



LITERATURE REVIEW

A Scoping Study of National Platforms' Experiences In Promoting an Enabling Environment

Brian Tomlinson
AidWatch Canada



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A Summary of Findings and Conclusions

Introducing the scoping study

CSOs are crucial actors in promoting peaceful inclusive societies through sustainable people-centred development. They amplify peoples' voices in policy dialogue, pioneer innovation, and directly engage local communities and constituencies in seeking transformative change. Yet over the past decade, their work and its impact have been deeply affected by increasing restrictions on CSO operations and the targeting of human rights defenders and environmentalists. CSOs have been subject to systematic harassment, legal and regulatory restrictions and stigmatization and personal attacks, all in a climate of growing authoritarianism, fear and intimidation.

A wide range of literature documents the growth and impact of these varied restrictive measures and the campaigns and ways in which civil society is defending its legitimate space in society. Yet the crisis in governance, reflected in challenges to democratic norms and closing civic space, continues to unfold largely unabated.

National CSO development platforms in the Global South and the Global North have become prominent and important development actors at country, regional and global levels. In some countries they have played active roles in addressing civic space issues and their impacts. In other countries there is growing need for more attention, analysis and action by CSOs (and others) on conditions affecting their enabling environment.

Forus International is a global network of 69 national CSO platforms and 7 regional coalitions. A key programmatic priority for Forus is to support the improvement of enabling conditions for CSOs in partnership with their member platforms. To identify specific priorities and approaches, Forus has undertaken a scoping study on international and national experiences in promoting a CSO enabling environment. The overall purposes of the study are

- 1) to generate information and learning about current experiences in enabling conditions for CSOs,
- 2) to set out CSO approaches and challenges in promoting an enabling environment, with a focus on the roles of national platforms that are members of Forus, and
- 3) to make recommendations on the particular role and resources that Forus can bring to these issues as a global platform.

This document sets out the findings of a systematic literature review on civic space and the CSO enabling environment. It is framed by the overall goals of the scoping study and its three-part analytical framework–

- 1) legal and regulatory issues, including the digital environment;
- 2) space for effective and inclusive policy dialogue, including CSO diversity, roles and effectiveness of coalitions in these processes; and
- 3) resources, capacities and partnerships, including narratives to address the stigmatization and/or marginalization of CSOs as legitimate development actors in their own right.

The literature review examines current challenges in the three main thematic areas for the study and highlights proposals for what can be done to resist and reverse negative trends. It also draws tentative lessons from very recent literature on the implications of government and civil society responses to the COVID-19 pandemic in terms of enabling / disabling conditions for CSOs.

Understanding key terms

With the broad ‘associational revolution’ unfolding since the 1990s, analysis of its implications has resulted in different interpretations/use of the concepts of **civil society** and **civil society organizations**. Sometimes these two notions are collapsed together and used inter-changeably. For others, such as Civicus, CSOs encompass a broad range of voluntary organizational forms within civil society, noting that civil society also includes roles for individual citizens in claiming their rights in public spaces. Given the focus of this study on CSO platforms, the literature review adopts this distinction and focuses on civil society organizations, with much less attention to albeit important measures affecting individual citizens’ claims for their rights (e.g. unreasonable limits to political demonstrations, or constraints on individual bloggers, etc.).

Conceptual confusion can also be compounded by considerable overlap in the analysis of factors that might constrain civil society – between an **enabled environment** and an **open civic space**. Notions of an enabling environment for civil society – legal and regulatory issues, access to consultations with government, and donor terms and conditions for support – mainly pre-date more recent discussion of closing civic space. The former evolved from an international political High-Level Forum on Aid/Development Effectiveness (2008 to 2011) that resulted in voluntary commitments by governments to CSOs to assure that they maximize contributions to development through “an enabling environment” framed by agreed rights. Open or closing civic space on the other hand often includes CSO enabling conditions, but also individual citizens’ human rights to participate and communicate without hinderance.

The broader scope for civic space (including the actions of citizens in the public realm) suggests that the potential influences on an enabled civil space may also be broader, taking account citizens' access to their basic rights, changing political culture, and the role of the state as "duty bearer" in relation to individual fundamental rights. Indeed, recent literature has focused much more on conditions affecting civil society relating to the rise of illiberal regimes and authoritarian government – deliberate negative public narratives to delegitimize CSOs, anti-feminist stigmatization of women activists, attacks on individual environmentalists, populist political tendencies and the implication of the rise of China and the influence of its political/economic model. Civil society itself is no longer analyzed as a diverse but universal public good, but rather as contested space where some civic actors (promoting these negative trends) contest for hegemony in the public realm – resulting in a changing civic space affecting citizens attitudes, rather than a one-dimensional closing of this space.

This study does not ignore these systemic and complex trends re-shaping the politics of civil society and civic space, but it concentrates on areas where CSO platforms may have distinct value-added to address ongoing CSO enabling environment issues at country, regional and global levels.

Drivers shaping a CSO enabling environment

While a country's particular political and geo-political context matters, the literature consistently points to a range of interests and forces behind the worsening conditions for CSOs. Many of these drivers indicate that closing civic space is not a short-term phenomenon based on changing laws and regulations or periodic attacks on particular civil society actors, however important these conditions might be. Rather they reflect a convergence of deeper systemic shifts over the past twenty years in political systems, development paradigms and social values.

The most important drivers identified in the literature include:

- Increasing resistance to a donor focus on democracy assistance;
- Civil society threats to local power structures and the economic advancement of privileged elites;
- A pervasive presence of the national security state and counter-terrorism measures;
- Changing global norms/universal values and challenges to "western" development models;
- Mounting challenges to? CSO accountability and legitimacy; and
- Responses to global systemic crises such as the climate emergency, the COVID-19 pandemic and growing inequality.

These drivers are increasingly manifest in each of the three enabling environment areas for review in this study, which must be considered in reflections on how CSOs should organize themselves to address narrowing space and promote more enabling conditions.

An enabling legal and regulatory environment for CSOs

Most CSOs acknowledge the importance of a legal framework governing the basic formation and operations of formally constituted CSOs, while insisting that registration must be voluntary whereby informal, community-based, CSOs and social movements may form at will and operate beyond the scope of these laws. Enabling laws and regulations create the necessary conditions for a vibrant civil society. However, they are no guarantee from abuses in their application that target and discredit particular CSOs.

There are major differences in positive/negative perceptions between governments and CSOs on the degree to which peaceful assemblies are allowed in practice, the extent to which registration is a voluntary, fair and efficient procedure, and the degree to which expression is generally free of control by the government. Governments deploy a range of law, regulations and practices that deliberately hinder the existence, roles and operations of CSOs. These include:

- Vague CSO laws and regulations allowing discriminatory implementation with little or no judicial appeal;
- Narrow scope of laws governing permissible CSO activities (disallowing policy promotion and advocacy);
- Discriminatory and political implementation of anti-terrorism laws;
- Unreasonable and deliberately burdensome requirements; and
- Using laws/regulations for deliberate harassment of CSOs (e.g. forensic audits).

The literature sets out a range of models and proposals for enabling laws and regulations that promote freedom of associations, judicial protection for controversial CSOs, legitimize the full range of CSO roles including non-partisan advocacy, essential public requirements for CSO governance, CSO self-regulation, freedom of expression and transparent access to finance. Several organizations, such as the International Center for Not-for-Profit Law (ICNL) and Civicus, work with national CSOs in challenging disabling laws and regulations, based on this enabling framework.

Measures to improve the legal standing of CSOs cannot ignore growing impunity in many countries for attacks on human rights defenders (HRDs), particularly women HRDs, environmentalists and indigenous peoples' representatives. According to Frontline Defenders, since 2016, more than 1,200 HRDs have been murdered around the world, with many more

harassed, imprisoned and verbally abused and stigmatized. In 2019, 304 HRDs were killed in 31 countries, with a majority since 2016 being defenders of land, environmental and indigenous peoples' rights.

An enabling digital environment

Over the past five years, attention to CSO enabling conditions has increasingly analyzed the role of digital technology in transforming the scope of civic space as well as its use in extending restrictions within this space. The public benefits of the global internet and digital technology are indisputable. Digitized economies, communications and information systems have transformed societies, enabling more immediate access to voices of marginalized populations, easier access to relevant information, and global / regional / national networking by civil society actors.

But in recent years, in the context of contested civic space, much more attention has been given to developments in digital space and technology that undermine citizens fundamental rights through comprehensive internet censorship and digital state surveillance and control of civic actors. According to Freedom House, in 2018 alone, 16 out of 65 countries passed new laws or directives to increase state cyber surveillance, often with no independent oversight. The potential for "mission creep" in the use of digital contact tracing during the Covid-19 pandemic worries human rights organizations that such measures will become a permanent part of citizen surveillance.

Appreciating the benefits of digital communications for access to information and social organizing, CSOs are concerned that governments will increasingly make use of digital technology to crack down on targeted CSOs that possess inherently less capacities to defend themselves. CSOs and human rights defenders are subject to digital harassment, false news and manipulative media, cyber attacks and data theft.

Space for effective and inclusive policy dialogue

CSO engagement with governments and other development stakeholders at all levels is a crucial role for CSOs, acknowledging that CSOs are legitimate independent development actors in their own right (i.e. not subsidiary to governments or other stakeholders). CSOs have the potential to convey a diversity of grounded experience in setting development priorities and to hold government and other stakeholders to account. The evidence suggests that there are more opportunities in recent years for CSO and multi-stakeholder dialogue in many countries, including on Sustainable Development Goal (SDG) priorities. But CSOs report that these processes are still often one-off, have limited representivity of the diversity of CSOs, and are of limited quality in

terms of timeliness, transparency and an open dialogic process.

A comprehensive evaluation of nine policy processes in three countries concluded with a number of important factors to consider in determining effectiveness:

- quality of political leadership,
- CSO linkages with constituencies,
- importance of evidence-based research to back advocacy,
- existence of networks and coalitions to concentrate work and impact,
- a long time horizon, sometimes extending years and decades before true impact is realized, and
- the importance of local CSO initiative.

Systemic issues, particularly those relating to unequal power relations, are also critical in framing who gets to participate in policy dialogue and on what terms. The politics of inclusion is complex and deeply contested in many countries based on degrees of challenges to existing power structures and entrenched interests. Contested dialogue is closely related to contested options for development, its values, goals and directions.

Power dynamics are not only societal but are also reflected in relationships between CSOs, among national CSO actors and between international non-governmental organizations (INGOs) and national CSOs. Governments may take advantage of divisions within the CSO community to pursue their policy preferences. In terms of policy dialogue, INGOs are criticized for playing on their privileged access to governments, sometimes excluding local actors, promoting their own agendas over country-determined issues, as well as distorting local priorities through privileged access to, and expenditure of resources.

A donor enabling environment

In varying degrees, donors enter into partnerships with CSOs to implement projects allowing for a whole-of-society approach to achieving the 2030 Agenda for Sustainable Development and the SDGs. However, the evidence suggests that these partnerships are driven primarily by donor interests and programming priorities, with less than a quarter of resources going to support CSOs as actors in their own right. Little progress has been made in international commitments to localize and strengthen national CSO capacities and independent roles. These weaknesses are compounded in the pandemic as international actors withdraw and local CSOs must respond to meet overwhelming local needs.

Patterns of donor financing for developing country CSOs have changed little over the past decade. Most (93%) of US\$20 billion in annual donor bilateral finance that was channelled to and through CSOs in 2018 was directed to donor country based CSOs and INGOs, with only 7% allocated directly to country level CSOs, up slightly from 6% in 2010.

Recent studies suggest several characteristics of donor engagement that impact the CSO enabling environment, affecting the capacities of CSOs to be effective development actors at the local level:

- Donors differ significantly in their emphasis on civil society. Most support comes from only ten donors (Switzerland, Sweden, Ireland, Canada, the United States, Norway, the Netherlands, Spain, and the United Kingdom).
- A heavy donor emphasis on demonstrating results in very short timeframes means that areas harder to measure for CSOs – such as policy reform, advocacy and movement building – find fewer donors.
- A few donors have strengthened their strategic approaches to defending civic space (e.g. Sweden) and several donors have joined together to establish or expand several emergency funds for CSOs/HRDs at risk.
- A limited number of donors do raise enabling environment issues in their policy dialogue with governments, but according to CSOs do so only occasionally and usually when pressed by CSOs to do so.

Deteriorating enabling conditions in increasing numbers of countries require greater attention to support for capacity and skills development among affected CSOs. This includes a focus on organizational resilience to both safely and effectively challenge disabling conditions and adapt CSO operations to continue to meet the needs of constituencies. Among the areas identified for CSOs and their networks are the following:

- Diversifying access to resources and finance, including special funds oriented to assisting CSOs/individuals under severe threat;
- Skills and resources for engaging in policy dialogue;
- Capacities in analyzing risk and adopting appropriate security measures;
- Strategic planning in dynamic and difficult environments; and
- Specialized capacities for local and national CSOs in such areas as internet law, surveillance and advocacy in the digital space.

As noted earlier, an increasingly prominent characteristic of closing space that arises from government and contestation within civil society, are efforts that aim to smear, harass, stigmatize and politically isolate progressive actors in spheres of civic action and break their links with the

outside world. In these environments the legitimacy of CSOs is caricatured as the expression of foreign interests pushing foreign values threatening national culture. In many countries and societies, women's rights organizations are highly vulnerable to such stigmatization where fundamentalist movements have a strong and growing role in shaping social norms that attempt to exert power over women's bodies, sexuality and reproductive choices. Such attacks accentuate the critical importance of developing strong counter-narratives to strengthen respect for, and understanding of, the value of civil society.

What is to be done? Civil society proposals for reversing shrinking civic space

There are a wide range of proposals for action highlighted throughout the literature reviewed. While the attention below is placed on areas that CSO platforms might reflect upon in developing strategies to improve enabling conditions in their countries, **Annex Four** elaborates broader areas for pro-active attention by governments, donors and other stakeholders. Pro-active measures are required from governments and donors to make progress. In forming and assessing different CSO strategies in the areas below, consideration should take account of existing limitations in CSO capacities and organization, resources available, and disabling environments, unique to each country, which affect the scope for these CSO actions.

While focusing on distinct aspects of enabling environment/civic space, the literature often addresses diverse mixtures of conditions relating to civic space. The proposals therefore reflect tensions in proposed strategies for action between approaches focusing more narrowly on legal and regulatory conditions and those that address national/global political challenges in populism, values and the retreat from democracy. These respective emphases will have different implications for action by CSO platforms. This summary section points to the main areas of proposals, which are elaborated in more detail in the final section of the full review.

Whatever the approach adopted, reversing conditions that are affecting CSO enabling environments and closing civic space requires a long-term commitment and strategy. Increasingly the issues of law and regulation are inter-twined at the national level with shifts in power and politics as well as broader geo-political trends at the global level, particularly the increasing influence of China and others in legitimizing authoritarian agendas.

Review and address legal and regulatory restrictions

There is a need for review and redress of legal and regulatory restrictions and practices affecting civil society in each country to ensure compliance with international human rights standards and respect for the rights of marginalized populations. These efforts require dedicated medium- and

long-term strategies for alliance building, awareness raising (e.g. digital rights, laws and regulations), and consistent leadership on the part of CSOs. CSO coalitions can draw on the experience of good practice law and regulations in assessing their local enabling conditions and ways to address constraints on CSO formation and operations.

Advocate for institutionalized and inclusive policy dialogue

CSOs should advocate for institutionalized mechanisms for dialogue involving the direct participation of diverse civil society from the local to the national level, including marginalized and affected groups in society, based on good practices. This includes ensuring dialogue is timely, open and inclusive, transparent, informed, structured for the exchange of views on important and contested issues and iterative. CSOs should consider strengthening policy research capacities, dialogue and advocacy skills, coordination of diverse policy perspectives and constituencies, inclusion of gender-based policy analysis and ways to engage and raise the voices of marginalized communities.

Call on donors to strengthening official and INGO donor partnerships

CSOs should encourage all donors to dedicate political leadership at the highest level to take all necessary measures to safeguard and promote open civic space as an overarching aspect of foreign policy and in their development cooperation to realize the 2030 Agenda. Inter alia, CSOs should encourage donors to:

- Follow the lead of local civil society in understanding and acting to support enabling conditions in different country contexts, including the strengthening of local civil society in all relevant areas;
- Implement appropriate, substantial and innovative funding mechanisms for developing country CSOs;
- Work with local CSOs and networks, and the like-minded donor community, to use their diplomacy to promote enabling laws and regulations and ensure broad-based CSO participation in consultative bodies, including consultations on the priorities for donors' country strategies.

Promote coalition building in challenging closing civic space

In tackling CSO enabling environments and closing civic space, CSOs should build capacities and mechanisms for collaborating across different sectors and with civil society grass roots movements, including women's rights organizations and other HRDs. CSOs should always counter

government strategies to divide “good” from “bad” CSOs by focusing collaboration among all civil society actors, particularly between those working in development (both service providers and development actors) and CSOs working on human rights and highly contested social justice issues.

Address risk and CSO security issues

CSOs should seek donor support to strengthen long term security and resilience for CSOs and human rights defenders by investing in data protection, legal protection, accounting and auditing, and governance. CSOs and donors should support training / capacities to analyze organizational and individual risk, while prioritizing the security of civil society actors most at risk.

Strengthen CSO transparency, accountability and civil society narratives

CSOs should put in place initiatives and adopt quality assurance standards that demonstrate accountability to immediate (country-level) stakeholders and robust transparency in their activities. As development actors in their own right, such standards are an integral part of a CSO counter-narrative. CSOs and allies should experiment with new narratives for and about civil society that strengthen respect for, and understanding of, the value of civil society. These values are expressed through the [Istanbul Principles for CSO Development Effectiveness](#).

CSOs should take measures to strengthen their resilience with capacities not only to survive but also to pursue their missions in hostile operating environments over the long term. Resilience is multi-faceted and specific areas are outlined in the report.

Support national efforts through international CSO platforms

International platforms can support peer learning processes among CSOs affected by enabling environment challenges across relevant countries, including developing appropriate research skills, capacities to design legal, political and publicity strategies. They can facilitate linkages with regional platforms, international CSO allies, technical support and linkages with specialized CSOs, capacity building opportunities, relations with sympathetic allies within bilateral donors, and engagement with relevant multilateral processes.

Literature Review

1. Introduction

Over the past decade, the work of thousands of civil society organizations (CSOs) and its impact has been deeply affected by increasing restrictions on their operations. They are targeted with systematic harassment, by stigmatization and personal attacks, all in a climate of growing authoritarianism, fear and intimidation. Yet only five short years ago, in 2015, the international community committed to the 2030 Agenda for Sustainable Development ([2030 Agenda](#)), which was to be realized through extensive involvement of CSOs in inclusive partnerships for 17 Sustainable Development Goals (SDGs). Delivering the promise of the 2030 Agenda 'to leave no one behind' is profoundly affected by closing space for CSOs to fully engage in achieving the SDGs and other transformative elements of the 2030 Agenda.

Civil society, in all their diversity across the globe, bring a wealth of development experience, often rooted in poor and vulnerable communities. CSOs amplify peoples' voice in policy dialogue, pioneer innovation, and directly engage local communities and constituencies in seeking transformative change – ending poverty and hunger, addressing widening inequalities, tackling gender inequality and promote women's empowerment, creating sustainable livelihoods, and taking urgent action on the climate crisis. They promote peaceful inclusive societies through sustainable development for a planet under siege. Civil society is a crucial actor on all of these areas. As the global Covid-19 pandemic has unfolded these past months, organized and informal citizens' groups have stepped up to the front lines addressing survival and livelihoods needs of the most affected and exposed populations across all regions and countries.

