:

1) Broadening the narrative on what is at stake in defending civic space

The closing of civic space is not just about people's right to organise or protest in individual countries. It is a ***symptom and part of a much wider puzzle of global democratic recession and authoritarian resurgence*** (as argued in the above quote by Thomas Carothers). It is a struggle between competing narratives and values, often framed as opposing progressive and conservative forces (although this can

[75] Brechenmacher, S. and Carothers, T. 2019. *Defending Civic Space: Is the International Community Stuck?* Carnegie Endowment for international peace.

[76] Just Associates and the Fund for Global Human Rights. 2018. *An overview on civic space, enabling environment and human rights defenders.*

take very different shapes across space and time) or between those in power who stand to benefit from a status quo and those who try to organise themselves for a more inclusive and sustainable world.

Hence, what is at stake is not just the protection of activists and CSOs involved in advocacy work. It goes beyond the protection of values such as democracy and human rights. International actors need to see the wider stakes at hand, well captured in a 2016 report by amongst other the U.S. Institute for Peace arguing that *"when a government shuts down space for civil society … it is undercutting the U.S. interest in reducing political exclusivity in developing countries, a principal driver of state fragility"*[77]. According to the report, it is a question of ***"core national security interest***" for the United States to *"prevent the rise of regimes that engage in exclusive, repressive policies that undermine their legitimacy and increase the chances of instability and violent conflict*"[78]. This understanding of civic space as a matter of national security interest can help to ensure that all relevant actors realise what is at stake and take necessary steps.

2) Civic space is 'changing 'rather than merely 'closing'

There is a growing consensus that expressions such as '*closing*' or '*shrinking'* civic space do not do justice to the complexity of the phenomena, although they convey well the sense of urgency and the pressures felt by actors on the ground. While Western-funded CSOs do experience a backlash, many other forces in civil society increasingly occupy the public space, seek to influence policy-making or defend antagonistic narratives and values. These forces operate with the tacit and often active support of authoritarian / populist regimes, with the shared objective of undermining the space for progressive civic engagement.

At the same time, new forms of civic activism are emerging world-wide, adopting much more fluid and informal organisational settings (ranging from Ethiopian protesters demanding accountability to youth movements on climate, 'yellow vests' in France, digital activism, etc.). The fluidity of these movements is partly a response to the closing space patterns: citizens are less keen to register as part of structured movements since they know they may have to face dire consequences. The reality is much more one of a ***diversified and constantly changing civic arena,*** in which the rules of the game are evolving in ways that hinder or threaten progressive actors involved in human rights or inclusive development.

3) Going to a higher gear in terms of strategic responses

The ***need for a qualitative jump forward*** by those defending democratic civic space derives logically from the two above changes required (in perspective and framing). As the phenomenon is essentially a battle between competing political and societal models in an increasingly conflict-ridden civic arena, international and domestic actors need to rethink how they adjust to these realities and higher stakes. Future approaches will need to go ***beyond reaction and mitigation*** and be politically savvy -so as to match the growing sophistication of authoritarian and populist responses. In operational terms, the overall response will need to be much more pro-active, strategic, cross-sectoral and coherent while adopting a long-term perspective.

Table 4 summarises the various and contrasting options available for international actors and the implications of choices made.

[77] Carothers, T. "*Closing Space and Fragility,"* Fragility Study Group Policy Brief No. 5, October 2016.
[78] Stephan, Maria J. 2017. *Responding to the Global Threat of Closing Civic Space: Policy Options. Congressional Testimony*.

Table 4: Comparing approaches to closing civic space

Approach	***Protecting the enabling environment for civil society***	***The battle for the progressive agenda***	***The larger fight for democracy***
Diagnosis	Government restrictions on civic space are caused by various factors, including lack of trust in civil society, fears of civic uprisings and foreign interference, and global counterterrorism norms.	Closing civic space is driven to a large extent by conservative resistance and backlash against progressive social and political agendas.	Closing civic space is one part of a broader attack on democratic institutions, norms, and rights.
Implications for Action	Tackling civic space primarily requires reinforcing the legitimacy of civil society, resisting restrictive legislation, encouraging regulatory best practices, and reinforcing positive international rules and norms.	Tackling closing civic space means fighting underlying drivers of exclusion, including neoliberal economic systems and patriarchal and heteronormative power relations.	Tackling closing civic space requires defending core civic freedoms that apply to all citizens and political groups as well as reinforcing broader democratic values and institutions that help support political pluralism and the rule of law.
Critiques	Framing the issue narrowly may lead to apolitical, reactive, or legalistic responses and may neglect the broader decay of the democratic system as well as the rise of illiberal narratives and ideologies.	Framing the issue in politically normative terms may inhibit coalitions with actors that do not share the same analysis but are nevertheless concerned by attacks on basic civic rights.	Ignoring the political backlash against specific groups and causes and equating closing civic space with overall democratic backsliding could lead observers to miss the most relevant drivers of civic space restrictions and attacks.

Source: Brechenmacher & Carothers, 2019

4. Building blocks of a Generation 3.0 approach to civic space

The previous chapters have indicated the limits of the dominant '*adaptation and mitigation approach'* to addressing the much broader challenges of a 'changing' civic space. While the overall awareness is rising among international actors concerned about the need to *"do more and better"*, it is evident that there are important political and institutional barriers preventing an upscaling of current approaches. This chapter explores ***what it would entail to make a qualitative jump forward towards a 'generation 3.0 approach'*** of a more structured, comprehensive and proactive nature, using an updated narrative on the stakes at hand in relation to civic space (see chapter 3 above).

The call for a generation 3.0 approach arose in the context of a stakeholder meeting organised around the innovative Dutch support scheme "*Dialogue and Dissent"* aimed at funding CSO advocacy work. Both the Dutch Ministry and CIVICUS referred to the need for a further paradigm shift in terms of how we look at civic space and respond to it. CIVICUS illustrated this with their own trajectory on this subject matter. The first generation of responses was primarily of a legal nature (1.0). Then CIVICUS realised the importance of all the *extra-lega*l measures taken by authoritarian regimes and started to monitor these (2.0). Now the focus must lie on the '*changing space*' and the major influence exercised by *non-state actors* to whom states often delegate repressive measures.