Alternative priorities and avenues for development have always been contested at the country and global level, reflecting the power and priorities of different economic and social interests. In the context of the confluence of irreversible climate change and socio-economic crises, there is much at stake as attacks increase on civil society. This is particularly true for those expressing and defending the human rights and political agency of poor, marginalized and vulnerable communities. Restrictive measures have taken several overlapping forms in different country contexts:

- disabling legal and regulatory regimes,
- selective targeting, stigmatization and criminalization of organizations seen to be vectors for foreign agendas,
- systematic harassment and physical attacks on human rights defenders (HRDs),
- gender-based violence, intolerance and other forms of repression of women's rights,
- marginalization in crucial policy discussions at local, national, regional and global levels,
- imposed and unreasonable limits to access international funding sources, and
- cyber harassment and surveillance, among others.

CSOs are actively countering many of these restrictions and attacks through different initiatives at global, regional and country levels. There is a wide range of literature documenting not only the

growth and impact of these measures, but also the campaigns and ways in which civil society defends its legitimate space in society. Yet the crisis in governance, reflected in diminished democratic norms and closing civic space, continues to unfold largely unabated. It is obvious that much more attention, analysis, and concerted action on the part of all development stakeholders is needed. In April 2019, more than 150 civil society leaders appealed to the international community to take steps to reverse these deteriorating conditions with deliberate actions within their respective sphere of influence through the Belgrade Call to Action (see **Annex 4**). The Call was presented and taken up by the United Nations (UN) Secretary General, António Guterres, in July 2019.

National CSO development platforms in the Global South and North, have become prominent and important development actors at country, regional and global levels. They are well positioned as broad representative coalitions bringing together a diversity of CSOs. They have various roles in coordinating, implementing and peer learning to support their members' engagement in development priorities in their respective countries. In some countries CSO platforms have played active roles in addressing civic space issues and their impacts.

Forus International is a global network of 69 national platforms and 7 regional coalitions, cutting across both the Global South and Global North. Forus has a role to play in augmenting and adding value to international and country level efforts to reverse disabling CSO conditions by building coordinated responses to country CSO-identified needs and capacity gaps as well as by ensuring synergies with other like-minded global and regional civil society initiatives. Promoting an enabling environment for CSOs is a key programmatic priority for Forus in the coming years.

To identify specific priorities and approaches, Forus has undertaken a scoping study on national platforms' experiences in promoting a CSO enabling environment. The overall purposes of the study are

- 1) to generate information and learning about current experiences in enabling conditions for CSOs,
- 2) to set out CSO approaches and challenges in promoting an enabling environment, with a focus on the roles of national platforms that are members of Forus, and
- 3) to make recommendations on the particular role and resources that Forus can bring to these issues as a global platform.

This scoping study will address the challenges of enabling environment in three inter-related areas, which are also manifest differently in each country context:

- 1) legal and regulatory issues, including the digital environment;
- 2) space for effective and inclusive policy dialogue, including CSO diversity, roles and effectiveness of coalitions in these processes; and

3) resources, capacities and partnerships, including narratives to address the stigmatization and/or marginalization of CSOs as legitimate development actors in their own right.

The literature review will inform the study by drawing on existing evidence, analysis and initiatives.

2. The scope of the literature review

This literature review is framed by the overall purposes for the scoping study and its three-part analytical framework. Rather than repeating well researched analysis, the review recognizes and draws conclusions from several major and recent literature reviews on CSO enabling environments, shrinking and closing civic space, and inclusive democratic governance [e.g. Hossain et., al., 2018; Wood, 2020; ACT Alliance/CIDSE, 2015; Mendelson, 2015; Menocal, 2020]. The review explores recent literature for perspectives on current challenges in the three main thematic areas for the study and highlights proposals for what can be done to resist and reverse negative trends. It also draws tentative lessons from very recent literature on the implications of government and civil society responses to the COVID-19 pandemic with respect to enabling / disabling conditions for CSOs [e.g. Brechenmacher, et. al. 2020, *Civil Society and Coronavirus*].

3. Defining civil society, civic space and an enabling environment

A political philosophical notion of civil society has a long European history stretching more than four centuries. In this tradition it is the autonomous social spaces for the organization of citizens, distinct from, and often in conflict with, emerging state institutions. Much of this history focused on the actions of individuals as citizens or people rather than formal or informal membership organizations. [Buyse, 2018; Chandhoke et al, 2002] Alexis de Tocqueville, the French aristocrat, is often quoted from the early nineteenth century to the effect that “the health of a democratic society may be measured by the quality of the functions performed by its private citizens” [Swift, 1999, 8]. Others have pointed out that various forms of mutual aid and informal associations by people for local/regional survival and protection of interests have existed in most societies around the world stretching back in historical time [Hossain, et al., 2018].

Distinguishing civil society, civil society organizations and civic space

The current view of **civil society** and **civil society organizations (CSOs)** has been shaped by the explosion in many countries of various associations of citizens in the twentieth century, but particularly since the 1990s, often referred to as the “associational revolution” [Swift, 1999]. While many commentators use both terms inter-changeably, there are various definitions of civil society and CSOs in the literature. A full list of definitions can be found in **Annex Two**.

From a human rights perspective, the Office of the UN High Commissioner for Human Rights sees civil society as both individual actors, such as HRDs, and as organizations [OHCHR, 2014]. Civil society can also refer to a broad array of informal and formal associational life which are voluntary

and formed and made up of individuals. A review of the literature by Jacqueline Wood found that for many commentators civil society is a fluid and open-ended concept, “considered to be the collection of CSOs and other semi- or non-formal forms of people associating or of associations, as well as the sphere or space in which these interact with each other and with others [government, private sector]” [Wood, 2020, 27]. In this conceptual framework of civil society, CSOs are an important but single dimension of a wider notion of civil society, being a formal organized manifestation of civil society.¹

Civicus makes a distinction between civil society and civic space. **Civil society** is more narrowly defined, encompassing “civil society networks and organisations; trade unions; faith-based networks; professional associations; NGO capacity development organisations; philanthropic foundations and other funding bodies.”² This definition essentially collapses civil society and CSOs as one and the same. However, Civicus interprets **civic space** as the public sphere in which “citizens and civil society organizations are able to organize and participate and communicate without hindrance [emphasis added]”³ [Hossain, et. Al., 2018, 11]. The inclusion of citizens in this notion of civic space is deliberate in a human rights-based approach. The latter is one in which the individual is the rights-holder in relation to their fundamental rights to associate, assemble peacefully and freely express views and opinions. But as will be evident in the review that follows, some analysts also collapse civil society and civic space in their commentary, which creates some level of confusion in situating proposals for change.

The notion of a CSO enabling environment

This confusion can be further compounded by the notion of a CSO **enabling environment**, which appeared in general use after the Accra High Level Forum on Aid Effectiveness in 2008, but prior to the more recent reflections on civic space. A generic definition of enabling environment is a “set of inter-related conditions – such as legal, bureaucratic, fiscal, informational, political and cultural – that impact on the capacity of development actors to engage in development processes in a sustained and effective manner” [Moksnes, 2012, 43].

An understanding of the factors affecting an enabling environment has been mainly derived from CSO global policy work relating to aid and development effectiveness between 2007 and 2011, including CSO development effectiveness. It reflects donor/country commitments to CSOs

¹ A commonly used definition of CSOs, which has been adopted by the Organisation for Economic Cooperation and Development’s Development Assistance Committee (OECD DAC) and derived from the Global Partnership for Effective Development Cooperation is the following: “non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain. They cover a wide range of organisations that include membership-based CSOs, cause-based CSOs and service-oriented CSOs. Examples include community-based organisations and village associations, environmental groups, women’s rights groups, farmers’ associations, faith-based organisations, labour unions, co-operatives, professional associations, chambers of commerce, independent research institutes, and the not-for-profit media” [Wood, 2020, 28].

² See <https://monitor.civicus.org/about/aboutcivicus/>.

³ See <https://monitor.civicus.org/whaticivicspace/>.

following the adoption of the Accra Agenda for Action in 2008 and the 2011 agreements during a High Level Forum in Busan of the Global Partnership for Effective Development Cooperation (GPEDC) (see the next section for details of these commitments).⁴ In the past decade, CSOs, academics and governments have elaborated different conditions that influence CSO capacities to maximize their roles as development actors.

Since 2011, CSOs working with the OECD and the UNDP in the GPEDC, including Civicus, International Center for Not-for-Profit Law (ICNL) and CSO Partnership for Development Effectiveness (CPDE), developed a three-part framework for understanding and assessing these enabled conditions:

- 1) enabling CSO to effectively participate in policy dialogue,
- 2) donor practices in enabling and engaging CSOs, and
- 3) an enabling legal and regulatory environment for CSO formation and operations [OECD/UNDP, 2019, Indicator Two; Tomlinson, 2019; Wood, 2020; ICNL, 2018, *Effective Donor Responses*].

The third area is broad and includes extra-judicial attacks on individuals working with CSOs such as human rights defenders, feminists, or trade unionist as well as the arbitrary and discriminatory application of laws and regulations. The OECD/UNDP framework also assesses CSO adherence to the *Istanbul Principles for CSO Development Effectiveness* as a fourth area of the framework, intended as a comparable indicator of CSO commitments to improve and enable their own development effectiveness [Open Forum, 2011].

An enabling environment and open civic space

The term enabling environment can apply both to conditions affecting the capacities of CSOs to form and operate effectively in all their legitimate roles as well as to conditions affecting the degree to which civic space is considered “open.” While these two dimensions tend to overlap substantially in much of the literature, the broader scope for civic space (including the actions of citizens in the public realm) suggests that the potential influences on an enabled civil space may also be broader, taking account citizens’ access to their basic rights, changing political culture, and the role of the state as “duty bearer” in relation to individual fundamental rights.

In recent years, some academic, CSO and institutional analyses have therefore focused on additional factors that they consider important for understanding the continued shrinking of civic

⁴ For a history of CSO efforts in this area, including the efforts of the Open Forum on CSO Development Effectiveness and the multi-stakeholder Task Team on CSO Development Effectiveness and Enabling Environment, including their interaction with the Working Party on Aid Effectiveness and the Busan High Level Forum in 2011, see Brian Tomlinson, 2012. *CSOs on the Road from Accra to Busan: CSO Initiatives to Strengthen Development Effectiveness*, BetterAid in cooperation with Open Forum for CSO Development Effectiveness, June 2012, accessible at <http://aidwatchcanada.ca/wp-content/uploads/2018/10/CSOs-on-the-Road-from-Accra-to-Busan.pdf>.

space, beyond the UNDP/OECD three-part framework. While not strictly enabling conditions, they include deliberate and systematic promotion of negative public narratives / false information by government and/or other non-state actors that stigmatize CSOs, feminists and human rights activists as vectors of foreign influence and values. Increasing attention is also being given to economic (post-2008 austerity measures) and political conditions shaping the rise of varying forms of authoritarianism governments, mainly of the right (such as Brazil, Hungary and India). Challenges to liberal democratic values represented by both populist political tendencies and the implications of the geo-political rise of China are also important.

These trends are affecting civic space in increasing numbers of countries. They add some key consideration in determining CSO responses taking account an often-dangerous political environment for challenging these trends [ICNL, 2020, *Civic Space 2040*; Hays & Joshi, 2020]. Preliminary literature on the impact of the Covid-19 pandemic point to both potential negative accentuation of existing authoritarian measures to control and monitor populations, but also more positive demonstrations of the importance of local civil society in meeting unprecedented challenges to vulnerable peoples' livelihoods [Tiwana, 2020; Brown et., al. 2020].

A diverse civil society

Earlier notions of civil society, while respecting differences in approach, often assume a civic promotion of liberal normative values of tolerance, civility, non-discrimination and of progress towards the "good society" [Buyse, 2018]. Writing in 1993, academic author and activist, Jenny Pearce wrote about "authentic" civil society, which "must involve the poor and the weak gaining real and meaningful rights as citizens, genuine enfranchised and able to build organizations to defend their interests" [Quoted in Swift, 1999, 8]. There is no doubt that the claiming of rights by marginalized populations has been facilitated over the past fifty years by thousands of civil society organizations, operating at all levels, while contesting and encouraging governments to honour their responsibilities to promote, protect and respect human rights.

Yet more recent experience suggests that civil society cannot be assumed to be a holistic concept based on progressive values, if it ever was. This literature highlights the politics and increased contestation within civil society itself. Hossain and colleagues [2018] point to the importance of a changing civic space, within which the active participation of certain (hostile) civil actors has been growing and contesting for hegemony in this space. They point to the growing influence on political culture and values of conservative organizations and think-tanks of the right and far right in many countries, racist and anti-migrant/immigrant organizations, "uncivil" society challenging liberal and feminist values, and fundamentalist religious movements, among others. These groups often have explicit missions and well-financed public campaigns to frustrate the programs and/or eliminate others in civil society whose purposes and values they reject.

At the same time, civic space has also been occupied by the growth of progressive youth movements, mobilizing across the globe coalescing public demands for urgent climate-related action. The #MeToo movement has quickly become international in scope, successfully channelling

action against sexual violence, crimes and harassment against women at many levels of society. *Black Lives Matter* has similarly become global in scope while manifesting itself locally in anti-racist coalitions challenging racism and police abuse and violence against black people and other communities. In several countries anti-corruption organizations and independent media are successfully channeling public demands for better governance [Brechenmacher & Carothers, 2019; ICNL, 2020, *Civic Space 2040*].

According to David Sogge [2019, 1], “the space for civil society is actually being re-shaped, not simply curtailed; the forces underlying this process are much more complex than is commonly supposed; and international influences – not just domestic repression – add powerfully to these forces.”

The focus for this scoping study seeks to identify potential areas of action for CSO national platforms/regional coalitions to reverse measures that have been affecting the enabling conditions for CSOs in their countries and regions. Forus platform members are largely domestic and international CSOs. Given this purpose, the study adopts the narrower definition of civil society as identical to CSOs, and then looks more closely at laws, regulations and forces determining the operational realities for these organizations. In doing so, it will not ignore the systemic and complex trends re-shaping the politics of civil society and civic space, but it will concentrate on areas where CSO platforms may have distinct value-added to ongoing CSO enabling environment initiatives at the country, regional and global levels.

4. International commitments to promote a CSO enabling environment

Since the UN General Assembly adoption of the *Millennium Declaration* in 2000, the international community has acknowledged the need for strong partnerships with civil society organizations. This commitment has been reiterated in the 2030 Agenda (SDG 17.17), which aims to “encourage and promote effective ... civil society partnerships.”⁵ However, given the membership of the UN, consensus on enabling conditions for these partnerships have never been clearly articulated in this forum, outside of generic references to the commitment to human rights.

In 2008, a broad range of governments attending the Third High Level Forum on Aid Effectiveness (HLF), and adhering to its Accra Agenda for Action, did begin to express some issues that affect the capacities of CSOs to form effective partnerships.⁶ They committed to

“deepen our engagement with CSOs as independent development actors in their own right whose efforts complement those of governments and the private sector. We share an interest in ensuring that CSO contributions to development reach their full potential. To this end: ...

⁵ *Transforming our world: the 2030 Agenda for Sustainable Development*, 2015, A/RES/70/1, page 27.

⁶ *Accra Agenda for Action*, accessible at <https://www.oecd.org/dac/effectiveness/parisdeclarationandaccraagendaforaction.htm>.

c) We will work with CSOs to provide an enabling environment that maximises their contributions to development.” [§20]

Following the Accra HLF, CSOs through the global BetterAid platform, became full members of the Working Party on Aid Effectiveness and participated in the multi-stakeholder Task Team on CSO Development Effectiveness. The latter elaborated an agreed framework for understanding and assessing an enabling environment for CSOs, which was subsequently adopted by the OECD DAC. As noted in the previous section, this framework was then incorporated into the outcome of the Fourth HLM held in Busan, Korea, in November 2011, which also launched the GPEDC in which CSOs are full participants [Tomlinson, 2012].

In 2016, the *Nairobi Outcome Document* from the GPEDC’s Second High Level Meeting acknowledged the role of CSOs as equal partners in development.⁷ More than 170 countries and multilateral institutions identify with the GPEDC and in Nairobi committed to reverse the trend towards closing civic space:

“We recognize the importance of civil society in sustainable development and in leaving no one behind; in engaging with governments to uphold their commitments; and in being development actors in their own right. We are determined to reverse the trend of shrinking civic space wherever it is taking place and to build a positive environment for sustainable development, peaceful societies, accountable governance and achievement of the SDGs and the *2030 Agenda*.”

Since Busan, this commitment to civil society has been monitored biannually at the country level through the GPEDC’s Indicator Two and reported to High Level Meetings through a *Progress Report* on international commitments to effective development cooperation [OECD/UNDP, 2019]. In addition, a number of bilateral donors – Sweden, Canada and Denmark – have explicitly supported civil society as a goal of their foreign policy. Since 2014 the European Union has elaborated EU Country Roadmaps for Engagement with Civil Society [ICNL, 2018, *Effective Donor Responses*, 18]. CSOs have consistently situated enabling environment commitments within the international human rights framework, which underpin these voluntary initiatives.⁸

5. Drivers shaping disabling CSO environments and shrinking civic space

An Overview of the Current Situation

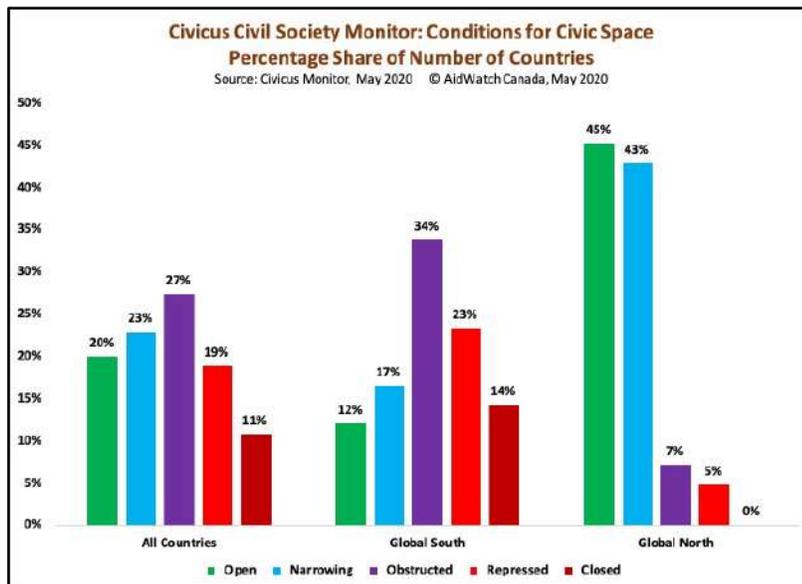
⁷ *Nairobi Outcome Documents*, accessible at <https://www.effectivecooperation.org/content/nairobi-outcome-document>.

⁸ See CSO Partnership for Development Effectiveness, [Policy Research on the Implementation of a Human Rights Based Approach in Development Partnerships](#), IBON Institute, January 2018.

Civics Monitor captures the dynamic of civic space on a global scale based on evidence provided by more than 20 organizations around the world.⁹ It ranks 196 countries according to five categories – closed, repressed, obstructed, narrowing and open. **Annex Three** provides a definition of each of these categories and situates Forus country members according to these rankings. In its latest report, Civics pointed to seven countries in which ratings have worsened and only two that have improved [Civics, 2019, *People Power Under Attack*].

Globally the Monitoring data (May 2020) indicate that there were 19 countries in which civic space was categorized as closed and 33 countries that were repressed. For an additional 48 countries civic space was considered obstructed. Only 35 countries were categorized as open, with another 45 countries in which civic space has been narrowing. However, there are considerable differences between the Global South and the Global North. **Chart One** highlights the percentage of countries in each of the Civics category for All Countries, for the Global South, and for the Global North.

More than 80% of the world’s population live in countries where civic space is closed, repressed or obstructed. Only 3% live in countries where civic space is considered open, with a further 15% in countries where space is mostly open but narrowing. The situation for populations in the Global South is even more dire, with fully 96% of this population living where space is closed, repressed or obstructed. These population distributions in the Global South improve only slightly when China (closed) and India (repressed) are removed – with 93% living in highly restrictive environments.¹⁰



⁹ For the Monitoring methodology see <https://monitor.civics.org/methodology/>. Other databases tracking different dimensions of civic space and enabling environment are listed in the bibliography. They paint more or less the same picture as the Civics Monitor.

¹⁰ Author’s calculations based on the Civics Monitor, May 2020, and population data from the World Bank.

Chart One

V-Dem Institute in Gothenburg (Sweden) confirms these trends. Its latest *Democracy Report 2020* puts a majority of the world's population (54%) living in countries that it categorizes as autocracies rather than democracies, and a further 35% live in countries that are becoming less democratic [V-Dem Institute, 2020].

These conditions are also consistent with CSO self-reporting in monitoring surveys and in other data sources on democracy and civic freedoms [See data sources in the Bibliography].

Drivers for Disabling Conditions

While a country's particular political and geo-political context matters, the literature consistently points to a range of interests and forces behind the worsening conditions.

Many of these drivers indicate that closing civic space is not a short-term phenomenon based on changing laws and regulations or periodic attacks on particular civil society actors, however important these conditions might be. Rather they reflect a convergence of deeper systemic shifts over the past twenty years in political systems, development paradigms and social values. These shifts have been identified in a cross section of the literature [Brechenmacher, 2017; Ariadne, 2015; Hossain, et. Al., 2018, 15-16; ICNL, 2018, *Effective Donor Responses*; ICNL, 2020, *COVID-19 and Civic Space*; Ferber, 2018; Hayes and Joshi, 2020].

- ⇒ Increasing resistance to a donor focus on democracy assistance. Some governments were fearful that an increased focus by donors on 'democracy assistance' in the 1990s and 2000s would provoke opposition to governments in power. In the case of countries in the former Soviet Union these concerns have often been framed in terms of defending 'sovereignty,' 'national morals' and 'values'.
- ⇒ Threats to local power structures and the economic advancement of privileged elites. Perceived threats to the power and privileges of economic and political elites, in the context of growing inequalities across the globe, have led to collusion with government/security or paramilitary forces to protect these interests. Elites at all levels have been confronted by the dramatic growth of civil society in recent decades, and its effective leadership since the 1990s, alongside thousands of HRDs, in sustaining often successful campaigns of citizen mobilization. The latter have been working with diverse communities resisting narrow corporate development plans and the local impacts of large-scale development initiatives and projects in both the Global South and Global North (social, economic, environmental, cultural, and/or gender).
- ⇒ A pervasive presence of the national security state and counter-terrorism measures. Measures to address terrorism and national security have increased exponentially across the globe since 2001, reinforced by the massive growth of public and private security infrastructure. In many countries, North and South, these measures have been widely used to severely restrict and criminalize specific communities, CSOs and general public dissent. Such

measures are compounded in a growing number of fragile countries experiencing weak governance, increasing acts of indiscriminate violence and high levels of donor security related interventions.

- ⇒ Changing global norms/universal values and challenges to “western” development models. Commentators identify a shift in global power relations, and in particular the geo-political importance of China and its authoritarian development model. It now presents major challenges to the influence of ‘western’ donors and multilateral institutions in their promotion of liberal democratic values. For some, China demonstrates that huge advances in economic development, dramatic reduction in poverty, and wide-spread engagement in development collaboration across the South, can be achieved in the absence of an independent and vibrant civil society. On the other hand, deep seated anger with the failure of “western” development models to deliver on promises for a better life for many millions, including resignation that economic globalization has permanently excluded populations, spreads support for populist authoritarian demagoguery.¹¹

Combined with significant frustration over a lack of progress in implementing more equitable development cooperation by DAC donors (e.g. respect for local ownership), the Chinese/authoritarian model is gaining traction and support in governments eager for “untied” development resources. CSOs are seen as “competitors” with government and it is becoming easier in this geo-economic context to characterize DAC donor supported CSOs as ‘foreign agents’ or ‘foreign interference.’ At the same time, the implications of this ‘alternative path’ for development, and the values it represents, is also being contested where ordinary citizens demand better governance, people-centred development, and accountability.

- ⇒ Mounting challenges to CSO accountability and legitimacy. While also a rhetorical symptom of closing civic space, CSOs are increasingly being overtly challenged to demonstrate their own accountability and legitimacy. Are major CSOs at the country level more accountable to donors than constituencies they presume to represent? The institutionalization of civil society (in part necessary to receive major donor funding), managed by civil society elites in capital cities, fuels this perception of distancing from local communities.

Changing models of donor support, away from funding respecting CSOs right-to-initiative towards contracting CSOs to run and manage service provision in partnership with government and/or external donors, tend to accentuate divisions with other CSOs. Repressive government measures seek to compound such divisions within civil society as government makes public distinctions between those that are critical of government / harmful to the

¹¹ While beyond the scope of this review, understanding the social and political dynamics for significant public support for such leaders in a growing number of countries raises critical contextual issues, some of which allow for attacks on traditional liberal civil society actors to go largely unchallenged in the mainstream society. Populist supporters seem to have given up on government, while the liberal civil society actors, often critical, but still see government as the essential means for delivering equitable and inclusive development. These perceptions of government may be affected at least in the short term by the failure of many authoritarian governments and government minimalists to address the health and economic impacts of the pandemic.

development of the nation and those CSOs that are seen to work with government to implement national development policies and priorities.

⇒ Responding to global systemic crises – the Covid-19 pandemic, the climate emergency, and growing inequality. As the Covid-19 pandemic progresses across the globe, governments have reacted with actions that dramatically affect civic space in the short to medium term. In countries already experiencing narrowing or obstructed spaces, the fear is that such measures will become permanent. The pandemic has given authoritarian rulers (e.g. Philippines and Cambodia) carte blanche to attack their long-standing critics and to accrue greater power and control in the context of growing inequalities [Hiebert, 2020; Civicus, 2020, 6].

At a systemic level, some analysts point to the potential impacts of the climate crisis on vulnerable people who face marginalization and dispossession. In the words of Philip Alston, the UN Special Rapporteur on Extreme Poverty, in a world that might be defined by “climate apartheid:”

“democracy and the rule of law, as well as a wide range of civil and political rights are every bit at risk. ... The risk of community discontent, of growing inequality, and even greater levels of deprivation among some groups, will likely stimulate nationalist, xenophobic, racist and other responses. Maintaining a balanced approach to civil and political rights will be extremely complex.”¹²

The climate crisis in a planet under threat is a justice challenge of the first order.

These drivers are manifest in enabling conditions for CSOs in three broad areas relating to the scope of CSO operations and initiatives. Good practice in these areas should maximize their roles and effective contributions to the 2030 Agenda and the inclusion and full participation of marginalized and vulnerable populations:

- a) An enabling legal and regulatory environment for CSOs;
- b) Space for effective and inclusive policy dialogue; and
- c) CSO access to resources, capacities and partnerships.

In what follows, this document presents recent literature on broad trends and lessons for CSOs in each of these areas before turning to a range of proposals that could begin to address narrowing space and promote more enabling conditions.

6. An enabling legal and regulatory environment for CSOs

The laws, regulations and political processes governing CSO formation and operations, the right to freedom of speech and assembly, access to judicial and/or institutional justice and judicial limits on state surveillance are widely considered to be essential to open democratic civic space, the formation and the operations of CSOs.

¹² Philip Alston, “Climate change and poverty: Report of the Special Rapporteur on extreme poverty and human rights”, A/HRC/41/39, June 25, 2019, page 17, accessed May 2020 at https://www.ohchr.org/Documents/Issues/Poverty/A_HRC_41_39.pdf.

A legal and regulatory framework

Most CSOs acknowledge the importance of a legal framework governing the basic formation and operations of formally constituted CSOs, while insisting that registration must be voluntary whereby informal, community-based, CSOs and social movements may form at will and operate beyond the scope of these laws. Enabling laws and regulations create the necessary conditions for a vibrant civil society but are no guarantee that they are not abused in their application to target and discredit particular CSOs. And while restrictive laws narrow the operational scope for CSOs, they are not necessarily an insurmountable barrier for CSO service operations or participation in some less controversial areas of public affairs [ICNL, nd, *Enabling Reform*].

Enabling laws and regulations, including the fair and just implementation of these laws, are important pre-conditions respecting the constitutional guarantees for the freedom of peaceful assembly and association and the freedom of expression. In a 2016 survey of 59 developing countries on the CSO enabling environment (GPEDC's Indicator Two), almost all countries reported that they had laws and regulations in place that recognize and respect CSOs freedom of association, assembly and expression, governing the formation, registration, and operations of these organizations [OECD/UNDP, 2016, 86].

But serious issues exist in many countries in the implementation of these laws, with major differences in perception between governments and CSOs. In the 2018 OECD/UNDP survey (of 41 countries in the Global South)¹³ government respondents indicated in 68% of countries that "most peaceful assemblies are allowed in practice, regardless of the issue being raised or the groups participating." CSOs in only 30% of the countries surveyed had this same perception. CSOs in a majority of countries (57%) suggested that "some issues or groups may be subject to discriminatory decision making" and in a further 13% of countries, most peaceful assemblies are prohibited in law or practice [Tomlinson, 2019, *Civil Society Reflections*, Annex 4, 135].

With respect to freedom of association, in the 2018 OECD/UNDP survey, government respondents in 60% of countries surveyed very positively reported that CSO "registration in a voluntary, simple, fair and efficient procedure" existed in law and practice, while CSOs in only 23% of countries suggested that this was their experience of these laws and regulations. CSOs in 52% of surveyed countries suggested that registration is voluntary but moderately demanding, while in a further 25% of countries registration is either mandatory and difficult, or is voluntary, but difficult especially for advocacy-oriented organizations [Tomlinson, 2019, *Civil Society Reflections*, Annex Four, 137].

¹³ The OECD/UNDP Survey was conducted within the GPEDC as a biannual assessment of progress in realizing the four development effectiveness principles agreed in Busan in 2011. In 2018/19 it was implemented by partner country governments in 81 countries. Indicator Two reflects on progress in CSO enabling environment through 19 questions in four modules. These questions for the 2018 Survey were completed in 44 countries by government, CSO and development partner respondents, independent of each other.

Different perceptions on laws guaranteeing the freedom of expression are equally stark. In 75% of OECD/UNDP survey countries, government respondents said that “expression is generally free of control by the government,” against only 34% of countries where CSOs agreed with this statement. On the other hand, in well over a quarter of countries (29%), CSO suggested that expression is either “fully controlled by government” or “extensively controlled by government.” In another 36% of countries CSOs said that expression is mostly free of control, but with some instance of government interference [Tomlinson, 2019, *Civil Society Reflections*, Annex Four, 136].

Independent assessments confirm these CSO country observations from the OECD/UNDP Survey [Bertelsmann Transformation Index; USAID, 2019a, 2019b, 2019c, 2019d; ICNL, *Civic Freedom Monitor*]. Governments deploy a range of law, regulations and practices that deliberately hinder the existence, roles and operations of civil society organizations [ICNL, 2016, *Survey of Trends*; Hossain et. Al., 2018, 14-15; ActionAid International, 2018; Community of Democracies, nd]. Laws may be promulgated to purportedly strengthen CSO accountability, good governance and national sovereignty, but then are implemented selectively to de-legitimize CSOs. These measures may include:

- ⇒ Vague CSO laws and regulations Governments take advantage of imprecise and/or broad language in laws and regulations to have political discretion over CSO registration, operations and revocation of permits, deploying unwritten political criteria and with limited or no judicial recourse. In some cases, the government does not publish implementation regulations, leaving complete discretion in interpretation of laws governing CSOs.
- ⇒ Narrow scope of laws governing CSOs Law and regulations are written deliberately to severely limit the scope of permissible CSO activities, which either preclude important CSO roles in non-partisan advocacy on behalf of their constituencies or set out a vague notion of precluded “political activities” to allow for discretionary and discriminatory action by government.
- ⇒ Discriminatory and political implementation of anti-terrorism laws There is increasing widespread use of anti-terrorism laws and measures to silence and/or imprison government critics, intimidate other civil society actors not directly affected, and severely limit peaceful expression of opinion. Government regulatory power over CSOs may reside not only in an NGO regulatory body, but also in government security agencies.
- ⇒ Unreasonable requirements Governments may require burdensome reporting requirements, written prior approval for CSOs to engage in activities or work in geographic areas not explicitly mentioned in the organization’s original registration documents. Increasingly, measures for prior approval comes with requirements to indicate all sources of finance, registration and/or prior approval of foreign finance. In some countries, registration of finance is made mandatory and difficult for all CSOs, irrespective of their purposes (community-based informal CSOs) or their geographic locale (i.e hard to meet measures that require travel to the capital city). Women’s rights organizations, and others representing marginalized and discriminated populations, often face particular regulatory hurdles to promote policies for greater equality and provide services themselves to their communities.

⇒ Using laws/regulations for harassment of CSOs The government deploys their power to impose forensic audits at will, freeze CSO assets, restrict foreign travel of CSO members, require unreasonable documentation to register under laws and/or require regular re-registration, or label organizations as ‘foreign agents.’ Such measures substantially deflects an organization’s attention to defend themselves and substantially disrupt programmatic activities. In some countries, INGOs have become subject to additional limitations on their country activities, including separate registration of these activities or individual Memoranda of Understanding with local authorities, restrictions on work permits for international staff, and/or punitive supplementary tax obligations and other limits on financing their in-country activities.

Good practice in legal accountability and redress

A number of specialized international CSOs have established programs to assist in analyzing proposed or existing CSO laws and regulation frameworks, and have developed important benchmarks in identifying good practice in CSO laws and regulation, including access to resources [ICNL, 2016, *Checklist for CSO Laws*; Community of Democracies, nd; ARTICLE 19, 2009; European Commission on Democracy through Law, 2019; Human Rights House Foundation, 2019]. These benchmarks are based on a number of important principles and notions of good governance. *Inter alia* these include:

- ⇒ Freedom of association CSOs should be allowed to freely come into existence, without hindrance from the state, with voluntary and relatively quick, easy, transparent, and inexpensive measure to register or seek legal identify.
- ⇒ Involuntary dissolution subject to independent judicial review Involuntary dissolution of a CSOs should be based on transparent procedures by a recognized governing state body, after a requested correction of a legal or ethical violation has not occurred, and subject to judicial supervision.
- ⇒ Scope of legitimate CSO activities CSOs should be treated like all other legal entities and be permitted to engage in activities for the benefit of their members, including framing, debating and speaking freely on all relevant issues of public policy.
- ⇒ Minimum public requirements for CSO governance Laws and regulations should require a certain minimum provision of CSO governing documents directly relevant to the governance and operation of the organization, including receipt and approval of finance, but CSOs should also be free to adapt its governance within the limits of the law.
- ⇒ Voluntary self-regulation The laws should permit the formation of umbrella organizations and allow for self-regulation of the highest standards of conduct and performance.
- ⇒ Freedom of expression Laws must enshrine the right to freedom of expression, through any medium of communication, in accordance with international human rights law, and with any

limitation clearly set out based on the minimum necessary to protect the democratic basis of society and subject to independent judicial review.

⇒ Financing CSO activities The ability to seek, receive and use resource, including foreign resources, is inherent to the existence and effective operations of associations.

The literature noted above provides details for the legal protection of these basic notions for CSO law and regulation, both in the law itself and in its implementation.

Impunity

Since 2016, more than 1,200 HRDs have been murdered around the world, with many more harassed, imprisoned and verbally abused and stigmatized. In 2019, 304 HRDs were killed in 31 countries, with a majority since 2016 being defenders of land, environmental and indigenous peoples' rights. Frontline Defenders reported that 13% of those killed in 2019 were women HRDs as state-sponsored backlash against women's rights continues unabated in several countries. Beyond killings, there were high levels of verbal abuse, sexual violence and harassment reported by women HRDs [Frontline Defenders, 2020, 4, 8 and 11-12].

Most of these killings were done with impunity. Frontline Defenders documents laws that curtail the ability of HRDs and civil society to protect and advance human rights. In April 2020 Frontline Defenders published a statement of concern for the impacts of COVID-19 pandemic documenting attacks on HRDs when the world is preoccupied with the pandemic and raising the potential for serious exposure to the virus in prison conditions.¹⁴

Other independent sources also document that lack of protection for civil rights and judicial recourse. The Bertelsmann Transformation Index found that in just under half of 62 countries surveyed, there were very high levels of violations of civil rights, with either no or very ineffective "mechanisms and institutions to prosecute, punish and redress violations of civil rights" [Bertelsmann, quoted in Tomlinson, 2019, *Civil Society Reflections*, 44].

Using the V-Dem dataset [V-Dem Institute], equal protection of rights and the likelihood of political killings were serious concerns for marginalized populations and were considered very weak by country experts in 27% of 72 countries surveyed. In 21% of the countries, political killings were considered frequent, and top leaders in government either were inciting or not actively

¹⁴ Joseph, J and Ed O'Donovan, 2020. "Defending rights during a pandemic: Impact of Covid-19 on the safety and work of human rights defenders," Frontline Defenders, April 17, 2020, accessed at <https://www.frontlinedefenders.org/en/statement-report/defending-rights-during-pandemic-impact-covid-19-safety-and-work-human-rights>.

working to prevent them. In a further 10 countries (14%) political killings were reported to be practiced occasionally [Tomlinson, 2019, *Civil Society Reflections*, 44].

An enabling digital environment

Attention on various CSO enabling conditions, particularly over the past five years, has increasingly analyzed the role of digital technology in both transforming the scope of civic space as well as its use in extending restrictions within this space. Earlier frameworks for a conducive CSO enabling environment in the 2000s made scant mention of these technologies even while CSOs and social movements were creatively expanding their use.¹⁵ In 2020, the OECD DAC completed a major study on the positive and negative trends in “digital transformation and the future of civic space to 2030” [OECD, 2020, *Digital Transformation*].

Much of the literature between 2010 and 2015 more often referenced the positive and transformative opportunities as CSOs expanded their access to and use of digital technology and social media to promote organization and change [ACT Alliance/CIDSE, 2015, 27; Chandhoke, et. Al., 2002, 40]. Hossain and colleagues [2016, 22] note a number of early writers who laud the creation of new online spaces, which civil society have ‘claim’ as their own, where people build counter-narratives, create new social movements and use social media to mount sustained campaigns against authoritarian leaders. In Cambodia, for example, young civil society actors used the proliferation of social media within society to exert pressure on social and political issues in a highly contested environment of increased state control [Schroder, et. al., 2019, 14]. Digitized economies, communications and information systems have transformed societies, enabling more immediate access to voices of marginalized populations, easier access to relevant information, and global / regional / national networking by civil society actors.

The public benefits of a global internet are indisputable [OECD, 2019, *Going Digital*; OECD, 2020, *Digital Transformation*, 8, 12]. In 2016, the UN General Assembly passed a non-binding resolution declaring that internet access should be considered a human right, but which also affirms that “the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one’s choice.”¹⁶ How this right is realized in practice has had substantial debate and increasing abuse in many countries since then [Concord and FOND, 2018].

¹⁵ See for example, Task Team for CSO Development Effectiveness and Enabling Environment, *Key Messages for the Fourth High Level Forum on Aid Effectiveness [Busan]*, 2011, accessible at <https://taskteamcso.com/wp-content/uploads/2019/04/key-messages-for-the-hlf-41.pdf>.