This ***transition*** towards more sophisticated approaches towards civic space ***will take time***. Yet there is an increasingly sophisticated body of knowledge on the matter which could serve as a source of inspiration. Furthermore, ***several international and domestic actors are actually thinking about how to adapt to the new narrative on civic space and refine their responses strategies*** (e.g. on how to mitigate the negative role played by non-state actors or how to strengthen alliances with businesses). Time, experimentation and joint learning will be key in the coming years.

In this context, this final chapter presents some of the ***major building blocks of a more structured and coherent response*** to today's civic space challenges.

4.1. Adopting a clear policy framework creating incentives for bolder action

This is a first building block of a more structured approach to addressing civic space issues. The following benefits can *potentially* be derived from the formulation of a clear policy document adapted to the current reality of '*changing*' and increasingly '*contested space'*:

- It signals an ***explicit political commitment*** to integrate the issue of civic space in foreign policy, development cooperation and humanitarian work.
- It strengthens the hand of dedicated units (e.g. dealing with human rights and civil society) to ***raise awareness*** among a wide range of broader stakeholders.
- The sheer existence of a formal policy may create ***institutional and bureaucratic incentives*** to act and report on the issue.
- It can ***empower the diplomatic community*** in the field to take appropriate action, backed up and protected by political commitments at higher levels.
- It can help ***decision-making processes at headquarters*** on the course to follow (e.g. on the application of sanctions and the choice for alternative channels for aid delivery 'to our through' CSOs).
- It can ***facilitate the construction of coalitions*** of like-minded development partners, who are more likely to have a similar diagnostic on situations if their countries have adopted relatively similar commitments, hence facilitating joint action.

- It can ***improve overall accountability*** as parliaments, civil society and media can use the framework against which to assess the performance of their governments.

What are current practices regarding such policy frameworks? The OECD provides a helping hand here as it produced a recent (declarative) survey of how donors deal policy-wise with civil society[79]. The survey did not explicitly focus on how members address civic space issues; the question was raised in a rather indirect manner, by analysing if donors invest in enabling civil society actors.

Box 14: Overview of policies pertaining to civil society in OECD members

The following pointers are worth noting:

- The kind of document members consider as a policy for working with CSOs and civil society varies considerably including legislation, policies, strategies, guidelines, principles, and action plans.
- 22 members have some form of CSO/civil society policy, of which, 14 are CSO/civil society-specific. Four members are in the process of developing policies.
- The majority of members identify dual objectives for working with civil society: to reach a specific development objective (i.e. implement a programme), and to strengthen civil society in partner countries, including CSOs as independent development actors (i.e. through empowerment / capacity development support).
- Data on flows *'to and through'* CSOs as well as members' other financial support mechanisms do not necessarily match these objectives.
- Members more commonly identify more advantages from working with CSOs than disadvantages, though both are seen.

Four additional observations could be made regarding the use of policy frameworks around civil society/civic space:

- In practice, efforts to protect civic space overlap with the question of overall donor engagement with civil society. Some countries prefer to have a specific policy for dealing with closing space in their partner countries, others integrate it into a comprehensive approach to civil society or in wider foreign policy or human rights policy. When a country adopts a broader, government-wide policy on civil society, it may have less incentives to target clearly the issue of closing space. An example is the lengthy UK *Civil Society Strategy: building a future that works for everyone*, which pays little attention to threats to civic space[80].
- Another question is whether the document should be time-bound. The Swedish development agency SIDA opted for a strategy for the period 2016-2022. This made it possible to ask partners to report on an annual basis, including on five questions pertaining to civic space.[81] Keeping the document's validity within the horizon of a given administration can arguably incentivise action and accountability towards those in charge. Furthermore, it ensures refreshing the diagnostic periodically, which is essential when

[79] Wood, J. and K. Fällman. 2019. *Enabling Civil Society. Select Survey Findings*. OECD Development Co-operation Working Papers, No 57, OECD Publishing, Paris.

[80] HMG. 2018. *Civil Society Strategy: building a future that works for everyone.*

[81] The questions are: how have the reporting organisation's partners been affected by shrinking civic space (for example legal and regulatory frameworks, judicial harassment or informal limitations) caused by governments, private or other actors? Are there any examples of changes in legal and regulatory frameworks that have increased civic space for its partners? To what extent have partner organisations advocated and in other ways worked for improvements in civic space, and to what extent has the reporting organisation supported them in this work? How is the organisation and/or partner organisations involved in mechanisms for dialogue between civil society, governments and other actors on national, regional and/or global level. Which measures were adopted to respond and adapt to increased risks and threats met by the organisations, partners or rights-holders related to shrinking civic space?

the phenomenon evolves so rapidly. Evaluations can provide a wealth of insights on both the impact of the document itself and their implementation – such an evaluation is planned for 2021 at SIDA.

- According to some interviewees, ***a strategy matters less in itself than the operationalisation that follows, which 'interprets' what the guiding principles mean in practice***. In the case of Sweden, one can look at the 2019 Guiding Principles for SIDA's Engagement with and support to Civil Society. These clarify which modalities should be favoured depending on the level of closing space, and suggest practical steps for engagement (such as conducting first an analysis mapping the respective priorities and capabilities of stakeholders, then elaborating a theory of change on CSO support, etc.).

In this context, it is interesting to look back at the ***experience of the EU***. In 2008, a worldwide evaluation on support (to and through) civil society concluded that the EU had increasingly sought to engage with civil society and funded a wide range of valuable initiatives, projects and capacity development activities across the globe. However, a recurrent structural weakness was the ***absence of an overall vision on the role of civil society translated in clear support strategies at various levels***. The evaluation led to a broad reflection process, including a structured dialogue with civil society actors. It culminated in 2012 with the elaboration of a ***landmark communication*** spelling out a political vision on why and how to engage strategically with civil society in EU external action[82]. Seven years later, it is interesting to examine what the impact was of such an explicit and clear policy statement on civil society in EU development cooperation and external action.

Box 15: How effective was the 'uptake' of the new EU policy on civil society?