¹⁶ See https://www.article19.org/data/files/Internet_Statement_Adopted.pdf.

Access remains a critical issue. It is generally acknowledged that up to 3 to 4 billion people do not have access to the internet, mostly in the Global South (likely including many local CSO staff working in difficult circumstances) [Concord / FOND, 2018, 24; OECD, 2020, *Digital Transformation*, 24]. In 2019, almost half of the global population (46%) lived in countries where authorities disconnected the internet or mobile networks for political reasons [OECD, 2020, *Digital Transformation*, 24]. At the same time, many others, who may technically have access, are limited by language barriers, subsistence incomes, and the quality of the technology actually available.¹⁷ While cell phone access is becoming more universal, the broader digital environment in a low income environment, one in which many CSOs work in the South, is affected by unreliable power, limited access points for computers and the internet, particularly in rural areas.

Philip Alston, UN Special Rapporteur on Extreme Poverty, and David Kaye, Special Rapporteur on the Protection of the Right to Freedom of Expression have warned that digital technologies come with considerable risks to deepening inequality and abrogating rights [Marmo, 2020, 1].¹⁸ More governments are following the lead of authoritarian states such as China and Russia in justifying comprehensive internet censorship and digital state surveillance under the guise of “cyber sovereignty” [ICNL, 2020, *Civic Space 2020*, 5]. According to Freedom House, in 2018 alone, 16 out of 65 countries passed new laws or directives to increase state cyber surveillance, often with no independent oversight [Quoted in OECD, 2020, *Digital Transformation*, 24]. The potential for “mission creep” in the use of digital contact tracing during the Covid-19 pandemic worry some commentators that such measures will become a permanent part of citizen surveillance even in parts of Europe or the United States, with rising illiberal political movements [Momani, 2020].

A recent reflection on critical issues governing the future of civic space suggested that its future will be determined by the values of those who govern the internet [ICNL, 2020, *Civic Space 2020*, 4]. These concerns are profoundly troubling as concentrated corporate power (Google, Apple, Facebook, Amazon) monopolizes the privatization of big data, which is then invisibly deployed on behalf of governments for behaviour control, advanced propaganda techniques and systems for omni-present surveillance of all citizens [Zuboff, 2019]. The OECD study concluded that “by and

¹⁷ See Jack Berry, “COVID-19 exposes why access to the internet is a human right,” Open Global Rights, May 26, 2020, accessed at <https://www.openglobalrights.org/covid-19-exposes-why-access-to-internet-is-human-right/>.

¹⁸ In the words of the Special Rapporteur on the right of freedom of peaceful assembly and of association: “States are using digital technology to silence, surveil and harass dissidents, political opposition, human rights defenders, journalists, whistle-blowers, activists and protesters; and to manipulate public opinion, including through misinformation campaigns, cyberattacks and government-sponsored trolling. These tactics aim to intimidate civil society actors, create incentives for self-censorship, destroy their credibility and legitimacy and deny them the attention necessary for mobilisation in the digital space. Governments are ordering Internet and telecommunication services shutdowns and network disruptions more frequently, as well as arbitrarily blocking websites and platforms (including of human rights organisations and political opposition parties) ahead of critical democratic moments such as elections and protests (UN-OHCHR, 2019[7]).”

large, tech companies and Internet service providers are left unchecked, leveraging digital technologies to control information to pursue their own corporate and commercial interests, sometimes in collusion with repressive governments, for the sake of profit” [OECD, 2020, *Digital Transformation*, 25-27].¹⁹

Most “virtual digital space” is now owned or monitored through algorithms by commercial firms, security agencies and/or governments. As digitization capacities expand exponentially more and more aspects of everyday life is captured and stored in digital form. Some point to a positive EU model of regulation that promotes greater individual ownership of personal data [Concord / FOND, 2018, 11], while others suggest that such regulations do not go far enough to preclude widespread use of data for surveillance.²⁰

Appreciating the benefits with digital communications for access to information and social organizing, CSOs are concerned that governments will increasingly use of digital technology to crack down on targeted CSOs that possess inherently less capacities to defend themselves. CSOs and HRDs are subject to digital harassment, false news and manipulative media, cyber attacks and data theft.²¹

A 2018 survey of CSOs demonstrated that some CSOs are very active in the field of digitization, while others indicate a lack of digitization awareness and thus open to manipulation and abuse. Many believe that social media and their capacities to have digital impact on democracy are CSO assets, but also seek a more informed overview of digitization trends [Concord/FOND, 2018, 31]. One of the conclusions of this study suggested that “to save the civil society space, the CSOs must invest in understanding how digital technologies help to concentrate power and to change relationships between sectors but even more importantly, how to minimize the negative consequences” [Concord / FOND, 2018, 29].

7. Space for effective and inclusive policy dialogue

Creating conditions and mechanisms for effective CSO policy engagement

¹⁹ These analyses were written prior to more recent (2020), albeit modest, successful pressure on Facebook and Twitter to label and/or remove hate speech and fabricated statements.

²⁰ Tim Wu, “Big Brother,” *New York Review of Books*, April 9, 2020, accessible at <https://www.nybooks.com/articles/2020/04/09/bigger-brother-surveillance-capitalism/>.

²¹ Responses by the DAC CSO Reference Group to a DAC Consultation on Digital Transformation and Impact on Civil Society, unpublished, August 2019. This Consultation has resulted in a yet to be published DAC Foresight Policy Paper, “Digital transformation and the futures of civic space to 2030,” OECD Publishing, 2020.

CSO engagement with governments and other development stakeholders at all levels is a crucial role for CSOs, acknowledging that CSOs are legitimate independent development actors in their own right (i.e. not subsidiary to governments or other stakeholders). In their diversity, they bring invaluable development experience, insights and innovation to the table to influence development policies and processes. They can potentially ensure the voices, concerns and proposals are heard from people who would be otherwise excluded from government deliberations on national/local priorities, including the SDGs. CSO participation in dialogue is a key ingredient in meeting the 2030 Agenda's commitment to "leave no one behind" [Task Team, 2019, 16ff; Tomlinson, 2019; ITAD & COWI, 2013; International Forum of National NGO Platforms, 2017].

Together CSOs play a critical role in demanding transparency and embedding sustained public accountability in development processes, particularly in relation to uncovering corruption and other governance failures. It is widely recognized that inclusive and equitable participation from all parts of society are essential for country ownership of development processes, in which governments have a unique and enabling role [Hossain, et. Al., 2018, 20; OECD/UNDP, 2019, Part 1, 16].

A recent review of evidence from more than 80 developing countries gives a mixed conclusion: "national planning is becoming more inclusive, but more systematic and meaningful engagement of diverse stakeholders through the development process is needed" [OECD/UNDP, 2019, Part 1, 36ff, 44-45]. CSOs involved in monitoring these processes agreed with this finding:

"Various forms of multi-stakeholder processes exist for dialogue on development priorities. But many of these processes are highly compromised by a lack of institutional regularity and can be perfunctory mechanism to endorse existing government priorities and limit CSO engagement. CSOs continue to rate broad government consultation practices, in terms of timeliness, transparent documentation, openness, and iterative processes, either as very poor or needing significant improvement [at country level]." [Tomlinson, 2019, 24]

The OECD/UNDP 2019 *Progress Report* also concluded that there was mixed progress in making development cooperation more transparent, with CSOs reporting better formal laws granting access, but these have not translated in many countries into timely, relevant information to inform CSO preparations for policy dialogues with government [OECD/UNDP, 2019, Part 2, 64ff; Tomlinson, 2019, 125].

Other assessments of inclusive public policy processes are similarly qualified in terms of the conditions that determine quality engagement. The 2030 Agenda called for a robust and inclusive process for determining SDG priorities and reviewing progress towards implementing SDGs targets at the country level. Countries prepare periodic Voluntary National Reviews (VNR) of

country level progress. In early 2019 Action for Sustainable Development (A4SD) published the results of a comprehensive survey of 135 CSOs in 62 countries to assess civil society inclusion in these Review processes [Action for Sustainable Development, 2019]. Substantially more than half (59%) of CSO respondents reported that there was no opportunity (36%) or little opportunity (23%) to participate in an institutionalized ongoing review mechanism for SDG priorities in their country. A similar 60% had little or no opportunity to contribute independent evidence, assessments or reports based on their organization's development experience. In addition, 65% of respondents say that, for groups broadly representing "those left behind," there was "little" or "no" opportunity to engage at the national level [Action for Sustainable Development, 2019, 18].

Kindornay and Gendron noted in their 2020 assessment of VNR reports submitted in 2019 that some country reports pointed to efforts to support multi-stakeholder engagement in implementing the 2030 Agenda. But these VNRs seldom addressed issues of closing civic space in the context of the importance of a whole-of-society approach. There is also no assessment of the quality of multi-stakeholder engagement [Kindornay and Gendron, 2020, 10, 12]. This finding is consistent with previous reviews of VNR reports for 2017 and 2018.

The GPEDC's 2018/19 monitoring process measured the extent to which governments consult with CSOs and the quality of these consultations. There is a notable divergence in the perceptions of government and civil society respondents, on the extent, but also the quality, of consultations. Most government representatives said there were frequent consultations of mixed quality (51%) or consultations were regular, institutionalize and consistent good quality (23%). On the other hand, half of CSO respondents held that consultations were very occasional, and the quality was consistently not sufficient (48%), or there was no consultation (2%). On SDGs, 83% of government respondents said that a diversity of CSOs were being consulted either in ad hoc or institutionalized processes. Meanwhile, 56% of CSO respondents said there were no consultations on SDGs (14%) or some select CSOs are occasionally consultation (42%) [Tomlinson, 2019, 123-124].

The literature on enabling government dialogue with CSOs often focus on the importance and essential conditions for an effective multi-stakeholder character to these engagements [Task Team, 2019, 17-23]. In 2016, the Task Team for CSO Development Effectiveness and Enabling Environment (Task Team) sponsored detailed case studies on multi-stakeholder processes in order to determine key drivers for effective engagement [Task Team, 2016]. This study found that effectiveness is determined inter alia by having both the right sectors and individuals around the table (skills, competencies, social capital and reputation of particular individuals ('champions')). Country conditions matter. They pointed to positive contributions of "democratic disruption" affecting the ways in which "power is distributed differently across major institutions of the state and society." Trust is another important element – trust in both the individuals involved but also

the capacities of institutions to deliver. While referring to a diversity of multi-stakeholder initiatives (MSIs), the study's observation is also relevant to dialogue processes:

"One of the challenges is for government actors to hold back from exercising authority if inclusion and voluntary engagement of non-state actors is to be achieved and sustained. MSI governance requires a deliberate and sensitive approach to equitable collaboration with sincerity towards collaborative purposes. Non-state stakeholders should not be seen as mere supporters of state efforts, but as equal partners that are essential to a genuine collaboration in which each actor brings unique contributions to the MSI" [Task Team, 2016, 5].

In 2013 the Foreign Ministry of Denmark and the Swedish International Development Cooperation Agency published the outcomes of a major evaluation of civil society engagement in policy dialogue, based on three country studies in which there were nine policy case studies [ITAD & COWI, 2013]. In analyzing different policy processes the evaluation made an important distinction between claimed and invited spaces for policy influence. The latter are those organized by government, which to varying degrees have shared interest with CSOs in the policy under review. Claimed spaces are those in which civil society undertake deliberate strategies to garner public and government interest in a cause or policy initiative for which there is limited government support. The study looks at various enablers and barriers to CSO engagement in policy dialogue in these several forms and came to some conclusions [ITAD & COWI, 2013, 9ff]:

- ⇒ Political leadership. A country's political leaders (rather than its policies per se) shape the realities of the enabling environment, so the situation facing CSOs may in practice be very different from the legal provisions.
- ⇒ Limited invited spaces. Where invited spaces are limited or controversial issues are avoided by government, CSOs are more likely to revert to self-initiated strategies to claim spaces for their issues.
- ⇒ Importance of CSO linkages with constituencies. Results were mixed. In some sectors these linkages may not be as important for impact on policy dialogue (e.g. climate change). In short term actions (usually in claimed spaces) little benefit was seen from being constituency based, while sustained engagement over the long term in invited or claimed spaces did benefit from having a clearly defined constituency.
- ⇒ Advocacy and campaigns backed up by evidence-based research. CSOs when staffed with experienced, qualified experts can produce research material of high quality, which is then used effectively in a range of advocacy processes.
- ⇒ Networks and coalitions. CSOs networks and coalitions were found to play an effective role in many of the policy process case studies. However, considerable time and effort is required to make these alliances work sustainably over the long term, and less formal

networking arrangements may sometimes be more effective (depending on their purpose).

- ⇒ Empowering citizens. CSOs often facilitate the empowerment of citizens and community-based organizations to play roles in policy engagement, typically lobbying or demonstrating at local level or acting as policy watchdogs. This approach was seen to be vital in ensuring long-term outcomes.
- ⇒ A long time horizon for impact. A long time frame is often essential to realize impact from policy engagement, particularly on controversial issues or claimed spaces. Many of the case studies saw results after years of campaigning efforts and sometimes only decades after initiating policy engagement processes.
- ⇒ Local CSO initiative. Issues identified and championed by local CSOs themselves have led to committed and sustained action and a higher chance of success than those initiated externally (e.g. INGOs).

Overall the evaluation found that there was often insufficient analysis of power relations by CSOs, identifying the opportunities in the political environment and the potential for alliances. These relationships are important to consider in establishing different CSO approaches and strategies [ITAD & COWI, 2013, 12].

Implications of unequal power relations in framing enabling conditions for CSOs

There is no doubt that significant capacity issues on the part of CSOs, but also governments and other stakeholders, affect the quality of multi-stakeholder dialogues [International Forum of National NGO Platforms, 2017, 3ff; ITAD & COWI, 2013, 12]. But systemic issues are also critical. CSO experience suggests that unequal power relations often frame who gets to participate and on what terms. Women's rights organizations point to systemic patriarchy, which affects their access to fora to engage government, their ability to generate dialogue on issues that challenge existing gender power relations, and to access the resources to do so effectively [Clark and Miller, 2013].

At a broader entry point, the politics of inclusion is deeply complex and is often affected by CSO challenges that might alter power structures in society and in state-society relations. It is a process that is bound to be highly contested, depending on the nature of political regimes [Menocal, 2020, 9]. More inclusive civic space then is not just about modeling good practice in policy dialogue, however important that may be. More fundamentally, "we must transform oppressive power dynamics that currently hinder marginalized people from being heard" [Feber, 2018, 18].

Contested dialogue is closely related to contested options for development, its values, goals and directions. Contestation happens at multiple levels, including the involvement of (often invisible) transnational actors linked to various domestic actors (e.g. interests of transnational corporations and supply chains). In some countries, policy engagement is caught in global debates about social and cultural values in public life, particularly in relation of human rights discourse [Hossain, et. al, 2018, 32.]

Power dynamics are not only societal but are also reflected in relationships between CSOs. These relationships can affect the inclusiveness of policy processes as governments deliberately divide CSO communities. International non-governmental organizations (INGOs) have a diversity of important engagements in policy processes at global, regional and national levels. The latter can sometimes affect access and capacities for local/national CSOs to engage in these policy processes. INGOs are criticized for playing on their privileged access to governments, sometimes excluding local actors, promoting their own agendas over indigenous issues, as well as distorting local priorities through privileged access to, and expenditure of resources [ITAD and COWI, 2013, 88].

In the GPEDC 2018/19 monitoring data (Indicator Two) 84% of CSO country respondents said that they experienced short- and long-term partnerships with financing CSOs (INGOs), which are largely based on specific projects that are defined by the financing CSO. Only 3 out of 44 CSO respondents said that CSOs in their country had long term partnerships which were the result of shared programming interests and solidarity between the funded and financing CSO [Tomlinson, 2019, 127].

The localization of INGOs is also an increasingly controversial concern. A broad coalition of Southern-based CSOs have launched a campaign to shift the power away from INGOs at the local level. They argue that current INGO strategies are weakening CSOs locally -- "if you are serious about 'shifting the power' then reduce your footprint [locally] and brand and use your fundraising machinery to help grassroots organizations create the structures to fundraise for themselves and sustain their work" [#Shift the Power, 2020] .

These challenges for local CSOs may be compounded by the fallout from the Covid-19 pandemic as some INGOs, such as Oxfam, reduce their country presence, but then establish Oxfam affiliates in these countries to fundraise locally.²² At the same time, local CSOs reported, in an independent

²² William Worley, "Oxfam to lay off 1,450 staff and withdraw from 18 countries," DevEx, May 20, 2020, accessed at <https://www.devex.com/news/exclusive-oxfam-to-lay-off-1-450-staff-and-withdraw-from-18-countries-97286>.
Duncan Green, "Oxfam's Transformation and the Future of International NGOs: A Conversation with Danny

survey of 125 CSOs across 14 countries, that two-thirds of them have taken at least one cost cutting action and that three-quarters fear that there will be less funding available for their work in the future due to the impacts of the pandemic [LINC, 2020. 2].

Local CSOs point to the critical importance of local civil society capacity to quickly retool to meet the needs of local populations during the pandemic and lockdown [Cornish, 2020]. Yet little progress has been made in the realizing the ‘Grand Bargain’ commitments made in 2016 by international humanitarian actors to expand the localization of humanitarian responses.²³ The Humanitarian Policy Group at the Overseas Development Institute concluded in a recent review of progress that “the barrier to greater local action is not the dearth of capacity, but instead the reluctance of international actors to cede power” [Quoted in Fast and Frett, 2020].

Different national CSOs have also experienced restrictive environments differently, particularly between advocacy-oriented and service-oriented CSOs, which are linked to societal power relations [Firmin, 2017; Buyse, 2018, 982; Swiss NGO Platform, 2016, 6]. In Ethiopia, for example, while human rights, women’s rights and minority protection organizations have been very restricted in their operations through limits on their funding, service-oriented CSOs grew in numbers since the enactment of these restrictive laws [Brechenmacher, 2017, 79]. But evidence also points to more wide-spread impacts of broad-stroke regulations that tended to bring CSOs together in response. In both Cambodia and Zimbabwe restrictions also affected where and how service oriented CSOs could work in the country [Hossain, et. al. 2019, 23]. Even in Ethiopia the expansion of regulations on foreign funding gradually impacted a wider range of CSOs working at all levels of society.

Diversity, representivity and the roles of coalitions

Over the past decades, CSOs have established networks and coalitions within and across sectors in order to coordinate their activities and facilitate a common agenda in national, regional and

Sriskandarajah,” From Poverty to Power Blog, June 18, 2020, accessed at <https://oxfamblogs.org/fp2p/oxfams-transformation-and-the-future-of-international-ngos-a-conversation-with-danny-sriskandarajah/>.

See also Deborah Doane, “Are INGOs ready to give up power?,” Open Democracy, December 10, 2019, accessed at <https://www.opendemocracy.net/en/transformation/are-ingos-ready-give-power/> and Maria Faciolince, “Responses to ‘Are INGOs ready to give up power?’,” From Poverty To Power Blog, December 20, 2019, accessed at <https://oxfamblogs.org/fp2p/responses-to-are-ingos-ready-to-give-up-power/>.

²³ See IASC, “About the Grand Bargain,” at <https://interagencystandingcommittee.org/about-the-grand-bargain>. See also Duncan Green, “Where is the Aid Biz making Progress on Localization,” Poverty and Power Blog, June 30, 2020, accessed at https://oxfamblogs.org/fp2p/where-is-the-aid-biz-making-progress-on-localization/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+FromPovertyToPower+%28From+Poverty+to+Power+%3A+Duncan+Green%29.

global policy arenas. While often mentioned as a critical means through which CSOs play an effective role in policy processes, there is little in the literature that analyzes strengths and weaknesses in these efforts for coordination [ITAD & COWI, 2013, 10; IFP, 2017; ICNL, 2018, *Effective Donor Responses*, 23]. Alliances should be as broad and inclusive as possible across sectors and types of organizations [Feber, 2018, 13]. But on the other hand, the Danish/Swedish evaluation points out that networks are not a panacea; they need substantial maintenance, are costly in themselves, and may suffer from in-fighting or leadership fatigue [ITAD & COWI, 2013, 13, 96].

When asked about the extent of CSO-initiated coordination mechanisms in the GPEDC monitoring process, 25% of CSO respondents out of 44 countries said that there was a major national CSO-initiated platform, while another 43% of country respondents said that coordination mechanisms existed but there was not one, inclusive representative CSO platform. Close to a third of CSO respondents said there was no platform, or coordination was weak and mainly sustained by the interests of donors or national governments [Tomlinson, 2019, 128].

Representivity can also be an issue. A case study of Nepal, examining the linkages between enabling environment issues and implementation of SDGs, highlighted fractured power dynamics within Nepal civil society due in part to a deepening partisan nature of civic space and a dominance of upper caste groups in leadership. They saw donor-funded, issue-based networks that often excluded many actors due to these issues, but also skillsets and language barriers to operate within the parameters set by the donors [Nazneen and Thapa, 2019, 18-19, 26].

8. Resources, capacities and partnerships

A donor enabling environment

The 2030 Agenda requires a “whole-of-society” approach to make progress on the SDGs. This focus, expressed in Goal 17, has been on inclusive partnerships that bring together all parts of society – government, civil society, private sector and the international community. While international donors may work closely with partner governments and their national development plans, they also support diverse actors including civil society in their development efforts. But how well do donors promote an enabling environment for civil society at the country level? What is the quality of donor policy consultations, financing and promotion of enabling conditions for CSOs with government?

The GPEDC's 2018/19 monitoring exercise and its 2019 *Progress Report* attempted to assess the quality of donor (development partner) engagement with civil society as development actors. The *Progress Report* observed that

- ⇒ More than half CSO country respondents (59%) said that “consultation with development partners is episodic, unpredictable, and not systematically conducted.” They are limited to selected organizations and focus only on donor programs [OECD/UNDP, 2019, Part 2, 53-55].
- ⇒ Development partners (DAC donors) reported that they involved country level CSOs in the preparation of only 60% of their country strategies [OECD/UNDP, 2019, Part 2, 54].
- ⇒ Development partners and partner country governments do not systematically discuss promoting a CSO enabling environment in their regular policy dialogues. While 67% of donor respondents said they do include this item in their dialogues, an equal number of CSO respondents (64%) reported that they do so only occasionally or not at all (often when pressed by CSOs to do so) [OECD/UNDP, 2019, Part 2, 57].
- ⇒ The vast majority of CSO country respondents (82%) consider that donor funding mechanisms are driven primarily by donors’ own interests and programming priorities. CSOs see themselves as implementers of donor projects, not equal partners addressing CSO-determined local priorities. On the other hand, 64% of donor respondents said one or more of their mechanisms have major emphasis on CSO-defined initiatives, with substantial core and co-financing support for a diversity of CSOs [OECD/UNDP, 2019, Part 2, 58-59]. A study by the OECD on donor relations with CSOs found that half (14) of donors said that their support to CSOs must always align with donor priorities [Wood, 2019, 75].

DAC statistics point to little progress in DAC member direct financing of partner country based CSOs [Wood, 2020, 72-73]. Between 2016 and 2018, DAC members have provided a steady amount of their bilateral aid to or through CSOs (US\$20 billion to US\$21 billion in 2018 constant dollars). This allocation amounts to 24.3% of total donor’s real bilateral ODA.²⁴ But less than a fifth (19%) of this funding, on average over these four years, was provided to CSOs for their own priorities; the remaining 79% was directed through CSOs for donor priorities.²⁵

²⁴ Author’s calculation based on DAC1 Table. Real bilateral ODA is bilateral ODA, less in-donor costs for refugees and students, less debt cancellation, less interest returned on ODA loans.

²⁵ The Wood study noted that a donor may have an objective to strengthen CSOs in their own right but still include such financing as ‘through CSOs’ to promote donor priorities (see page 74): “Member responses to other survey questions indicate a high incidence of conditional funding that steers CSOs to meet member objectives; for some, this includes steering CSOs towards the objective of strengthening civil society in partner countries. When asked the degree to which their financial support for CSOs must align to member-defined priority areas or themes, almost 90% of responding members (26 responses) answer that either all or most of their CSO support must so align. When asked if strengthening civil society in partner countries is one of their priorities/themes, a similar majority of responding members (25) respond positively.”

An increasing share of donor finance for CSOs has been allocated for humanitarian purposes. While humanitarian assistance through non-CSO channels increased from 9% of ODA in 2012 to 13% in 2017, the share in the CSO channel increased from 15% in 2012 to 27% in 2017 [Tomlinson, 2019, 108].

Almost all DAC members provide some direct support for country level CSOs, but these allocations represent a small share of total allocations to/through CSOs. The value of these resources at \$1.4 billion (in 2018 dollars) has not changed substantially since 2013. In 2018, 66% of donor finance for CSOs were directed to donor-country CSOs and a further 27% to International NGOs. Only 7% was allocated directly to country level CSOs, up slightly from 6% in 2010 [Wood, 2019, 79]. The Wood-OECD study pointed out that a substantial proportion of INGO and donor-country CSOs resources financed local CSOs in their programming, although it did not examine the terms of this INGO funding.²⁶

The GPEDC's *Progress Report* concluded that donors could do better in promoting an enabling environment for CSOs by: "advocating for an enabling environment for CSOs as a key development concern in policy dialogue with governments; improving mechanisms to fund CSOs in ways that strengthen their operations and increase their independence and responsiveness to community needs; and making support to CSOs more transparent to facilitate the co-ordination of operations and funding in partner countries" [OECD/UNDP, 2019, 56-57; See also ICNL, 2018, *Effective Donor Responses*].

There have been several dedicated studies regarding donor relations with CSOs and how donors might improve enabling conditions for their operations and impact [Wood, 2020; ICNL, 2018, *Effective Donor Responses*; Ariadne, 2015; Carothers, 2015; Tomlinson, 2013]. Almost all DAC donors have either stand-alone or integrated policies defining their relationships with CSOs, but in varying degrees of specificity. Purposes also vary and combine. They range from values-based support for civil society as an end in itself and an integral part of a healthy democracy to an instrumentalized approach seeing civil society as a vehicle to "bring significant human, political, and financial resources to bear on the same foreign policy and development challenges facing donor governments" [ICNL, 2018, *Effective Donor Responses*, 16].

The literature stresses many of these same issues raised by CSOs in the 2018/19 GPEDC monitoring exercise noted above, but also point to other concerns.

²⁶ There is no published data on the amount of donor aid going to CSO platforms and other coalitions.

- ⇒ Great variation in support. While overall DAC donor finance for CSOs has remained relatively constant over the past several years, this finance can vary significantly between countries over time, vary between donors,²⁷ and vary in the kinds of funding to whom and when [ACT Alliance/CIDSE, 21 & 32].
- ⇒ Specialized support As a result of increased attention to the rise in significant attacks on CSOs and HRDs, some donors have strengthened their strategic approaches to defending civic space (e.g. Sweden) and several donors have joined together to establish or expand several emergency funds for those at risk. These include the European Union's ProtectDefenders mechanism, the International Federation of Human Rights' Emergency Fund for Human Rights Defenders at Risk, the Lifeline Embattled CSO Assistance Fund, and Solidaire Rapid Response funding mechanism²⁸ [Brechenmacher & Carothers, 2019, 6-7; Civicus, 2017, *Civil Society Support Mechanisms*].
- ⇒ Less donor flexibility A heavy donor emphasis on demonstrating results in very short timeframes, means that areas that are harder to measure for CSOs – such as policy reform, advocacy and movement building – find fewer donors able to provide finance for such activities. These limitations will be compounded as new more conservative philanthropists become more prominent in development cooperation alongside traditional donors. Overall heavy and individual donor administrative requirements not only preclude many types of CSOs on the ground, but also reduces the human resources and capacities of CSOs who are to meet requirements to respond iteratively to local priorities [ICNL, 2020, *Civic Space 2040*, 13; Wood, 2020, 41-42 and 43].

On a positive note, however, many donors quickly implemented a high degree of flexibility, including in effect core funding, in existing contracts with CSO partners in response to the Covid-19 pandemic. Whether such flexibility is sustained in the post-pandemic world is an unanswered question but funding policies along these lines would go a long way towards increasing real sustaining support for strengthening local civil society [Civicus, 2020, Open Letter; Hilbink and Aydin, 2020; Srinath, 2020; Cheney, 2020].

²⁷ As a proportion of their ODA the top 10 DAC donors for civil society are Switzerland, Sweden, Ireland, Canada, the United States, Norway, the Netherlands, Spain, and the United Kingdom. Among the largest overall donors, France, Japan and Germany, provide relatively small share of their ODA to and through CSOs. See Brian Tomlinson, "Trends in the Reality of Aid, 2018: Growing diversions of ODA and a diminished resource for the SDGs," in *The Reality of Aid 2018: The Changing Faces of Development Aid and Cooperation*, The Global Report, December 2018, IBON Publishing, page 275, accessible at <https://realityofaid.org/wp-content/uploads/2018/12/RoA-Full-Report2018FINAL3-min.pdf>.

²⁸ See <https://www.protectdefenders.eu/en/index.html>; <https://www.fidh.org/en/issues/human-rights-defenders/financial-support/grant-application-for-human-rights-defenders-at-risk>; <https://www.csolifeline.org/emergency-assistance-1>; https://solidairenetwork.org/wp-content/uploads/2017/04/RR_ProcessORGS_2-11-17.pdf.

Capacity development and accountability for effective action on enabling environment issues

Most commentators stress the importance of strengthening capacities of CSOs, in the context of increased challenges in their legal, regulatory and political environment. The focus is on organizational resilience, adjusting ways of working and programming in these challenging environments, and building broad networks/alliances to protect organizations and individuals [ACT Alliance / CIDSE, 2015; Action for Sustainable Development, 2019; Task Team on CSO Development Effectiveness and Enabling Environment, 2019; Wood, 2020; Firmin, 2017; ITAD & COWI, 2013].

The emphasis in this literature is on developing/adjusting capacities already present based on change processes driven by those directly involved. It involves organization change, leadership development and knowledge management [International Forum of National NGO Platforms, 2017, 4; ACT Alliance / CIDSE, 2015, 28]. In this regard, Wood quotes the Danish 2014 civil society policy on capacity development: “capacity development to ‘promote agendas for change’ requires an accompanying approach in which ‘one civil society actor follows and guides the other through important change processes’, with the organization whose capacity is developing in the lead and owning the process” [Wood, 2020, 67]. Capacity needs also differ greatly between CSOs, with smaller CSOs having less capacities to adapt to changing or challenging environments. Service oriented organizations similarly differ from human rights or organizations representing a constituency [Brechenmacher, 2017, 21, 72, 98].

Strengthening capacities is multi-dimensional and dynamic, involving organizational change and skills development among CSO personnel and volunteers. But these institutional capacity processes are also themselves affected by external factors such as the resources to allow CSOs to operate independently and by the ongoing impacts on CSOs of an actively restrictive environment. CSOs may require capacity development; but reform within state institutions, parliaments, and multi-stakeholder platforms for engagement, including human rights training and education, and access to resources, may also be critically important for CSOs capacities to be effective [Firmin, 2017, 11-12].

Among the areas identified for CSOs and their networks are the following:

- ⇒ Diversifying finance and resources External funding practices should allow for organizational flexibility but also organizations should improve capacities to generate local and independent revenue streams. A focus on CSO enabling conditions might include

access to training opportunities or peer learning processes relating to leadership skills, participatory methods, conflict resolution, negotiation and facilitation, power mapping and analysis. It is acknowledged that CSOs often need capacity development to meet donor requirements in such areas as results management. But evidence also suggest that much of existing capacity development more often focuses on implementation of donor-directed programming rather than strengthening inherent capacities towards an independent local civil society [ACT Alliance / CIDSE, 2015, 9; Task Team, 2019, 22; Wood, 2020, 20, 36-37, 38-39, 43, 67-68; ITAD & COWI, 2013, 21].

On the other hand, some donors combine support for capacity development and a human rights approach in their policies to enable civil society. With Sweden, for example, support is “for both the organizational development of the partner CSO itself, and for activities where the partner CSO develops the capacity of rights holders and accompanies them as they engage in advocacy and ... improv[ing] their living conditions” [Quoted in Wood, 2020, 75].

- ⇒ Skills and resources for engaging in policy dialogue Strengthening technical capacities to take advantage of existing invited spaces for policy dialogue and engagement with government. These include both meeting skills, time to participate, resources to travel, as well as capacities in research and efforts to gather and analyze information from communities/constituencies to prepared evidence-based arguments for policy influencing [ACT Alliance / CIDSE, 2015, 20, 35, 63, 101; Hossain, et. al., 2019, 38; Wood, 2020, 87; ITAS & COWI, 2013, 12, 14].
- ⇒ Security and risk analysis Capacities in analyzing risk, awareness of rights and obligations under the law, security planning and security training in the context of a restrictive environment, including access to human rights lawyers [ACT Alliance / CIDSE, 2015, 23; ICNL, 2018, *Effective Donor Responses*, 28; Swiss NGO Platform, 2016, 14].
- ⇒ Strategic planning in dynamic and difficult environments Capacities for strategic planning for bringing pressure to bear for change over long periods required to influence the environment [ACT Alliance / CIDSE, 2015, 63; Swiss NGO Platform, 2016, 12].
- ⇒ Networking coalition building Capacities to sustain both formal and informal networks/coalitions with the scope to address both sector specific and broad civil society interests, particularly on sensitive political issues such as the enabling environment. Networking skills include capacities to build common ground and consensus across different sectoral interests and among diverse types of CSOs, with human rights organizations, human rights defenders, local government etc. But they also include capacities to more effectively engage international consultative and governance mechanisms including UN processes [ACT Alliance / CIDSE, 2015, 70, 84, 101; Action for

Sustainable Development, 2019, 9ff; Brechenmacher, 2017, 100; ICNL, 2018, *Effective Donor Responses*, 34].

- ⇒ Specialized skills Access to specialized capacities will be important for local and national CSOs in such areas as internet governance, surveillance and advocacy in the digital space [Brechenmacher & Carothers, 2019, 27; Firmin, 2017, 2, 49; Concord and FOND, 2018].
- ⇒ Measuring progress Develop and/or seek access to skills in monitoring progress in international commitments with strategies to embed the results in ongoing advocacy [Action for Sustainable Development, 2019, 21].

A number of commentators point to the importance of CSOs addressing their own governance and accountability as an essential dimension of strategies to influence change in enabling environment issues [Task Team, 2019, 26ff]. CSO accountability is complex and multi-faceted. Representivity is a critical issue in relation to CSO legitimacy in enabling effective policy dialogue:

“CSOs need to ensure they can claim both “substantive representation” when they “act for” partners or constituencies, and “symbolic representation” when they “stand for” partners or constituencies. This implies approaches that are participatory and empowerment-focused, with attention to the relationship of accountability with the partner and/or with those being served or represented [Task Team, 2019, 28].

CSOs have developed and are implementing various accountability frameworks at the global level, national level and within sectors.²⁹ Strengthening CSO capacities to address disabling conditions affecting their work in this view must also support peer learning to improve these accountability frameworks and the coherence of organizational practice. CSOs assume a shared commitment and responsibility to be accountable [Concord, 2018, 2, 12]. However, there is also evidence that CSO accountability and transparency mechanisms are weak in many countries. In the GPEDC’s 2018/19 monitoring a majority of CSO respondents reported that there were no CSO-initiated mechanisms for accountability at the country level or that such a mechanism is still under discussion. The main driver for CSO progress in accountability is all too often not CSO institutional interests for accountability, but rather donor/government requirements [Tomlinson, 2019, 38 & 104].

²⁹ See for example, the Istanbul Principles for CSO Development Effectiveness at <https://www.csopartnership.org/single-post/2018/02/15/Istanbul-Principles-for-CSO-Development-Effectiveness>; the Global Standard for CSO Accountability at Accountability Now at <https://accountablenow.org/future-accountability/global-standard/>; and Sphere Humanitarian Standards at <https://www.spherestandards.org/humanitarian-standards/>.

Addressing the stigmatization of CSOs – a CSO counter-narrative

Civic space is highly contentious, and very much more so around rights of marginalized populations, women’s rights, land and resource extraction, or challenges to elite corruption. As noted earlier, an increasingly prominent characteristic of closing space, arising from both government and from within a contesting civil society, aims to smear, harass, stigmatize and politically isolate progressive actors in these spheres of civic action, and break their links with the outside world [Hossain et. al., 2018, 8; Sogge, 2019, 1; Ariadne, 2015, 18].

“Attacks were never based on one element but always multi-pronged. They universally stigmatise civil society actors, who are often characterised as terrorists, living off others, obstacles to growth and security, or anti-religious, rather than as community leaders. Women in particular are often framed as prostitutes and bad mothers. Common justifications for legislating against civil society are protecting national security, sovereignty, or religious and political ideology” [Ariadne, 2015, 18].

Others have linked shrinking civic space to dominant neo-liberal visions of society that focus on the sum of individual action, diminishing public collective responsibilities for social justice and inclusion. For historical and cultural reasons in Eastern Europe, CSOs have less connections with constituencies and are more vulnerable to attacks and stigmatization [European Civic Forum, 2018, 6]. In these environments the legitimacy of CSOs is caricatured as the expression of foreign interests pushing foreign values threatening national culture.

In many countries and societies, women’s rights organizations are highly vulnerable to such stigmatization where fundamentalist movements have a strong and growing role in shaping social norms that attempt to exert power over women’s bodies, sexuality and reproductive choices. Recently the electoral success of populist and nationalist leaders in the United States, Brazil, India and Hungary compound and give permission to these forces in undermining universal values of inclusion, equality and diversity for the protection of minority communities and respect for fundamental rights of association and expression [Brechenmacher and Carothers, 2019, 3; International Civil Society Centre, 2019, 5; Hayes and Joshi, 2020, 21-23]. Digital media have become a powerful and effective channel for such attacks. There have been overt linkages between CSOs and terrorism in several countries such as Brazil and the Philippines.³⁰

³⁰ Brazil proposed a bill on June 1 using the “terrorism” label to discredit civil society movements and organizations (<https://www1.folha.uol.com.br/ilustrissima/2020/06/alt-right-demoniza-antifas-para-criar-inimigo-fantastico-diz-pesquisador.shtml>), and the Philippines followed, passing an act along the same lines on June 3 (<https://www.aljazeera.com/news/2020/06/duterte-allies-pass-anti-terrorism-bill-congress-200603114854123.html>)

In a review of forces squeezing civic space, Buyse [2018, 969] argues that discourse and narrative regarding civil society is key “as it relates to how the activities of civil society are talked about: social struggles can be (auto-)labelled as human rights promotion or as subversive dissident activity, extremism or even terrorism.” He points out that stigmatization of civil society may be the precursor to more forceful state action and persecution, which the former acts to legitimize over time.

9. What is to be done? CSO proposals for reversing shrinking civic space

The Belgrade Call to Action calls for a comprehensive approach with “measures across government for laws and regulations that enable civil society, for democratic accountability based on human rights and human rights standards, and for the full protection of human rights defenders and gender equality activists” [Civil Society Summit, 2019, 6]. It lays out more than 50 action areas in which governments can take practical steps to implement to improve and promote open civic space. Taken together, if implemented, these measures would drastically reverse deteriorating conditions facing CSOs and HRDs around the world. There are also a wide range of proposals for action highlighted throughout the literature under review. Many of them build upon those brought together in the Belgrade process (**Annex Four**).