The 2012 EU Communication on civil society represented in many ways a paradigm shift in the sense that there was a move from a largely '*instrumental'* approach to supporting civil society (as a channel for aid delivery) to a '*political'* view on its role in promoting democracy and sustainable development. CSOs were now formally recognised not only as '*service providers'* but as '*governance actors'* in their own right, who should be associated to policy and political dialogue processes and be empowered to engage in advocacy and accountability activities. The EU also committed itself to promoting an *'enabling environment'* for civil society, to define coherent engagement strategies (through *'civil society roadmaps'* for each partner country) and to facilitate access to flexible funding (particularly for local civil society in all its diversity). What impact did the formulation of such a comprehensive strategy have on EU practices regarding engagement with civil society and safeguarding an enabling environment? Four key points can be mentioned here:

- The existence of a clear policy document helped to ensure there was a common reference point across the institution on how to engage strategically with civil society. It created incentives for staff in HQ and EUDs to get out of a project (funding) logic. It facilitated dialogue with national governments and civil society actors while allowing for better accountability on progress achieved.
- The tool of civil society roadmaps had a mixed track record so far, with varying levels of ownership and sustainability among EUDs and Member States. Yet it induced several EUDs to define smarter support strategies and mobilise better the various instruments at hand. DEVCO is now supporting a second generation of roadmaps, focused on reducing the number of priorities and ensure more effective operationalisation of choices made.
- In almost all roadmaps, the promotion of an enabling environment featured as a top priority. HQ units have invested in research on the phenomenon of closing civic space while EUDs engaged on the theme across the globe (e.g. by assisting human rights defenders, supporting advocacy work, including in hostile environments, and exercising a mix of diplomatic and other pressures). External observers, however, stress that the overall EU focus is primarily on the *defensive* function of protecting activists.

[82] European Commission. 2012. *The roots of democracy and sustainable development. Europe's engagement with civil society in external action*. Brussels, 12.9.2012, COM (2012) 472 final.

They plead for a more proactive approaches in protecting and expanding existing civic space initiatives[83].

- At EU level a broader reflection is currently taking place to reconsider how more effective EU responses could be provided across the board (DEVCO, other DGs, EEAS, EP) on the expanding phenomenon of '*changing*' civic space. The task at hand is to ***refine the current toolbox*** of response strategies to tackle wider challenges of democratic recession and authoritarian resurgence in a global context where the EU is often confronted with a reduced leverage and ability to push its value agenda.

4.2. Promoting whole-of-government policy coherence in favour of civic space

An essential building block for more structured responses to civic space challenges is the quest for a "*whole-of-government approach*", which calls for the alignment of public action across different sectors with the commitment to promote civic space. Insofar as civic space is one key factor for sustainable development, this quest for alignment of policies in support of civic space can be described as policy coherence for development (PCD). It implies addressing trade-offs that result from competing interests, for instance between supporting diplomatically civil society at risk, or prioritising good relations with the regime in order to tighten trade relations. The principle of PCD is significant because it does not only call for resolving dilemmas, but also for resolving them in the way which is most favourable to development.[84]

Policy coherence can be promoted in a variety of ways which work best in synergy. Each avenue presents specific challenges, as explained below:

- *Making the right authority responsible*: In implementing the 2030 Agenda for sustainable development, a number of countries have adopted the logic of making the whole government responsible for sustainable development, and prime ministers' offices are increasingly playing a central role as holders of the commitments (e.g. Germany). At the most ambitious end, a whole-of-government approach to civic space could also take the form of a "system" where sufficient political will at the highest level supports the strategies and coordination mechanisms that are put in place to arbitrate conflicting policies in favour of civic space. If such a level of investment and prioritisation over conflicting policies is unlikely, it is better to aim for a sectoral policy, but also to arbitrate policies directly with the conflicting sector.

- *Including commitments in strategies and policy documents*: as examined in the previous section, adopting the right policy framework helps clarifying the objectives and methods of a (branch of) government, and helps identifying discrepancies with others. In practice, the policy coherence impact of such strategies alone has tended to be limited when they make no attempt to be relevant across government. This is the case of the Swedish strategy which applies to funding provided by SIDA, merely calling in passing for coordination with other government strategies where overlaps exist. The UK has adopted a whole-of-government civil society strategy (HMG 2018) that applies across government, but despite its comprehensiveness it does not make a priority (even among many) of promoting the civic space in third countries. These two examples suggest that there is a trade-off between the level and intensity of a commitment, which can get '*diluted*' if pushed to a high level where it is not really supported.

- *Putting in place coordination mechanisms*: these include formal or informal task forces to solve specific incoherence issues as they arise, or more structurally in the form of information-sharing inter-ministerial or inter-departmental committees. In Belgium, for instance, there are self-standing interdepartmental

[83] European Parliament. 2017. Study by Youngs, R. and A. Echagüe: *Shrinking Space for Civil Society: The EU Response*.

[84] Mackie, James, Martin Ronceray, and Eunike Spierings. 2017. *Policy coherence and the 2030 Agenda: Building on the PCD experience*. Discussion Paper 210. Maastricht: ECDPM, 2017.

working groups at the MFA which allow for information exchange and potentially ad hoc forms of coordination of the different branches of foreign affairs (e.g. on the Great Lakes region). The possibility also exists to create temporarily ad hoc working groups to address urgent issues or worrying trends. A finding across countries is that such groups play an important role but their permanent institutionalisation is not necessarily the way forward considering the need to remain agile and respond to evolving challenges, as well as the transaction costs involved. Country offices also have to take some decisions regarding civic space, and donor staff report that decisions can be taken on a different basis whether it is up to them or their headquarters.

- *Mainstreaming civic space in policy planning and management:* mainstreaming is a more low-key approach to promoting coherence in favour of civic space. More famous for its versions pertaining to climate and gender, mainstreaming consists in ***adding*** (sometimes unpopular) ***checks*** to ensure that policies and initiatives are in line with a previously identified concern.[85] These checks can reside in M&E, as the fact that the Swedish strategy on support via civil society organisations requires partner organisations (including those whose activities have little to do with civic space) to report annually on how they and their partners were affected by shrinking space, and what steps either of them took to respond and/or adapt.[86] Checks can also be ex ante during policy planning, by factoring civic space in impact assessments. In the EU, policy making in all areas is guided by the Better Regulations toolbox. It suggests that in formulating a policy, the EU should consider the impact on human rights in developing countries. Mainstreaming civic space protection could mean simply introducing this concern there and making sure it is properly considered. A limit of mainstreaming is that there are numerous concerns and not everything can be considered substantially in each policy without overburdening policy makers.

Sequencing the steps is important in promoting whole of government approaches. Ensuring enforcement of a vision and a method across government is also only likely to be successful if a high degree of awareness is already there, so in an incremental approach the first step might be all about sensitisation. Conversely, a policy document baseline might be necessary to provide a clear rationale and before staff can be expected to dedicate energy to filling time-consuming 'mainstreaming' reporting requirements. The case of Denmark but also that of an INGO like Oxfam show that a variety of initiatives and tools can help to incrementally "*make the case*" for civic space issues (e.g. policy documents, non-papers, sectoral strategies, evaluations or innovative communication tools, etc.). Experience suggests that some thresholds of recognition and institutionalisation (which are hard to quantify) are necessary before moving on to the next step. While there is no need for a '*master plan'* ahead of time, none of the potentially promising methods to promote civic space should be overlooked.

Whole-of-government approaches can also be applied at other governance levels. Regional bodies such as the Regional Economic Communities and African Union increasingly play a role in holding their members to account. Though far from perfect and fully applicable, documents such as the *African Charter on Democracy and Elections* and the *African Charter of Human and Peoples Rights* entail commitments to democracy and human rights that, in combination with other domestic actions, can help hold states to account and deter repressive action where civic space is threatened. Structures such as the African Governance Architecture and the African Peer Review Mechanism could play an useful continental role in the uphill battle of promoting civic space. Hence, supporting – if only diplomatically – such initiatives and commitments can be another entry point in support to civic space.

[85] Ibidem.

[86] Similar types of mainstreaming can be applied across government, although as in the case of coordination mechanisms, it is important to remember that the administrative burden it generates can be a concern.

4.3. Nurturing whole-of-society approaches to civic space

This is a critical building block of a more strategic and coherent response to '*changing'* and '*contested*' civic spaces across the world. In essence, the whole-of-society approach conveys the message that ***the battle to protect and reclaim civic space cannot be won by activists and civil society actors alone***, to some extent aided (in an often unpredictable and less than optimal way) by Western governments. It requires a ***much broader mobilisation of actors in society at large*** and at different levels (local, national, regional, global).

This is needed because the nature of the civic space challenge has evolved dramatically. The task at hand can no longer be confined to combating restrictive NGO laws or limitations on core freedoms imposed by state authorities. ***What is fundamentally at stake is the respect for democratic principles***, rule of law and accountable governance -against authoritarian / populist rule. It is about ***safeguarding the 'acquis' built over time in terms of values and rights*** -against forces seeking to dilute them (e.g. gender rights). It is also about ***ensuring inclusive development*** as proclaimed in the Agenda 2030 -counteracting the growing exclusion of people and inequalities as happens now by a combination of forces.

That is why a whole-of-society approach is a precondition for more effective action in protecting and reclaiming civic space. Its effective application will require the ***identification of the wider range of actors (beyond civil society) that may have a stake*** in safeguarding democratic principles, rights and the chances for inclusive development.

This is not an easy task. Within each category of actors (e.g. the private sector), there will be forces that can potentially push for change, while others will continue to oppose. Furthermore, there will be a need to first sensitise the various actors on the challenges at stake with civic space ("*why should you bother about this?"*), understand what drives them now and where their interests could converge with those actively engaged in the protection of civic space. Experience also indicates the ***critical importance of*** communicating in a different way, taking into account that facts and evidence are not sufficient to convince. Arguments must be *'framed'* in a way that allows them to be heard by audiences, through finding a basis of shared values. Furthermore, attempts to put in place a whole-of-society approach must factor in the hugely diverging contextual realities across the globe as well as the need to be active at different levels (local, national, regional, global). Finally, the question of *'agency'* comes up again: which structure or coalition of actors is well placed and capacitated to facilitate the move towards whole-of-society approaches?

While the task may appear hugely complex, ***quite some progress has been achieved in putting this concept into practice.*** Numerous dialogues, multi-actor partnerships and other initiatives (also at global level like the Open Government Partnership discussed above and other multilateral standard-setting processes) testify of this quest to tackle the civic space challenge in a cross-societal manner. Below a ***succinct overview of emerging new practices*** in this logic:

- *Establishing linkages / alliances between 'traditional' civil society and a wide range of other societal forces.* This includes activists, social movements as well as the proliferating protest movements (against social exclusion, corruption, failing public services, unfair taxation systems, etc.), but also religious groups, trade unions, etc. This is not an easy marriage as the 'DNA' of these various groups tends to differ. Yet in order to achieve impact on civic space matters, the actors involved have understood they need to join forces in order to get impact.

- *Reaching out to Parliaments on the challenges of civic space*. This is no luxury: the legislative can be a major spoiler of the game as it ultimately enacts restrictive laws against citizens and CSOs. The task at hand is to actively lobby this critical institution by bringing positive stories about the contribution of civil society and seeking to respond to the concerns of MPs of all boards in a given context. This avenue has

often been used when governments sought to pass through parliament restrictive NGO laws. Combined efforts by a wide range of actors have been more successful than advocacy campaigns only supported by CSOs.

- *Ensuring the justice system is part of the battle*. This actor has been relatively neglected for a long time, despite its key role in protecting fundamental rights and liberties. Admittedly, in many countries justice is part of the problem, particularly in authoritarian states who have systematically sought to utilise this central pillar of any democratic governance system.

- *Working with local authorities*. This is another unavoidable actor in the safeguarding of democratic principles, accountable governance and inclusive development. As the government closest to citizens, (elected) local authorities have the potential to act as a change maker on matters pertaining to civic space. Entitled by constitutions or laws with a '*general mandate'* to ensure the welfare and wellbeing of citizens in their territory, they have the potential to act as laboratories for political, economic and social renewal -much in line with those defending civic space. On the ground and across the globe, a wide range of joint actions are being forged between local authorities and civil societies with a positive influence on civic space. In this light, it ought not be surprising that one of the adjustment strategies of local CSOs is to concentrate their advocacy work on the local level, as this tends to offer a less threatening and a more productive environment.

- *Building coalitions with the media and the digital society.* The contest around civic space between progressive and conservative forces amounts, to large extent, to a battle of perceptions and framing to get public opinion on board. This is visible in the media, particularly in the digital world which has transformed state-society relations for the better (by empowering citizens with more information and collective action capacity on issues such as corruption) and for the worse (as reflected in the proliferation of '*fake news'*, growing assaults on privacy, spread of hateful messages, government control of the internet, often in the name of 'national security interests'). This is why organisations like CIVICUS and its allies develop strategies to sensitise media and provide them with guidance on how to report on civic space issues [87]. Digital activists are joining forces to combat the use of social media to spread hateful rhetoric and incite violence against vulnerable groups (women, the LGBTI community, ethnic and religious minorities, etc). Other key challenges include working with data collecting and marketing companies for accurate digital information or to publish digital security resources in local languages to assist in tackling hate speech and keeping individuals protected online[88].