This section sets out a number of areas that CSO platforms might reflect upon in developing strategies to improve enabling conditions in their countries. They assume the need for pro-active measures on the part of governments and donors to make progress. In forming and assessing different CSO strategies in the areas below, consideration should take account of existing limitations in CSO capacities and organization, resources available, and disabling environments, unique to each country, which affect the scope for these CSO actions.

While focusing on distinct aspects of enabling environment/civic space, the literature often addresses diverse mixtures of conditions relating to civic space. Proposals for action sometimes reflect in varying degrees the “confusion on strategy” identified by Brechenmacher and Carothers [2019, 1, 10-12]. They draw attention to tensions in proposed strategies for action between approaches focusing more narrowly on legal and regulatory conditions and those that address national/global political challenges in populism, values and the retreat from democracy. Hossain and colleagues also noted the mixture of approaches in pushing back with uncertain outcomes [Hossain et. al., 2019, 52; See also ICNL, 2020, *Civic Space 2040*, 1].

Brechenmacher and Carothers identify three contrasting broad approaches to addressing closing civic space –

- 1) protecting the enabling environment for civil society;

- 2) the battle for a progressive agenda; and
- 3) the larger fight for democratic practice.

While sometimes overlapping, each of these approaches have different implications for action. The first for example might underplay the growing illiberal narrative in increasing numbers of countries, while the last two might politicize the agenda in ways that inhibit broad coalition building [Brechenmacher & Carothers, 2019, Table 2, 12].

Whatever the approach adopted, reversing conditions that are affecting CSO enabling environments and closing civic space requires a long-term commitment and strategy. Increasingly the issues of law and regulation are inter-twined at the national level with shifts in power and politics as well as broader geo-political trends at the global level, particularly the increasing influence of China and others in legitimizing authoritarian agendas. The proposals below bring together a range of approaches and options which could be considered in elaborating a particular strategy for global and national civil society platforms.

Review and address legal and regulatory restrictions

A review and redress of legal and regulatory restrictions and practices affecting civil society in each country should ensure compliance with international human rights standards and respect for the rights of marginalized populations [Civil Society Summit, 2019, 6].

1. Responsive to local needs. Proposals for reform of law and regulation should be responsive and relevant to local needs, taking account the variations and diversity of affected civil society. Understanding local need can take place through surveys, focus group discussions, in person consultations or workshops [European Center for Not-for-Profit Law, 2011, 23].
2. Monitor, review and analyze relevant country laws and regulations. National CSO communities should work with specialized CSOs and/or develop skills to monitor, review and analyze laws and regulations affecting CSO space [ACT Alliance/CIDSE, 2015, 35, 54; Kindornay & Gendron, 2020, 17]. This monitoring should not only address technical issues, but include impacts on women's rights, violence against women HRDs and anti-women public narratives [Clark & Miller, 2013].
3. Build relationships and dedicate resources. CSOs need to ensure ongoing contact with key supporters in government, parliament and other allies to encourage and develop a participatory process on draft laws and regulations to implement laws, being prepared to

devote resources in an often challenging and time-consuming effort to enact reform [European Center for Not-for-Profit Law, 2011, 21-22; ICNL, *Enabling Reform*, nd, 11].

4. Elaborate and review advocacy strategies. CSOs should develop an integrated short, medium and longer-term advocacy strategy to create or adapt appropriate laws/regulations as part of the reform process. It is important to avoid political partisanship and if possible the politicization of the process. An effective strategy also requires dedicated CSO core leadership that can be a source of expertise, a convenor, and an information-provider, and can alert interested parties when problems arise [European Center for Not-for-Profit Law, 2011, 24].
5. Strengthen digital rights, laws and regulations consistent with human rights. CSOs should work with allies to improve knowledge and capacities in legal, juridical and security areas that strengthen citizens' digital rights. Donors should direct support to promote digital inclusion and reach the most vulnerable civil society actors [OECD, 2020, *Digital Transformation*, 9, 60-69].
6. Draw on and apply international standards for good practice. CSO coalitions should draw on experience of good practice law and regulations in assessing their local enabling conditions. Law and regulation should support the right to initiative on the part of all citizens be coherent with human rights standards for freedoms of association, of expression and political participation, and the right to peaceful assembly [ICNL, Checklist for CSO Laws, 2006; ICNL, *Enabling Reform*, nd, 11, 15-16].

Advocate for effective and inclusive policy dialogue

7. Strengthening mechanisms for inclusive policy dialogue. Mechanisms should aim towards institutionalizing the direct participation of a diversity of civil society from the local to the national level. All actors should promote and follow good practice in multi-stakeholder engagement by ensuring approaches and practices that are timely, open and inclusive, transparent, informed, structured for the exchange of views on important and contested issues, and are iterative, and are open to all marginalized and affected groups in society. These mechanisms should include those relating to SDG plans and implementation, promoting accountability for progress on the 2030 Agenda [Kindornay & Gendron, 2020, 17].
8. Strengthen information gathering and policy analytical skills. All actors should work towards building capacities to gather and analyze accurate and credible information from communities, relevant stakeholders and vulnerable constituencies as a knowledge base for shaping contributions to policy processes. CSOs should be encouraged to pool information

and evidence-based positions with other relevant CSO actors to strengthen positions and strategies for dialogue in particular policy areas [ACT Alliance/CIDSE, 2015, 35; ITAD & COWI, 2013, 62-63].

9. Coordinate for policy influence. CSO should strengthen their capacities to network, coalesce and coordinate policy advice at a sectoral/national level for effective engagement in sector and national policy processes, empowering those directly affected by a policy [ACT Alliance/CIDSE, 2015, 35, 70; ITAD & COWI, 2013, 62-63, 13, 53-54; TAP Network and GIZ, 2020, 9, 36]. CSOs should develop effective strategic alliances to harness the range of skills needed for effective policy dialogue and to create a critical mass for change [ITAD & COWI, 2013, 114].
10. Leverage existing policy frameworks. CSO policy actors should become knowledgeable of existing policy frameworks and agreed standards (at country, regional, global levels) to push for more effective mechanisms for policy dialogue, including the leveraging of aid effectiveness commitments. National and International CSOs should also strengthen local CSO capacities to participate effectively in CSO engagement with multilateral governance and standard setting bodies [ACT Alliance/CIDSE, 2015, 35, 70].
11. Improve dialogue and advocacy skills. CSO should strengthen their policy dialogue and advocacy skills that are relevant to particular country circumstances and the dynamics of engagement with government and other stakeholders. Such skills development includes shaping appropriate narratives and messages from and about CSOs, which both protect and advance CSO causes in highly challenging political circumstances [ACT Alliance/CIDSE, 2015, 70, 101; Firmin, 2017, 4].
12. Access to information All development actors should promote effective and timely mechanisms and measures for easy access to policy relevant information, at the national and multilateral levels [Civil Society Summit, 2019, 10].
13. Include indigenous peoples' representatives. All development actors should ensure that indigenous groups are formally included in development planning processes, not just consulted, and that the principles of free, prior and informed consent is respected [ACT Alliance/CIDSE, 2015, 102].
14. Improve gender-based policy analysis. CSOs must work with women's rights organizations to institutionalize gender-based policy analysis and ensure the inclusion of women's rights representatives in policy dialogue processes [Civil Society Summit, 2019, 8].

15. Strategically target policy dialogue in challenging civic space contexts. CSOs working in politically challenging environments should consider strategies to target government ministries in non-controversial areas for program and policy engagement to build trust, strengthen CSO legitimacy and develop allies within government [ActionAid International, 2018, 12]. In highly restrictive contexts, the entry point with government may be the least politicized goals, particularly those related to service delivery, with a productive engagement laying the groundwork for greater trust [Community of Democracies & PartnersGlobal, 2017, 24].

Call on donors to strengthen official and INGO donor partnerships

16. Committed political leadership. CSOs should encourage all donors to dedicate political leadership at the highest level to take all necessary measures to safeguard and promote open civic space as an overarching aspect of foreign policy and in their development cooperation to realize the SDGs [Civil Society Summit, 2019, 7].

17. Regularly renew understanding of local national context. CSOs should work with the relevant donor community to engage with a diversity of local development actors to regularly renew their understanding of local/national contexts in which they operate, including power relations, the legal environment, obstacles and opportunities for change, internal civil society dynamics, and the potential for broad civic alliances, in relation to promoting and protecting civic space [Concord Sweden, 2018]. In challenging situations, donors should not back away but rather seek smart adaptations, emergency funds, or joint efforts [Ariadne, 2015, 7].

18. Follow the lead of local civil society. Donors should be encouraged to allow CSOs to define appropriate priority areas of support, which can include strengthening the monitoring of civic space threats, facilitating collaboration and engagement with social movements, supporting policy engagements with government and parliament, implementation of multilateral commitments, strengthening CSO accountability and resilience in hostile environments, or raising public awareness of CSO roles and contributions [ICNL, *Effective Donor Responses*, 2018, 4, 20]. Informal relationships between the donor community and representative CSO organizations, vulnerable organizations and individual should be developed/sustained where possible for informal advice and support in tackling particular issues/circumstances [ActionAid International, 2018, 12].

19. Funding that strengthens local CSO leadership and programming skills. INGOs and donors should design adaptive and flexible funding modalities and programming relationships that

strengthen rather than diminish local CSO leadership. The emphasis should be on local-determined programming skills and opportunities for expanding relationships at all levels, including at the regional and global level. Donor finance should strengthen CSO capacities to operate independently as watchdogs of democracy and human rights [ACT Alliance/CIDSE, 2015, 84, 01; ActionAid International, 2018, 12; Concord, 2018, 12-13; Ferber, 2018, 17].

20. Appropriate, substantial and innovative funding mechanisms for developing country CSOs. National CSOs working with external donors should consider expanding basket funding mechanisms managed by country level CSOs [ACT Alliance/CIDSE, 2015, 54]. External donors should track how much funding goes directly to local CSOs as core finance [Brechenmacher & Carothers, 2019, iii]. Donors should explore avenues for financing informal local initiatives that emerge to address peoples' local needs where they are marginalized by government and NGOs are repressed [Brechenmacher, 2017, 56, 105].
21. Support country-determined capacity building priorities. Allocate sustained support for country-led CSO capacity building priorities relating to CSO resilience and country enabling conditions as a high priority for donor engagement and expansion of their support for local CSOs [ACT Alliance/CIDSE, 2015, 70, 54, 84, 101; ITAD & COWI, 2013, 21].
22. Strengthen European Union Structured Dialogues at country level. As a component of the EU's strategy to promote civic space, European CSOs have proposed the EU's structured dialogue with a diverse range of CSOs and mechanisms for inclusion, supported by the EU's Country Roadmap process [Concord, 2017, 2, 11]. The European Civic Forum has proposed the EU launch an awareness raising campaign in Europe on the role of civil society in upholding fundamental rights [European Civic Forum, 2018, 10].
23. Support positive narratives relating to CSOs and their roles. Donors should work with CSOs to put forward positive narratives based on the full range of civil society contributions to development, including policy engagement and advocacy, countering negative stereotyping of CSOs and HRDs [ActionAid International, 2018, 13; Brechenmacher & Carothers, 2019, 25-26; Wood, 2020, 83].
24. Effective use of diplomatic relationships. Donors should work with local CSOs and networks, and the like-minded donor community, to use their diplomacy to encourage governments to enact enabling laws and regulations and to ensure and/or expand broad-based CSO participation in consultative bodies, including consultations on the priorities for donors' country strategies [ACT Alliance/CIDSE, 2015, 101; ActionAid International, 2018, 8; Concord,

2018, 10-11; Brechenmacher, 2017, 102-4; Concord Sweden, 2018; ITAD & COWI, 2013, 105; Ariadne, 2015, 4].

25. Early warning and public interest litigation. Where feasible and when requested by civil society, donors should find ways to support challenges to repressive laws and public interest litigation [ActionAid International, 2018, 11]. Donors should implement early warning mechanisms at embassy level to allow for quick reactions to country crises [Brechenmacher & Carothers, 2019, 27].
26. Promote inclusive internet governance. Given the growing importance of democratic oversight of digital media for civic space, international actors should include civil society in the development of processes relating to internet governance, privacy, open data and surveillance, including at the OECD, the International Telecommunications Union or the WTO [Brechenmacher & Carothers, 27; ICNL, *Civic Space 2040*, 2020,4-6; OECD, 2020, *Digital Transformation and the Futures of Civic Space*].
27. OECD DAC Recommendation on working with civil society CSOs should encourage donors to adopt an OECD DAC Recommendation on donor support for civil society organizations at a DAC High Level Meetings. A DAC Recommendation would require regular DAC monitoring and review of donor good practice through DAC peer reviews of its donor members, which would in turn have some influence on changing donor practices and behaviour [Wood, 2020, 117].

Promote coalition building in challenging closing civic space

28. Building cross sectoral coalitions / networks In tackling CSO enabling environments and closing civic space, CSO should build capacities and mechanisms for collaborating across different sectors and with civil society grass roots movements, including women's organizations and women HRDs. These efforts require skills in sustaining mixed networks based on solidarity and finding and renewing common ground and interests [ACT Alliance/CIDSE, 2015; Menocal, 10, 33-34].

Such networks can bring together strong and diverse constituencies for changing laws, regulations, and protection of civil society space based on citizen engagement, and not solely CSO action [ActionAid International, 2018, 12]. Alliances should be as broad and inclusive as possible involving both formal and informal organizations – community organizations, faith-based organizations, trade unions, universities, business associations, community owned media, etc. [Ferber, 2018, 13].

29. Resist working in silos. CSOs should always counter government strategies to divide “good” from “bad” CSOs by ensuring collaboration among all civil society actors, particularly between those working in development (both service providers and development actors) and CSOs working on human rights and highly contested social justice issues [ACT Alliance / CIDSE, 2015, 35; ICNL, *Effective Donor Responses*, 2018, 23-24]. Sustaining solidarity and networks requires deliberate measures to build and maintain trust and the “connective tissue that can overcome civil society fragmentation” [ICNL, *Civic Space 2040*, 2020, 12].
30. Connect with new (and old) movements of activists. Coalitions and networks to protect and reclaim civic space should connect with feminist movements, youth led organizations, trade unions, and local social media activists demonstrating transformative leadership in society [Ferber, 2018, 16; ICNL, *Civic Space 2040*, 2020, 10; International Civil Society Centre, 2019, 149].

Address risk and CSO security issues

31. Invest in strengthening CSO resilience (see also #38 below). CSOs should seek donor support to strengthen long term security and resilience for CSOs and HRDs by investing in data protection, legal protection, accounting and auditing, and governance [Ariadne, 2015, 9]. Human rights-based work is best carried out by networks of CSOs to provide collective security and protection from governments in repressive contexts [ActionAid International, 2018, 13].
32. Training and capacity development in risk assessment. CSOs and donors should support training / capacities to analyze organizational and individual risk, while prioritizing the security of civil society actors most at risk. These efforts include enabling access to pro-bono lawyers, routine and widespread security training [ACT Alliance / CIDSE, 2015, 35; ActionAid International, 2018, 11, 14].
33. Nurture informal allies. Where possible CSOs should create relationships with government mandated human rights bodies and relevant justice departments [ACT Alliance / CIDSE, 2015, 84, 102]. Having particular members on CSO boards can offer special support for organizations / individuals under attack [ActionAid International, 2018, 14]. CSOs and allies should seek cross-sectoral allies to promote greater accountability for roles and practices of security forces [Firmin, 2018, 4].
34. Measures to support affected staff. Where feasible, CSOs should develop prior plans for legal, financial and psychosocial support for affected staff with appropriate contingency

planning for staff benefits and evacuation in the case of dire threats [ActionAid International, 2018, 12].

Strengthen CSO accountability, transparency and civil society narratives

35. Demonstrate accountability and transparency. CSOs should put in place initiatives and adopt quality assurance standards that demonstrate accountability to immediate (country-level) stakeholders and robust transparency in their activities. As development actors in their own right, such standards are an integral part of a CSO counter-narrative [ACT Alliance / CIDSE, 2015, 53-54; ITAD & COWI, 2013, 14; ICNL, *Effective Donor Responses*, 2018, 27-28]. In strengthening their accountability with local constituencies, CSOs build stronger links with citizens reinforcing narratives that resonate with the concerns of ordinary people, not just professional NGOs [Ferber, 2018, 12; ITAD & COWI, 2013,, 114-115].
36. New narratives for and about civil society. CSOs and allies should experiment with new narratives for and about civil society [International Civil Society Centre, 2019, 153]. CSOs should develop strategies and discourses to strengthen respect for, and understanding of, the value of civil society.
- CSOs should tell their stories, making CSOs publicly visible on their own terms, including active community engagement in communications [Ariadne, 2015, 4; Black Sea NGO Forum, 2018, 2; Carothers, 2015, 5ff].
 - CSOs should resist dividing CSOs into “good” civil society and “bad” civil society, stressing the inter-connectedness of a diverse civil society, including those that defend democracy and human rights, in a common narrative [Ferber, 2018,12].
 - Attacks on CSOs may sometimes offer an opportunity to showcase the work of the affected CSOs for the public as a counter narrative [ActionAid International, 2018, 13].
 - Participants in the Bellagio visioning of the future for civic space suggested a potential scenario whereby human rights remain a powerful story but may no longer be “the critical axis or lingua franca for progressive movements.” Rather there may be a need for stronger emphases on “dignity” and “well being” for mobilizing people in the view of some participants [ICNL, *Civic Space 2040*, 2020, 11].
37. Developing media skills. CSOs and their networks should develop media engagement skills to project positive CSO stories but also media access to protect in the public eye vulnerable organizations/individuals, marginalized or threatened at community. CSOs can collaborate through networks to sustain contacts with national and international credible media outlets

on an ongoing basis [ACT Alliance / CIDSE, 2015, 35, 70; ActionAid International, 2018, 11, 13].

38. Take measures to strengthen CSO resilience. CSOs should take measures to strengthen their resilience with capacities not only to survive but also to pursue their missions in hostile operating environments over the long term. Donors can take specific measures to improve CSO resilience [ICNL, *Effective Donor Responses*, 28]. Resilience relates “to the skills and capacities that enable organizations to respond effectively to potentially disrupted events and trends.”³¹ Resilience is multi-faceted but includes inter alia,³²

- Strengthening local trust and support by being more accountable to the communities they work with;
- Diversifying funding sources beyond reliance on the same external donors;
- Building strong networks and increasing peer to peer support, especially around capacity development;
- Using strategic litigation opportunities or profiling through the United Nations Human Rights Council (UNHRC) systems against restrictive laws;
- Collaborating with national human rights institutions;
- Leveraging international pressure;
- Modifying and adapting operational strategies to be more flexible in response to rapidly changing contexts; and
- Developing early warning systems to recognise and respond to the closure of civic space.

Support national efforts through international CSO platforms

39. Support peer learning processes. International platforms can support peer learning processes among CSOs affected by enabling environment challenges across relevant countries, including developing appropriate research skills, capacities to design legal, political and publicity strategies [ACT Alliance & CIDSE, 2015, 35; ActionAid International, 2018,14; Brechenmaker & Carothers, 2019, 7; Concord, 2018, 2; Black Sea NGO Forum, 2018, 3].

³¹ See Soulayma Mardam Bey and Jack Cornforth, “How resilient are our pilot partners to civic space threats?,” Civicus Blog, April 8 2019. For more information on CSO resilience see Civicus Resilient Roots program at <https://www.civicus.org/index.php/what-we-do/innovate/resilient-roots>.