- *Mobilising crowdfunding.* According to a recent study on crowdfunding in developing countries, donation-based and reward-based crowdfunding are becoming a significant mechanism for non-profit organisations and charities for social welfare projects and creative ones. This represents a small portion of crowdfunding, compared to the use of the method by private investors, but it is facilitated by digital technologies and may become more prevalent. Funders are aware of this potential, as evidenced by the fact that the Dutch, Swedish and the British governments have collaborated closely with platforms to develop policy tools facilitating cross-border crowdfunding, and in particular the Dutch with efforts to use crowdfunding for an initiative to support women in developing countries.[89]

- *Ensuring the collaboration of the private sector.* This is a tricky part of the whole-of-society approach. Worldwide there are many valuable initiatives taken by private sector actors (of different size) in terms of corporate social responsibility (CSR). However, it is also well-documented that private sector interests (both domestic and international) often collide with states in closing space so as to avoid the spread of

87 CIVICUS. *Guide to reporting on civic Space*. Media Toolkit.
88 Mitchell, L. 2018. *Digital activists work together to protect civic space.* Counterpart International, August 1, 2018.
89 Karsten, W. "*Developing a Policy Framework for Emerging Crowdfunding Ecosystems*." (2019).; van der Wolf, Marthe, "*Dutch Government Starts Crowdfunding Effort to Protect Women's Rights*", VOA, January 30, 2017.

information (e.g. on hidden mining contracts, irregular land acquisition, exploitation of personnel in the garment industry, illicit tax evasion, etc.), the scrutiny of governance rules by independent watchdogs (e.g. transparency in the use of budgetary resources) and the demand for public and social accountability (at different levels of governance). The financial sector could play a crucial role through ethical banking and investing, provided civic space could be pushed high enough on its list of priorities.

Considering ***the importance of business and civic space***, it seems useful to examine the current state of affairs of this linkage. Three dynamics can be observed:

First, international norm-setting can help to foster corporate responsibility regarding human rights and *indirectly* also for helping to protect and reclaim civic space. An interesting initiative in this sense is the '***Protect, Respect and Remedy' framework***, adopted by the United Nations (UN) Human Rights Council in 2008. It calls for companies to respect human rights, avoid any infringements and address the negative consequences that may arise. The ***UN Global Compact***, which has been signed by 9,000 companies and 3,000 non-businesses across 170 countries, lays out 10 principles, all calling for companies to respect and protect human rights. Subsequently, the High Commissioner for Human Rights (OHCHR) produced the 2011 Guiding Principles on Business and Human Rights, which have served as the primary policy tool for multinational corporations seeking to act responsibly. To date, the UN Global Compact has 25% of its signatories representing Fortune Global 500 companies. It has been successful in creating a standard unifying framework across sectors, enabling businesses and stakeholders to work towards a common goal.[90]

Second, in recent years it is possible to observe a ***growing number of initiatives*** whereby, finding it in their common interest***, civil society and business join forces to denounce attempts to restrict civic space***. Table 5 below provides a number of telling examples.

Third, another angle through which the private sector and individuals contribute to strengthening and protecting civic space is ***philanthropy.*** As many observers have noted, home-grown philanthropy presents advantages in terms of legitimacy (since it can less easily be portrayed as foreign meddling) and practicality (since its closeness offers many advantages such as reducing the number of intermediaries, or not being countered by foreign funding restrictions). Hence even when it does not address democratic governance specifically, it contributes to whole–of-society approaches to civic space. Initiatives to foster homegrown philanthropy by connecting actors involved, learning from past experiences and researching further – such as the African philanthropy forum and the Africa philanthropy network – can accelerate the process of getting civil society more resilient through resources diversification.[91]

[90] *Beyond Integrity – Exploring the Role of Business in Preserving Civil Society Space*. Charities Aid Foundation. September 2016. https://www.cafonline.org/docs/default-source/about-us-publications/caf-beyondintegrityreport-web-oct16v2.pdf

[91] https://africaphilanthropynetwork.org/who-we-are/; https://africanpf.org/who-we-are/

Table 5: Examples of private sector contributions to protecting civic space

Angola Freedom of Expression	Rafael Marques was arrested for exposing government-sanctioned injustices in the Angolan alluvial diamond mining industry. Civil society actors led a movement to demand his release, engaging with diamond companies Tiffany & Co., Leber Jeweler and Brilliant Earth. The resulting international campaign was augmented by open letters from those firms and others urging the regime to respect Marques's freedom of expression, eventually resulting in the charges against him being dropped.
Cambodia Freedom of Association and Peaceful Assembly	Large protests broke out in Cambodia over minimum wages for garment workers which were violently repressed by the government, leading to 4 deaths and 21 illegal arrests. In a series of open and private letters, international garment retailers joined with civil society and international labour movement to control the government's retaliation and create a more peaceful negotiation process.
Pakistan Freedom of Expression	The Pakistani government had released a tender asking IT firms to develop a URL filtering system. Local CSOs along with international CSOs mobilised leading IT firms to make a public commitment to refrain from submitting bids in support of freedom of speech.
Thailand Freedom of Expression	Human rights activist Andy Hall was detained in Thailand after uncovering abuses in migrant labour practices. Industry associations – Thai Tuna Industry Association (TTIA) and Thai Frozen Food Association (TFFA) – posted his bail, expressing their concern against his arrest.

Source: CAF, 2016

Last but not least, norms and rules with an impact on the prospect for defending civic space, such as those regulating private sector activities and government themselves, depend on organisations which can push them forward -as part of a whole-of-society approach. Besides the case mentioned above of FATF and its anti-terrorism rules that were softened to protect civic space, examples abound within the global United Nations ecosystem, which presents a number of entry points for promoting civic space. The most obvious may be its Human Rights Council, but a recent consultation of civil society identified close to fifty actions that the UN could undertake in order to improve its impact on civic space[92]. A channel for impact on civic space by UN member states can be to examine and promote some of these actions.