³² Kingsley Orievulu and Jack Cornforth, “Does greater accountability mean greater resilience? Findings from our research so far,” Civicus Blog, August 16, 2018, accessible at <https://www.civicus.org/index.php/media-resources/news/blog/3393-does-greater-accountability-mean-greater-resilience-findings-from-our-research-so-far>.

40. Facilitate coordination with regional networks. International platforms can support country level CSO efforts to coordinate with relevant regional networks and take advantage of regional advocacy and networking opportunities, where engagement with national governments is mediated by regional processes [ACT Alliance / CIDSE, 2015, 53, 70].
41. Facilitate linkages with relevant UN bodies. International platforms can facilitate support to ensure linkages between active country civil society processes challenging disabling conditions and relevant UN bodies (e.g. Human Rights Council, Special Rapporteurs), closely coordinating with Civicus and other CSO actors at that level [ACT Alliance / CIDSE, 2015, 53, 70; Black Sea NGO Forum, 2018, 3].
42. Facilitate national CSO platform engagement with global/regional monitoring processes. International platforms can facilitate member participation in global / regional monitoring processes, such as the UN DCF monitoring on country accountability mechanisms, the GPEDC biannual monitoring at country level which includes space for direct participation of CSOs and regional and global follow-up and review processes related to the 2030 Agenda [ACT Alliance / CIDSE, 2015, 53].
43. Linkages with specialized CSOs. International platforms can maintain ongoing connections at the global level with specialized INGOs for technical advice as well as international networks for solidarity [ActionAid International, 2018]. Technical support includes assistance in identifying reform needs, lessons in developing strategies, technical analytical comment and legal arguments on legal / regulatory proposals, support for local capacity development, mobilize financial support, provide a safe platform for discussion of sensitive issues, access to international leadership on issues to engage local legislators, and coordination with international organizations and networks [Buyse, 2018, 27-28].
44. Facilitate attention to security measures. International platforms can develop and implement appropriate security protocols, with the full participation of partner platforms, to ensure protection of organizations/individual in challenging country contexts [ActionAid International, 2018, 12, 14].
45. Facilitate relations with bilateral donors. International platforms can engage directly with bilateral donors to share information on civic space issues and the potential for joint strategies [Brechenmaker & Carothers, 2019, 25].

46. Explore new civic models and evolving civil society narratives. International platforms can work within coalitions to listen, understand and develop narratives for and about (progressive) civil society' engagement in national development as actors in their own right, as a cohesive multi-faceted movement [International Civil Society Centre, 2019, 153]. They can explore new collaborative models and information sharing mechanisms, such as mapping existing initiatives at all levels in shaping a positive civil society narrative and resources in support of country level CSOs [Brechenmaker & Carothers, 2019, 25].

Annex One

Bibliography

A. General and Background Literature

The literature in this section is general, including different aspects of CSO enabling environment where two or more areas of legal and regulatory issues, inclusive policy engagement, or strengthening CSO capacities and access to resources or actions by non-state actors are addressed. They often focus broadly on civic space but have included enabling environment issues in whole or part.

1. ACT Alliance/CIDSE, Howard, K.; Bresnihan, S.; Chirwa, W.; Mayaya, B. and Winstanley, L. (2015) *How to Protect and Expand an Enabling Environment: Space for Civil Society*, report to ACT Alliance and CIDSE, New York: ACT Alliance/Coopération Internationale pour le Développement et la Solidarité, accessible at https://www.cidse.org/wp-content/uploads/2014/06/How_to_protect_and_expand_an_enabling_environment.pdf.
2. ActionAid International, 2018. *Attacks on Civic and Democratic Space: Strategies and Lessons from Actionaid's Response*, ActionAid, October 2018, accessible at https://actionaid.org/sites/default/files/attacks_on_civil_and_democratic_space_online.pdf.
3. Action for Sustainable Development, 2019. *Survey of the UN 2030 Agenda Follow Up and Review process: Analysis- Towards a more open & inclusive approach*, accessible at https://action4sd.org/wp-content/uploads/2019/03/HLPF-survey_Towards-a-more-open-inclusive-approach-to-2030-Agenda-Monitoring.pdf
4. Brechenmacher, S. and Thomas Carothers, 2019. *Defending Civic Space: Is the International Community Stuck?*, Carnegie's Endowment for International Peace, Working Paper, October 2019, accessible at https://carnegieendowment.org/files/WP_Brechenmacher_Carothers_Civil_Space_FINAL.pdf.
5. Carothers, Thomas, and Saskia Brechenmacher. 2014. *Closing Space: Democracy and Human Rights Support under Fire*. Carnegie Endowment for International Peace, Carnegie Endowment for Peace, February 2014, accessible at https://carnegieendowment.org/files/closing_space.pdf.
6. Chandhoke, N., Glasius, M., Kaldor, M., and H Anheier, 2002. *The Limits of Global Civil Society*, Oxford University Press, accessible at http://www.lead.colmex.mx/docs/s4/02_sociedad%20civil%20y%20ONG/CHANDHOKE_the%20limits%20of%20global%20civil%20society.pdf.

7. Cindy Clark and Julia Miller (AWID), 2013. "Key Factors Shaping an Enabling Environment for Women's Rights Organisations," in CIVICUS, *State of Civil Society: Creating an Enabling Environment*, page 244 – 255, accessible at https://reliefweb.int/sites/reliefweb.int/files/resources/2013StateofCivilSocietyReport_full.pdf.
8. Civicus, 2020. *State of Civil Society Report 2020*. June 2020, accessed at <https://www.civicus.org/index.php/state-of-civil-society-report-2020>
9. Civicus, 2019. *People Power Under Attack: A report based on data from the Civicus Monitor*, December 2019, accessible at <https://civicus.contentfiles.net/media/assets/file/GlobalReport2019.pdf>.
10. Civicus, 2019. *The State of Civil Society Report 2019, The Year in Review*, March 2019, accessed at https://www.civicus.org/documents/reports-and-publications/SOCS/2019/state-of-civil-society-report-2019_executive-summary.pdf.
11. Civicus, 2017. *Civil Society Support Mechanisms: A Directory*, March 2017 accessed at <https://www.civicus.org/index.php/media-resources/resources/toolkits/2791-civil-society-support-mechanisms-a-directory>
12. Civil Society Summit, 2019. *The Belgrade Call to Action, An Action Agenda: Positive Measures for Enabling Civic Space towards Maximizing Civil Society Contributions to the SDGs*, March 2019 accessible at <http://aidwatchcanada.ca/wp-content/uploads/2019/04/Revised-April-Action-Agenda.pdf>.
13. Community of Democracies and PartnersGlobal, 2017. *The importance of ensuring an enabling environment for civil society as it relates to the Sustainable Development Goals*, Report to the Working Group on Enabling and Protecting Civil Society, June 2017, accessible at <https://community-democracies.org/app/uploads/2016/09/Study-Enabling-Environment-and-SDGs.pdf>.
14. Concord, 2017. *Concord EU Delegations Report 2017 Towards a more effective partnership with civil society*, accessed at https://concordeurope.org/wp-content/uploads/2017/03/CONCORD_EUDelegations_Report2017_EN.pdf.
15. Concord, 2018. *Analysis and recommendations on the promotion of civic space and enabling environment in EU external action*, Policy Paper, March 2018, accessed at https://concordeurope.org/wp-content/uploads/2018/03/CONCORD_PolicyPaper_CivicSpace_03.2018.pdf.
16. European Civic Forum, 2018. *Towards an Enabling Environment for Civil Society in Europe*, accessible at <http://civic-forum.eu/publication/view/towards-an-enabling-environment-for-civil-society-in-europe>.

17. Ferber, Inga, 2018. *Space to be Heard: Mobilizing the power of people to reshape civic space*, Oxfam International Briefing Note, July 2018, accessed at <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620523/bn-space-to-be-heard-civic-space-250718-en.pdf>.
 18. Fowler, Alan, 2015. "International nongovernmental organisations and aid: no longer a case of levelling the partner playing field," in Civicus, *State of Civil Society Report, 2015*, accessed at <https://www.civicus.org/images/StateOfCivilSocietyFullReport2015.pdf>.
 19. Hays, B., and Joshi, Poonam, 2020. *Rethinking Civic Space in an Age of Intersectional Crises: A briefing for funders*, Funders Initiative for Civil Society, May 2020, accessible at <https://global-dialogue.org/wp-content/uploads/2020/05/FICS-Rethinking-Civic-Space-Report-FINAL.pdf>.
 20. Hossain, Naomi, Nalini Khurana, Shandana K. Mohmand, Sohela Nazneen, Marjoke Oosterom, Ricardo Santos, Patrick Schröder, and Ricardo Santos. 2018. *What Does Closing Civic Space Mean for Development? A Literature Review and Proposed Conceptual Framework*. IDS Working Paper no. 515, Institute of Development Studies for ACT Alliance, accessible at https://www.researchgate.net/publication/326722751_What_Does_Closing_Civic_Space_Mean_for_Development_A_Literature_Review_and_Proposed_Conceptual_Framework.
 21. Hossain, N., Khurana, N., Nazneen, S., Oosterom, M., Schröder, P., and Alex Shankland, 2019. *Development Needs Civil Society: The implications of civic space for the sustainable development goals*, April 2019, A synthesis report by the Institute for Development Studies for ACT Alliance, accessible at https://actalliance.org/wp-content/uploads/2019/05/ACT_SynthesisReport_CivicSpace_2019_Final_WEB-Copy.pdf
- Nazneen, S. and Thapa, D., 2019. *The Implications of Closing Civic Space for Sustainable Development in Nepal*, mimeo, IDS and ACT Alliance, April 2019, accessed at https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/14509/Nepal_civic_space_sustainable_development.pdf?sequence=4&isAllowed=y
- Oosterom, Marjoke, 2019. *The implications of closing civic space for sustainable development in Zimbabwe*, mimeo, IDS and ACT Alliance, April 2019, Accessed at https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/14508/Zimbabwe_civic_space_sustainable_development_.pdf?sequence=4&isAllowed=y
- Sauer, Sergio, Acácio Leite, Karla Oliveira, and Alex Shankland, 2019. *The implications of closing civic space for sustainable development in Brazil*, mimeo, IDS and ACT Alliance, April 2019, Accessible at https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/14507/Brazil_civic_space_and_sustainable_development_2.pdf?sequence=4&isAllowed=y.

- Schröder, Patrick, and Sokphea Young, 2019. *The implications of closing civic space for sustainable development in Cambodia*, mimeo, IDS and ACT Alliance, April 2019, Accessible at https://assets.publishing.service.gov.uk/media/5e57de72e90e0711053b1f6e/Cambodia_civic_space_sustainable_development_1_1.pdf.
22. International Center for Not-for-Profit Law, 2020. *Civic Space 2040, Bellagio Outcome Report*, March 2020, accessed at <https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/CS2040-08.2019-Outcome-Report-vf.pdf?ga=2.45813281.468130538.1588723209-556841326.1588723209>.
 23. Joshi, P., 2020. "Freedom under Threat: Why we need to tackle the root causes of closing civic space," BOND Blog, June 22, 2020, accessed at <https://www.bond.org.uk/news/2020/06/freedoms-under-threat-why-we-need-to-tackle-the-root-causes-of-closing-civic-space>.
 24. Krastev, I., and Stephen Holms, 2020. *The Light That Failed: A Reckoning*, Penguin Books.
 25. Menocal, Alina Rocha, 2020. *Why does inclusion matter: Assessing the links between inclusive processes and inclusive outcomes*, OCED Development Cooperation Working Paper, #71, March 2020, accessible at <https://www.oecd-ilibrary.org/docserver/22285d0e-en.pdf?expires=1589293111&id=id&accname=guest&checksum=C08DCE5FFA39802F5AAEB4A75B26DB39>.
 26. Moksnes, H., and Mia Melin (editors), 2012. *Global Civil Society: Shifting Powers in a Shifting World*, Uppsala Center for Sustainable Development, 2012, accessible at <http://www.diva-portal.org/smash/get/diva2:728145/FULLTEXT01.pdf>.
 Stenersen, J. "Connected citizens and networked resistance."
 Tujan, T., "Civil Society – new power in aid and development."
 27. Neshikj, Ilina, Biljana Spasovska, and Dejana Stevkovski, 2017. *Fostering an Enabling Environment for Civil Society Contribution to Global Development*, Slovak Aid and Austrian Development Cooperation, Policy Brief, August 2017, accessed at http://www.horizont3000.at/wp-content/uploads/2016/07/WB_PolicyBrief_EnablingEnvironment.pdf.
 28. OECD/UNDP, 2016. *Making Development Cooperation More Effective: 2016 Progress Report*, OECD Publishing, access at [http://www.undp.org/content/dam/undp/library/development-impact/--2016%20progress%20report--Final%20\(e-book\).pdf](http://www.undp.org/content/dam/undp/library/development-impact/--2016%20progress%20report--Final%20(e-book).pdf).
 29. OECD/UNDP, 2019. *Making Development Co-operation More Effective: 2019 Progress Report*, OECD Publishing, Paris, <https://doi.org/10.1787/26f2638f-en>.

30. Office of the High Commissioner for Human Rights (OHCHR), 2014. *A Practical Guide for Civil Society: Civil Society Space and the United Nations Human Rights System*, Geneva, accessible at https://www.ohchr.org/Documents/AboutUs/CivilSociety/CS_space_UNHRSystem_Guide.pdf.
31. Open Forum for CSO Development Effectiveness, 2011. Siem Reap Consensus on an International Framework for CSO Development Effectiveness, accessible at https://d2ouvy59p0dg6k.cloudfront.net/downloads/international_framework_open_forum.pdf.
32. Silberman, Michael, 2020. "Can NGOs and social movements be authentic allies?" Open Democracy, January 28, 2020, accessible at <https://www.opendemocracy.net/en/transformation/can-ngos-and-social-movements-be-authentic-allies/>.
33. Sogge, D., 2019. "Is civic space really shrinking, and if so who's to blame?", Open Democracy, accessed at <https://www.opendemocracy.net/en/transformation/is-civic-space-really-shrinking-and-if-sowhos-to-blame/>
34. Swift, Jamie, 1999. *Civil Society in Question*, South Asia Partnership, Toronto: Between the Lines.
35. Task Team on CSO Development Effectiveness and Enabling Environment, 2020. *Activating Civic Space for Sustainable Development: Helping and Hindering Factors for Effective Engagement in the SDGs*, July 2020, accessible at <https://taskteamcso.com/activities/research-studies-cso-participation-in-the-sdgs/>.
36. Task Team on CSO Development Effectiveness and Enabling Environment, 2019. *Guidance and Good Practice on CSO Development Effectiveness and Enabling Environment*, April 2019, accessed at <https://taskteamcso.com/wp-content/uploads/2019/04/TSKTM-01C-Guidance.pdf>.
37. Task Team for CSO Development Effectiveness and Enabling Environment, 2016. "Policy Summary: Comparative Studies of Multi-Stakeholder Initiatives," October 2016, accessible at <https://taskteamcso.files.wordpress.com/2015/01/msi-policy-summary-final.pdf>
38. Tomlinson, B., 2019. *Civil Society Reflections on Progress in Achieving Development Effectiveness: Inclusion, Accountability and Transparency, A Report for the CSO Partnership for Effective Development (CPDE)*, June 2019, accessible at <http://aidwatchcanada.ca/>.
39. Tomlinson, B., 2012. *CSOs on the Road from Accra to Busan: CSO initiatives to strengthen development effectiveness*, Documenting the experiences of the CSO BetterAid platform and the Open Forum on CSO Development Effectiveness, accessible at

<http://aidwatchcanada.ca/wp-content/uploads/2018/10/CSOs-on-the-Road-from-Accra-to-Busan.pdf>.

40. UN High Commissioner for Human Rights, 2016. "Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned," Report of the United Nations High Commissioner for Human Rights, April 11, 2016, UN Doc. A/HRC/32/20, accessible at <https://undocs.org/A/HRC/32/20>.
41. UN Special Rapporteur on Freedoms Peaceful Assembly and Association, 2018. Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association [on linkages with the implementation of the 2030 Agenda for Sustainable Development], UN General Assembly, A/73/279, August 7, 2018, accessed at <https://digitallibrary.un.org/record/1640226?ln=en>.
42. V-Dem Institute, 2020. *Autocratization Surges – Resistance Grows: Democracy Report 2020*, March 2020, accessed at https://www.v-dem.net/media/filer_public/f0/5d/f05d46d8-626f-4b20-8e4e-53d4b134bfcf/democracy_report_2020_low.pdf.
43. Walker, Darren, 2015. "How can we help you [Ford Foundation]," in Civicus, *State of Civil Society Report, 2015*, accessed at <https://www.civicus.org/images/StateOfCivilSocietyFullReport2015.pdf>.
44. Wood, Jacqueline, OECD Development Cooperation Directorate, 2020. *Development Assistance Committee Members and Civil Society, The Development Dimension*, May 2020, accessible at <https://www.oecd-ilibrary.org/docserver/51eb6df1-en.pdf?expires=1589302759&id=id&accname=guest&checksum=4AEA6222AF3140755FC25E5CA4ABB553>.

B. Country Studies

1. Balkan Civil Society Development Network, 2019. *Balkan Civic Practices: Resilience through Togetherness*, accessible at <http://bcp.balkancsd.net/>.
 - BCSDN, 2019. "Introduction: Promoting Civic Space: Our stories of resistance."
 - Markovic, M., 2019. "The Power of a narrative: "The case of "Cypressers" in Montenegro: Importance of Framing the Story."
 - Boboc, I., Duică, A., & Adela Rusu, [Romanian NGDO Platform – FOND], 2019. Civil Society Resilience: The case for an innovative organizational development."
 - Sestovic, V., & Filip Pazderski, 2018. "Supranational spaces of resistance: On the need for creating and strengthening transnational spaces for activism!"

2. Concord, 2017. Concord EU Delegations Reports: Country Briefs, Cambodia, accessed at https://concordeurope.org/wp-content/uploads/2017/02/CONCORD_EUD_report_2017_CountryBriefs_Cambodia.pdf.
3. Cooperation Committee for Cambodia, 2019. *Civil Society Organizations, Enabling Environment (EE) and Inclusive Partnership, Cambodia*, accessed at <https://www.ccc-cambodia.org/en/resources/ccc-publications-and-reports/researches/civil-society-organisations-enabling-environment-and-inclusive-partnership-cambodia>.
4. Frontline Defenders, 2018. Creeping towards Authoritarianism: Impacts on human rights defenders and civil society in Zambia, November 2018, accessible at https://www.frontlinedefenders.org/sites/default/files/zambia_report_digital.pdf.
5. Include (Dominic Perera coordinator), 2020. *Examining the impact of non-state actors on civic space [Zimbabwe, Palestine and Bangladesh]*, A report for civil space under pressure, accessible at https://includeplatform.net/wp-content/uploads/2020/02/Perera_Research_report.pdf.
6. Leissing, A., Hombrecher, U., and Widmer, Marianne, 2018. "Honduras Working together to Create Space for Civil Society," Swisspeace et al, accessed at <https://www.swisspeace.ch/apropos/honduras-working-together-create-space-civil-society/>
7. Lun, Borithy, 2013. "Resistance and Solidarity: Cambodian CSOs confront a repressive draft law on associations and NGOs," in CIVICUS, *State of Civil Society: Creating an Enabling Environment*, accessible at https://reliefweb.int/sites/reliefweb.int/files/resources/2013StateofCivilSocietyReport_full.pdf.
8. Ratcliffe, R., 2020. "Fears as Cambodia grants PM vast powers under COVID-19 pretext," Guardian, April 10, 2020, accessible at <https://www.theguardian.com/world/2020/apr/10/fears-as-cambodia-grants-hun-sen-vast-power-under-covid-19-pretext>.
9. Ribeiro, Vera Masagão, and Luara Lopes, (ABONG) 2013. "The struggle for an enabling environment for Civil Society Organisations in Brazil: One step forward, two steps backwards?" in CIVICUS, *State of Civil Society: Creating an Enabling Environment*, accessible at https://reliefweb.int/sites/reliefweb.int/files/resources/2013StateofCivilSocietyReport_full.pdf.
10. USAID, 2019a. *2018 Civil Society Organization Sustainability Index: Middle East and North Africa*, 7th Edition, November 2019, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance, accessible at <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-mena.pdf>.