4.4. Exploiting the potential of rights-based approaches

Rights-based approaches (RBA) to development emerged in the mid-1990s, and they have spread progressively among a number of development partners. For instance, Denmark adopted such an approach formally in 2013, through a guidance note which accompanied the country's development cooperation strategy. Although Belgium has no strategy policy on the topic, since 2015 strives for a human-rights-based approach. The 2017 European Consensus on Development fully incorporates rights-based approaches as a guiding principle of its cooperation.

The logic of RBAs rests on the idea of social contract between State and citizens. The essence of the RBA relates to the accountability of '***duty-bearers'*** (the State in all its forms) towards '***rights-holders'*** (the citizens). In order to operationalize it five guiding principles are core:

[92] Global Dev Hub. 2020. Final Summary of the Civic Space Online Consultation, https://www.globaldevhub.org/node/537

- *Legality*. This calls upon the express application of the existing human rights frameworks and treaties to which a State has signed up. In practice, this means that the possibility of citizens to express dissent is not a '*favor*' granted by the authorities, but a '*right*' to which citizens are entitled
- *Empowerment of right holders*. This is key so as to enable citizens, organised civil society or movements to claim their rights towards the various duty-bearers, including in terms of decent public services.
- *Participation.* The development process is not owned by government. Citizens and organised groups have the *'right'* to participate in their own development.
- *Non-discrimination and vulnerable groups,* reflecting the principle of universality of human rights
- *Accountability of duty bearers* (central/local government, state agencies) towards rights-holders.

All of these principles resonate well with what is at stake in terms of protecting/defending civic space. Effectively applying a (human) rights-based approach can bring along ***four potential benefits*** related to civic action:

- It can provide a ***boost to advocacy and public service delivery***, since it allows to remind all parties of their respective rights and duties in regard to national and international law.
- When space is closing for civil society, in many cases laws are being breached and political or judiciary vindication is possible. That is where a ***functioning justice system*** becomes part and parcel of a comprehensive approach to addressing civic space
- When closing space occurs through changing laws (making them more repressive), RBA can also ***seize wider norms and standards to which the State adopting liberticidal legislation*** may have committed, for instance the African Charter on Democracy, Elections and Governance, or the Maputo Protocol on the rights of women. In either case (legislation breached or changed), the added value of RBAs is to empower the advocates of civic space by framing their fight as upholding rights to which they are legitimately entitled. When different societies, groups and individuals can have very dissenting views on the values that underpin formal rights, RBAs focus directly on the law, which interviewees found to be a less controversial baseline but which can contribute to countering the closing space phenomenon.
- The ***RBA can provide an alternative (indirect) route to supporting human rights and civil society, particularly in highly restrictive environments***, where *direct* support to such issues is considered a subversive activity, putting at high risk the CSOs involved. Nordic funders report that the framework of RBA has allowed to shift their focus from political rights to socio-economic rights in particular (pertaining to health, education…) which tend to be less controversial. Adopting an RBA is in many ways a response to closing/closed civic space. It shifts the *priority towards service delivery instead of advocacy*. This can be attractive to governments (keen to deliver goods and services to people) and it provides a lifeline to CSOs to keep afloat while they adapt themselves (until some opening occurred and they could play an open role in advocacy and political rights again). If cleverly done, the window of opportunity opened to provide services is also used to work (indirectly) on the rights of citizens or on public accountability. Well-targeted support can in this way amount to playing the long game of promoting ultimately a healthier civic spacer, while achieving socio-economic gains in the meantime.

4.5. Bridging the gaps between development, security and humanitarian action

Civic space issues are also increasingly prominent in humanitarian action. In order to address them more effectively, integrated approaches will be required for which there are lessons in the array of methods to promote policy coherence detailed previously. More specifically, the ***OECD DAC Recommendation on the Humanitarian-Development-Peace Nexus***, adopted on 22 February 2019, offers promising perspectives. It suggests how DAC members and non-DAC members which adhered to it may collaborate and achieve more coherence in humanitarian, development and peace actions, especially in fragile and conflict-affected situations. The recommendation recognises the respective roles played by different communities, with their different priorities and mandates, and encourages the coordination of their efforts[93] .

For some countries, the operationalisation consists in ***reducing the distance between humanitarian and development cooperation.*** The Swedish government for instance is striving to 'close this gap', in line with its strategic orientations. This led it to change internal funding modalities in order to cover the 'grey zone' between humanitarian and development, which can be addressed from either side. Reportedly, this jump allowed Swedish development actors to focus on 'extended humanitarian' objectives, while humanitarians found this support a relief which allowed them to focus on their core mandate. Another advantage lies in the ***cross-fertilisation between working methods*** if you bring the two strands together. The development people could learn from the experience of humanitarian actors to react quickly. This helped them to adopt faster responses to civic space emergencies. Elsewhere it could be the other way around: extending the mandate of humanitarian action so that it embraces more of the civil society support that traditionally falls within development assistance.

In different countries, some interviewees argue that it is important to respect the different mandates of these constituencies, and not to blur the lines too much. For instance, international law provides a number of principles around the idea of a right to intervene (through humanitarian action), whereas development efforts are subject to different principles such as mutual accountability. In some situations, withdrawal of all development assistance may be indicated whereas humanitarian action can still operate.

How best to implement the Recommendation in the area of closing space, is an ongoing discussion. The document puts forward a number of relevant principles:

- *Increasing coherence* between the three sectors. In certain settings, the triple nexus may be the best lens for such a strategy, when the situation is characterised by a mix of structural security issues, recurrent humanitarian crises and clear development needs (e.g. Central African Republic, Somalia…).
- *Convening and consulting with civil society*, particularly for joint analysis of risks and power distribution, and information sharing.
- *Empowering local non-state authorities.* The Recommendation suggests prioritising funding (both directly and through partner NGOs and international organisations) to local organisations that are already present when crises occur, and which are usually first responders and have specialised knowledge and skills.
- *Distributing resources and using the whole mix of tools* in coordination but while respecting their singularity.
- *Increasing flexibility*. The recommendation also encourages working with local and international partners who have the flexibility to adapt programming as the context changes and suggests to "*use predictable, flexible, multi-year financing wherever possible."*

[93] This is summarised in the recommendation by the motto: *"prevention always, development wherever possible, humanitarian action when necessary"* (OECD DAC, 2019).

- *Increasing coordination*. Coordination for both diplomatic action and programming is essential in particular for small and medium-sized countries which typically hold only limited leverage on their own.

The 'security' constituency is reportedly less structured and in the public eye than those on development and humanitarian assistance, and it is also less clear how it can factor in and respond to deteriorating civic space, or even coordinate with them.

Different narratives are in use, which can play a role as bringing together or antagonising all three constituencies. Some refer to a *securitisation* of development (especially) and humanitarian assistance, when funds are diverted from their primary mandates to serve security objectives. ***The concept of resilience can be useful to bridge these communities*** since it can put the capacity of civil societies to resist and adapt to changing civic space on the same level as populations adapting their livelihoods in the face of crises and development challenges. The notion of *democratic security* also suggests to bridge the division: it places emphasis on the positive security implications of functioning democracy, and the possible repercussions on security of authoritarian backslides to which closing civic space are a key part.[94]

[94] Godfrey & Youngs (2019) in particular argue that the European Union should "*move from a narrative of principled pragmatism to one of democratic security".* Traditionally, this narrative has been defended by the Council of Europe but not by the EU.

Bibliography

ActionAid. 2018. Attacks on Civic and Democratic Space - Strategies and lessons from ActionAid's response. https://actionaid.org/publications/2018/attacks-civic-and-democratic-space

Anheier, H. K., Lang, M., & Toepler, S. (2019). Civil society in times of change: shrinking, changing and expanding spaces and the need for new regulatory approaches. Economics: The Open-Access, Open-Assessment E-Journal, 13 (2019-8), 1-27.

Baldus, J., Berger-Kern, N., Hetz, F., Poppe, A. E., Wolff, J. 2019. Preventing civic space restrictions. An exploratory study of successful resistance against NGO laws. Prif Report 1. https://www.hsfk.de/fileadmin/HSFK/hsfk_publikationen/prif0119.pdf

Brechenmacher, S. and Carothers, T. 2019. Defending Civic Space: Is the International Community Stuck? Carnegie Endowment for international peace. https://carnegieendowment.org/2019/10/22/defending-civic-space-is-international-community-stuck-pub-80110?

Carothers, T., and D. de Gramont. 2013. The almost revolution: development aid confronts politics. *Washington: Carnegie Endowment*.

Carothers, T. 2016. Closing Space and Fragility, Fragility Study Group Policy Brief No. 5, October 2016.

Carothers, T and Brechenmacher, S. 2019. Defending Civic Space: Four unresolved questions. Carnegie Endowment for international peace. https://carnegieendowment.org/2019/05/31/defending-civic-space-four-unresolved-questions-pub-79250

Carothers, Thomas, and Andrew O'Donohue, eds. 2019. Democracies Divided: The Global Challenge of Political Polarization. Brookings Institution Press.

Charities Aid Foundation. 2016. Beyond Integrity – Exploring the Role of Business in Preserving Civil Society Space. September 2016. https://www.cafonline.org/docs/default-source/about-us-publications/caf-beyondintegrityreport-web-oct16v2.pdf

Challenging the Closing Space for Civil Society. 2016. A practical starting point for funders. https://www.hrfn.org/wp-content/uploads/2017/05/ClosingSpaceReport_May2016_DigitalVersion.pdf

Civicus. 2019. State of Civil Society Report 2019. https://www.civicus.org/index.php/state-of-civil-society-report-2019

Civic Space in Europe. 2017. Report. Civil Society Europe. https://civilsocietyeurope.eu/wp-content/uploads/2019/06/civic-space-in-europe-report-2017_web.pdf

Cunningham, dr. A., Tibbett, S. 2018. Scoping study on Civil society space in Humanitarian action. https://www.icvanetwork.org/resources/scoping-study-civil-society-space-humanitarian-action

Danida, Policy for Danish Support to Civil Society, 2014 http://um.dk/en/~/media/UM/Danish-site/Documents/Danida/Samarbejde/Civil-org/Dokumenter/Strat/Civilsamfundspolitik_UK_web.pdf

Danish Ministry of Foreign Affairs, Lessons Learned on the Danish Human Rights-Based Approach Evaluation Study, November 2016, www.netpublikationer.dk/UM/evaluation_study_november_2016/Index.html

Domagala, Natalia. 2019. Where next for open government? https://apolitical.co/solution_article/where-next-for-open-government/

European Commission. 2016. Report on EU engagement with civil society. https://ec.europa.eu/europeaid/sites/dev co/files/csoreport080517.pdf

European Endowment for Democracy. 2019. Annual report 2018 : Supporting people striving for democracy, https://library.euneighbours.eu/content/supporting-people-striving-democracyeuropean-endowment-democracy-annualreport-2017

European Foundation Centre. 2017. Why shrinking civil society space matters in international development and humanitarian action. http://efc.issuelab.org/resources/29212/29212.pdf

European NGO Confederation for Relief and Development (CONCORD). 2017. EU Delegations Report 2017: Towards a More Effective Partnership with Civil Society, March 2017, https://concordeurope.org/wp-content/uploads/2017/03/CONCORD_EUDelegations_Report2017_EN.pdf.

European Parliament. 2017. Shrinking space for civil society: the EU response, https://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf

Fransen, Luc; Kendra Dupuy; Marja Hinfelaar & Sultan Mohammed Zakaria Mazumder. 2019. How Does Political Repression Affect Civil Society Organizations? Examining CSOs in Bangladesh and Zambia, PRIO Paper. Oslo: PRIO. https://www.prio.org/utility/DownloadFile.ashx?id=1869&type=publicationfile

Front Line Defenders. 2018. Global Analysis 2018, https://www.frontlinedefenders.org/sites/default/files/global_analysis_2018.pdf

Front Line Defenders. 2019. Global Analysis 2019, https://www.frontlinedefenders.org/sites/default/files/global_analysis_2019_web.pdf

Funders' Initiative for Civil Society. 2018. Go Big or . . ? Trends in Closing Space Grant-Making," December 2018. http://global-dialogue.eu/wp-content/uploads/2018/12/FICS-State-of-funding-2018_lowres.pdf.

Global Dev Hub. 2020. Final Summary of the Civic Space Online Consultation, https://www.globaldevhub.org/node/537

Grahn, Sandra & Anna Lührmann Civil Society and Post-Independence Democracy Levels V-Dem Institute Working Paper 2020:94 January 2020.

HMG. 2018. Civil Society Strategy: building a future that works for everyone, https://www.gov.uk/government/publications/civil-society-strategy-building-a-future-that-works-for-everyone

Hossein, Naomi. et al. 2018. What Does Closing Civic Space Mean for Development? A Literature Review and Proposed Conceptual Framework. IDS Working Paper 515. Institute of Development Studies 2018

HRDN. 2015. The Closing Space for Civil Society: a rights based approach for action. https://www.ohchr.org/Documents/AboutUs/CivilSociety/ReportHC/78_HRDN_%20Briefing%202014%20The%20Closing%20Space%20for%20Civil%20Society.pdf

ICAI. 2018. DFID's partnerships with civil society organisations. A performance review Approach paper, July 2018 https://icai.independent.gov.uk/wp-content/uploads/CSO-approach-paper.pdf

International Center for Not-for-Profit Law. 2018. Effective Donor Responses to the Challenge of Closing Civic Space. http://www.icnl.org/news/2018/Effective%20donor%20responses%20FINAL%201%20May%202018.pdf

International Center for Not-for-Profit Law. 2016. Closing civic space: Impact on development and humanitarian CSOs. Global Trends in NGO Law 7.3. http://www.icnl.org/research/trends/Global%20Trends%20Vol.%207%20Iss.%203%20Challenges%20to%20Development%20Organizations%20final.pdf

Keatinge, T. and Keen, F. 2017. Humanitarian Action and Non-state Armed Groups The Impact of Banking Restrictions on UK NGOs". https://www.chathamhouse.org/sites/files/chathamhouse/publications/research/2017-04-28-nsags-banking-restrictions-ngo-keatinge-keen.pdf

Lidauer, Michael, Raphaël Pouyé and Anastasia S Wibawa. 2019. Advancing Democratic Accountability in Challenging Environments: A Study on Innovative Approaches to Democratic Participation in Restrictive Environments. https://www.academia.edu/40135462/Advancing_Democratic_Accountability_in_Challenging_Environments_A_Study_on_Innovative_Approaches_to_Democratic_Participation_in_Restrictive_Environments

Lührmann, A. and Lindberg, S.I. 2019. A third wave of autocratization is here: what is new about it? Democratization. 1-19.

Mackie, James, Martin Ronceray, and Eunike Spierings. 2017. Policy coherence and the 2030 Agenda: Building on the PCD experience. Discussion Paper 210. Maastricht: ECDPM, 2017. https://ecdpm.org/publications/policy-coherence-2030-agenda/

MDF Training & Consultancy. 2018. Mid-Term Review (MTR) of the NIMD Strategic Partnership Dialogue and Dissent Programme. https://nimd.org/evaluation/mid-term-review-mtr-of-the-nimd-strategic-partnership-on-dialogue-and-dissent-programme/

Medinilla, Alfonso, Pauline Veron and Vera Mazzara. 2019. EU-UN cooperation: Confronting change in the multilateral system, ECDPMDiscussion paper, September 2019 https://ecdpm.org/publications/eu-un-cooperation-confronting-change-in-the-multilateral-system/

Mehra, Sameera. 2017. Reimagining the role of business in defending civic space Charities Aid Foundation (CAF) https://www.civicus.org/documents/reports-and-publications/SOCS/2017/essays/reimagining-the-role-of-business-in-defending-civic-space.pdf

Mendelson, E. Sarah. 2015. Why Governments Target Civil Society and What Can Be Done in Response. Centre for Strategic and International Studies. https://www.csis.org/analysis/why-governments-target-civil-society-and-what-can-be-done-response

Norwegian Refugee Council. 2015. Tool kit on Risk Management in relation to counterterrorism measures. https://www.nrc.no/globalassets/pdf/reports/nrc-risk-management-tooolkit-2015.pdf

OECD. 2019. DAC Recommendation on the Humanitarian-Development--Peace Nexus, https://legalinstruments.oecd.org/public/doc/643/643.en.pdf

OECD - Wood, J. and K. Fällman. 2019. Enabling Civil Society: Select survey findings, OECD Development Co-operation Working Papers, No. 57, OECD Publishing, Paris, https://doi.org/10.1787/54903a6a-en.

Oram, J., Doane, D. 2017. Why shrinking civil society space matters in international development and humanitarian aid? EFC - Global Dialogue - Funders initiative for civil society, http://efc.issuelab.org/resources/29212/2 9212.pdf

Oxfam. 2018. Space to be Heard: Mobilizing the power of people to reshape civic space. Briefing Note. https://policy-practice.oxfam.org.uk/publications/space-to-be-heard-mobilizing-the-power-of-people-to-reshape-civic-space-620523

Oxfam. 2019. Civic Space Monitoring Tool - Understanding what is happening in civic space at a local and national level. https://oxfamilibrary.openrepository.com/bitstream/10546/620874/1/gd-civic-space-monitoring-tool-041019-en.pdf

Ronceray, Martin and Bruce Byiers. Elections in Africa – Playing the game or bending the rules? ECDPM Discussion Paper 261. ECDPM: Maastricht. October 2019. https://ecdpm.org/publications/elections-africa-playing-game-bending-rules/

Shahin, Yara. Pushing Back against Narrowing Space for Civil Society in Tunisia - The Power of Coalition. The International Consortium on Closing Civic Space Report. December 2018.

SIDA. 2019. Guiding Principles for Sida's Engagement with and Support to Civil Society, https://www.sida.se/contentassets/76fa0d661a974350ab7405b9bae155b7/10202931_guiding_principle_2019_36s_web.pdf

Stephan, Maria J. 2017. Responding to the Global Threat of Closing Civic Space: Policy Options. Congressional Testimony.

Tomicah Tillemann / ICNL. 2015. Ten Ideas for Governments Working to Safeguard Civic Space. http://www.icnl.org/news/2015/2015%2007%2001%20-%2010%20Ideas%20for%20Safeguarding%20Civic%20Space%20(2).pdf

United Nations Human Rights office of the High Commissioner. 2014. Civil society space and the united nations human rights system. https://www.ohchr.org/Documents/AboutUs/CivilSociety/CS_space_UNHRSystem_Guide.pdf

Vandeginste, S. 2019. Ethnic Quotas and Foreign NGOs in Burundi: Shrinking Civic Space Framed as Affirmative Action, https://journals.sagepub.com/doi/full/10. 1177/0002039719881460

Wood, J. and K. Fällman. 2019. Enabling Civil Society: Select survey findings, OECD Development Co-operation Working Papers, No. 57, OECD Publishing, Paris, https://doi.org/10.1787/54903a6a-en.