11. USAID, 2019b. *2018 Civil Society Organization Sustainability Index: Sub-Saharan Africa*, 10th Edition, November 2019, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance, accessible at <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-africa-report.pdf>.
12. USAID, 2019c. *2018 Civil Society Organization Sustainability Index: Central and Eastern Europe and Eurasia*, 22nd Edition, September 2019, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance, accessible at <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-europe-eurasia.pdf>.
13. USAID, 2019d. *2018 Civil Society Organization Sustainability Index for Asia*, Fifth Edition, November 2019, Bureau for Democracy, Conflict and Humanitarian Assistance, Center of Excellence on Democracy, Human Rights and Governance, accessible at <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-asia.pdf>.
14. Zambia Council for Social Development and CIVICUS, 2017. *Zambia, Joint Submission to the UN Universal Periodic Review, 28th Session of the UPR Working Group*, March 30, 2017, accessible at <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=6&ved=2ahUKEwjO67PyyKzpAhXJGs0KHcReAwgQFjAFegQIBRAB&url=https%3A%2F%2Fuprdoc.ohchr.org%2Fuprweb%2Fdownloadfile.aspx%3Ffilename%3D4420%26file%3DEnglishTranslation&usq=AOvVaw1KvZPW-YTYSNq9So6znEJt>.

C. Legal and Regulatory Issues

1. ARTICLE-19, 2009. *The Camden principles on freedom of expression and equality*, accessible at <https://www.article19.org/wp-content/uploads/2009/04/Camden-Principles-ENGLISH-web.pdf>
2. Balkan Civil Society Development Network, 2013. *Monitoring Matrix on Enabling Environment for Civil Society Development, The Tool Kit*, Balkan Civic Practices, #9, 2013, accessible at http://ecnl.org/dindocuments/438_MonitoringMatrix%20on%20Enabling%20Environment%20and%20Toolkit.pdf.
3. Brechenmacher, S., 2017. 'Surveillance and State Control in Ethiopia – Civil Society Under Assault: Repression and Responses in Russia, Egypt, and Ethiopia', 18 May, Washington DC: Carnegie Endowment for International Peace,

<https://carnegieendowment.org/2017/05/18/surveillance-and-state-control-in-ethiopia-pub-69960>.

4. Buyse, A. 2018. "Squeezing Civic Space: Restrictions on Civil Society Organizations and the Linkages with Human Rights," *International Journal of Human Rights*, Volume 22, 2018, accessible at <https://www.tandfonline.com/doi/full/10.1080/13642987.2018.1492916>.
5. Concord Sweden, 2018. *Making Space! Defending Civic Space and the Freedom of Association and Assembly*, A Summary of the Recommendations from a Report in Swedish, June 2018, accessible at http://www.peacewomen.org/sites/default/files/Make%20space_Concord%20Sweden%202018.pdf
6. Dupuy, Kendra, James Ron, and Aseem Prakash. 2016. "Hands Off My Regime! Governments' Restrictions on Foreign Aid to Non-Governmental Organizations in Poor and Middle-Income Countries." *World Development* 84 (August): 299–311. <https://doi.org/10.1016/j.worlddev.2016.02.001>.
7. European Center for Not-for-Profit Law, 2011. *Elements for Successful CSO Law Reform Initiatives, The case studies of Iraq, Honduras and Macedonia*, A paper developed for UNDP, March 2011, accessible at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/Transnational_ECNLSuccessful.pdf?_ga=2.20695857.800968841.1589471556-96597088.1589471556.
8. European Commission on Democracy through Law (Venice Commission), 2019. *Report on Funding of Associations*, adopted Venice, March 15-16, 2019, accessible at [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2019\)002-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019)002-e).
9. Firmin, A. 2017. *Contested and Under Pressure: A Snapshot of the Enabling Environment for Civil Society in 22 Countries*, Civicus, February 2017, accessible at https://www.civicus.org/images/EENA_Report_English.pdf
10. Frontline Defenders, 2020. *Frontline Defenders Global Analysis 2019*, accessible at https://www.frontlinedefenders.org/sites/default/files/global_analysis_2019_web.pdf.
11. Hayman, Rachel, Angela Crack, Joan Okitoyi, and Sarah Lewis. 2014. "Legal Frameworks and Political Space for Non-Governmental Organisations: An Overview of Six Countries: Phase II." Oxford: INTRAC, accessed at <https://www.intrac.org/resources/legal-frameworks-political-space-non-governmental-organisations-overview-six-countries-phase-ii/legal-frameworks-and-political-space-for-ngos-phase2/>.
12. Human Rights Defenders World Summit, 2018, *Action Plan*, October 2018, Accessible at https://hrdworldsummit.org/wp-content/uploads/2018/12/EN_Action-Plan-2.pdf.

13. Human Rights House Foundation, 2019. "Why is the Venice Commission study on NGO funding so important?," April 11, 2019, accessible at <https://humanrightshouse.org/articles/why-is-the-venice-commission-study-on-ngo-funding-so-important/>.
14. ICNL, 2016. "Survey of Trends Affecting Civic Space, 2015-2016," Global Trends in NGO Law, Volume 7, No 4, accessible at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/global-ngo-law_trends7-4.pdf?_ga=2.224986650.1607306328.1590863011-500424170.1590863011.
15. ICNL, 2006. *Checklist for CSO Laws*, accessible at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/Transnational_checklisten.pdf?_ga=2.31647671.800968841.1589471556-96597088.1589471556.
16. ICNL, nd. *Enabling Reform: Lessons Learned From Progressive NGO Legal Initiatives, Global Trends in NGO Law*, accessible at <http://dev01.icnl.org/research/trends/trends2-3.pdf>.
17. Mendelson, Sarah E. 2015. "Why Governments Target Civil Society and What Can Be Done in Response." CSIS Human Rights Initiative. Washington DC: Center for Strategic and International Studies, April 2015, accessed at https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/150422_Mendelson_GovTargetCivilSociety_Web.pdf.
18. Office of the UN high Commissioner for Human Rights, 2011. *Manual on Human Rights Monitoring, Chapter 14, Protection of Victims, Witnesses and Other Cooperating Persons*, 2011, accessed at <https://www.ohchr.org/Documents/Publications/Chapter14-56pp.pdf>.
19. United Nations Development Group, 2017. *Expanding Civil Society Space – Excerpt from the UNDG Guidance Note on Human Rights for Resident Coordinators and Country Teams*, 2017, accessed at <https://unsdg.un.org/sites/default/files/2020-03/Expanding-Civil-Society-Space.PDF>.
20. Van der Borgh, C. and Terwindt, C., 2012. 'Shrinking Operational Space of NGOs – A Framework of Analysis', *Development in Practice*, 22.8: 1065–8, accessible at <https://doi.org/10.1080/09614524.2012.714745>
21. Women Human Rights Defenders, 2018. *We've Had Enough: A Call to Action to Protect Women Human Rights Defenders & their Communities*, October 2018, accessible at https://justassociates.org/sites/justassociates.org/files/20aniv-whrdstatement-final4_con_logos.pdf.

D. Space for Effective and Inclusive Policy Dialogue

1. ITAD and COWI, 2013. Support to Civil Society Engagement in Policy Dialogue, A Joint Evaluation, Synthesis Report, January 2013, Evaluation Department, Ministry of Foreign Affairs, Denmark, accessible at https://www.sida.se/contentassets/7c3c28e3bec7467681f9ab092e0fd0e9/support-to-civil-society-engagement-in-policy-dialogue---synthesis-report_3443.pdf.
 Uganda Country Report, https://www.sida.se/contentassets/4bb00fac5b5840b2ac2bc55178ccbe07/support-to-civil-society-engagement-in-policy-dialogue--uganda-country-report_3444.pdf.
 Bangladesh Country Report, https://www.sida.se/contentassets/fc5901ae284f4e85bf72bb46a3544297/support-to-civil-society-engagement-in-policy-dialogue---bangladesh-country-report_3447.pdf.
 Mozambique Country Report, https://www.sida.se/contentassets/4b54daafb0ec47c4a3489409ee26cb7a/support-to-civil-society-engagement-in-policy-dialogue---mozambique-country-report_3445.pdf
2. Kindornay, Shannon and Gendron, Renée, 2020. *Progressing National SDG Implementation: An independent assessment of the voluntary national review reports submitted to the United Nations High-level Political Forum in 2019*, Canadian Council for International Co-operation, accessed at <https://ccic.ca/wp-content/uploads/2020/03/main-report.pdf>
3. Office of the UN High Commissioner for Human Rights, 2018. *Guidelines for States on the effective implementation of the right to participate in public affairs*, October 2018, accessible at https://www.ohchr.org/Documents/Issues/PublicAffairs/GuidelinesRightParticipatePublicAffairs_web.pdf.
4. TAP Network and GIZ, 2020. *SDG16 in VNRs and Spotlight Reports Reporting on Progress, Reflecting on Inclusive Accountability Measures and Recommendations for going ahead*, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, accessible at https://tapnetwork2030.org/wp-content/uploads/2020/05/GIZ_TAP_2020_SDG-16-in-VNRs-and-Spotlight-Reports_Final-Version.pdf
 UN DESA, 2020. *Multi-stakeholder engagement in 2030 Agenda implementation: A review of Voluntary National Review Reports (2016-2019)*, Division for Sustainable Development Goals, accessible at <https://sustainabledevelopment.un.org/content/documents/26012VNRStakeholdersResearch.pdf>

f.

E. Resources for CSOs, CSO Capacities and Partnerships

1. Ariadne, European Foundation Centre, and International Human Rights Funders Group, 2015. *Challenging the Closing Space for Civil Society: A Practical Starting Point for Funders*, accessed at http://www.ariadne-network.eu/wp-content/uploads/2015/03/Ariadne_ClosingSpaceReport-Final-Version.pdf
2. Black Sea NGO Forum, 2018. *CSO Resilience: What does it mean and how can we strengthen it*, A Reflection Paper, November 2018, accessed at https://blackseango.org/wp-content/uploads/2019/02/Reflection-Paper-CSO-Resilience_Black-Sea-NGO-Forum-XIth-edition-1.pdf.
3. Carothers, T., 2015. "The Closing Space Challenge: How are funders responding?," Brief, Carnegie Endowment for International Peace, November 2015, accessed at https://carnegieendowment.org/files/Brief-Carothers-CP_258_Closing_Space.pdf.
4. *Civic Charter: The Global Framework for People's Participation*, accessible at <https://civiccharter.org/wp-content/uploads/2016/10/Civic-Charter.pdf>.
5. Civicus, 2017. *Civil Society Support Mechanisms: A Directory*, accessed at http://www.civicus.org/images/Civil_Society_Support_Directory_March2017.pdf.
6. Community of Democracies and UN Special Rapporteur on Freedoms Peaceful Assembly and Association, nd. *Protecting Civic Space and the Right to Access Resources, General Principles*, nd, accessed at <https://www.ohchr.org/Documents/Issues/FAssociation/GeneralPrinciplesProtectingCivicSpace.pdf>.
7. CSO Partnership for Development Effectiveness, 2016. *Istanbul Principles Five Years After: Evidencing Civil Society Development Effectiveness and Accountability*, November 2016, accessed at <http://cso.csopartnership.org/istanbul-five-years-after/>.
8. European Center for Not-for-Profit Law, 2020. *Principles for Statutory Regulation and Self-Regulation of Fundraising*, April 2020, accessed at <https://ecnl.org/wp-content/uploads/2020/04/Fundraising-Principles.pdf>.
9. International Center for Not-for-Profit Law, 2018. *Effective Donor Responses to the Challenge of Closing Civic Space*, May 2018, accessed at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/Effective-donor-responses-FINAL-1-May-2018.pdf?_ga=2.252948108.468130538.1588723209-556841326.1588723209

10. International Forum of National NGO Platforms, 2017. *Developing the Capacities of Civil Society for a Successful Implementation of the 2030 Agenda*, July 2017, accessed at <http://forus-international.org/en/resources/7>.
11. Kelleher, D. and Kate McLaren, 1996. *Grabbing the Tiger by the Tail: NGOs Learning for Organizational Change*, Canadian Council for International Cooperation [no electronic version].
12. Lifeline Consortium, 2011. Lifeline Assistance Fund for Embattled Civil Society Organizations, accessed at <https://www.csolifeline.org/>
13. Malena, C. 2015. *Improving the Measurement of Civic Space, Transparency and Accountability Initiative*, Open Society Foundation, 2015, accessible at <https://www.transparency-initiative.org/archive/wp-content/uploads/2015/05/TAI-Civic-Space-Study-v13-FINAL.pdf>.
14. #Shift the Power, 2020. "An open letter to International NGOs who are looking to 'localize' their operations," Open Democracy, March 8, 2020, accessible at <https://www.opendemocracy.net/en/transformation/an-open-letter-to-international-ngos-who-are-looking-to-localise-their-operations/>.
15. Staszewska, K.Tenzin Dolker and Kellea Miller, 2019. "Only 1% of gender equality funding is going to women's organisations – why?", AWID, July 2, 2019, accessed at <https://www.awid.org/news-and-analysis/only-1-gender-equality-funding-going-womens-organisations-why>.
16. Swiss NGO Platform, 2016. Enabling Environment for Civil Society: What role for Swiss Actors, A Joint Learning Event, September 28, 2016, accessed at https://www.shareweb.ch/site/Conflict-and-Human-Rights/Documents/JointLearningEvent2016_Documentation.pdf
17. Tomlinson, B. 2013. *Working with Civil Society in Aid: Possibilities for South South Cooperation?*, A report prepared for UNDP China and CAITEC, September 2013, accessible at <https://www.cn.undp.org/content/china/en/home/library/south-south-cooperation/working-with-civil-society-in-foreign-aid/>.
18. Venro, et al, 2016. *Civil society threatened all over the world*, Discussion Paper, December 2016, accessed at https://www.boell.de/sites/default/files/uploads/2017/02/discussion_paper_civil_society_threatened_all_over_the_world.pdf?dimension1=ds_shrinking_de.

F. Digital Transformations and Alternative Narratives

1. Common Cause Foundation, 2014. *No Cause is an Island: How people are influenced by values regardless of the cause*, Institute for Development Studies, December 2014, accessed at https://valuesandframes.org/resources/CCF_report_no_cause_is_an_island.pdf.
2. Concord and FOND (Romania), 2018. *Development is Going Digital, Digital 4 Development Background Paper*, A Report focusing on the impact of digitization on civil society, accessed at https://concordeurope.org/wp-content/uploads/2018/10/CONCORD_FOND_DevelopmentGoingDigital_Report_2018.pdf.
3. International Civil Society Centre, 2019. *Civil Society Innovation and Populism in a Digital Era*, Innovation Report 2019, accessed at <https://icscentre.org/wp-content/uploads/2019/10/Innovation-Report-2019-civil-society-innovation-and-populism-in-a-digital-era.pdf>
4. Marmo, Elena, 2020. *Human Rights in the Digital Age: Challenging issues on the UN agenda*, UN Monitor #14, Global Policy Watch, April 6, 2020, accessible at <https://www.globalpolicywatch.org/wp-content/uploads/2020/04/20200406-UN-Monitor-14-Human-Rights-Digital-Technologies.pdf>.
5. OECD, 2020. *Digital Transformation and the Futures of Civic Space to 2030*, OECD Development Policy Paper 29, June 2020, accessed at <http://www.oecd.org/dac/digital-transformation-and-the-futures-of-civic-space-to-2030-79b34d37-en.htm>
6. OECD, 2019. *Going Digital: Shaping Policies, Improving Lives*, Paris: OECD Publishing, accessed at <http://www.oecd.org/going-digital/going-digital-synthesis-summary.pdf>.
7. Sachrajda, A. and Lena Baumgartner, 2019. *More Than Words*, Thomas Paine Initiative, May 2019, accessed at <https://www.issuelab.org/resources/35508/35508.pdf>.
8. UN-OHCHR, 2019. *Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association*, accessed at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/141/02/PDF/G1914102.pdf?OpenElement>.
9. Vora, Rachita, 2020. "Fixing the Trust Deficit in our Sector [India]," India Development Review [online], May 14, 2020, accessible at https://idronline.org/fixing-the-trust-deficit-in-our-sector/?utm_source=India+Development+Review&utm_campaign=c853336198-EMAIL_CAMPAIGN_2019_10_01_10_28_COPY_01&utm_medium=email&utm_term=0_2be9adb876-c853336198-80710403.
10. Zuboff, Shoshana, 2019. *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power*, New York: PublicAffairs Books.

G. Responses to COVID and CSO Enabling Environment

1. Bachi, U., 2020. "World risks 'sleepwalking into surveillance' with coronavirus controls," Reuters, April 2, 2020, accessible at <https://www.reuters.com/article/health-coronavirus-rights/world-risks-sleepwalking-into-surveillance-with-coronavirus-controls-idUSL8N2BQ37V>.
2. Bharania, R., 2020. "COVID-19 as the catalyst for NGOs' digital transformation," DevEx, May 29, 2020, accessed at <https://www.devex.com/news/sponsored/opinion-covid-19-as-the-catalyst-for-ngos-digital-transformation-97326>.
3. Bocetta, S., 2020. "Coronavirus and the right to online participation," OpenGlobalRights, June 10, 2020, accessed at <https://www.openglobalrights.org/coronavirus-and-the-right-to-online-political-participation/>.
4. Brändle, M. Tamara Brankovic, Arjan Dyrmishi, Besa Kabashi-Ramaj, Igor Luksic, Nenad Markovikj, Filip Milacic, Tara Tepavac, Nenad Zakosek, Miroslav Zivanovic, 2020. "Democracy and the State of Emergency: Responses to the Corona Crisis in the Western Balkans, Croatia and Slovenia," Report One, April 20, 2020, Friedrich Ebert Stiftung accessed at <http://library.fes.de/pdf-files/bueros/belgrad/16119.pdf>.
5. Brechenmacher, S., Carothers, T., and Richard Youngs, 2020. *Civil Society and Coronavirus: Dynamism Despite Disruption*, Carnegie Endowment for International Peace, April 2020, accessed at https://carnegieendowment.org/files/Brechenmacher_Carothers_Youngs_Civil_Society.pdf
6. Brown, F. Saskia Brechenmacher, and Thomas Carothers, 2020. "How will the Coronavirus Reshape Democracy and Governance Globally?," Commentary, Carnegie Endowment for International Peace, April 6, 2020, accessed at <https://carnegieendowment.org/2020/04/06/how-will-coronavirus-reshape-democracy-and-governance-globally-pub-81470>.
7. Cheney, C., 2020. "Will philanthropy's flexible funding outlast the pandemic?," DevEx, June 15, 2020, accessed at <https://www.devex.com/news/will-philanthropy-s-flexible-funding-outlast-the-pandemic-97454>.
8. Civic Initiatives (Serbia), 2020. State of Civil Society in Serbia: Potential Covid-19 Impact, April 2020. Accessed at <https://www.gradjanske.org/wp-content/uploads/2020/04/State-of-Civil-Society-in-Serbia-Potential-COVID-impact.pdf>.
9. Civicus, 2020. "Open Letter to Donors and Supporters, Urging to Ensure Civil Society Resilience against COVID-19," March 19, 2020, accessed at <https://www.civicus.org/index.php/media-resources/media-releases/open-letters/4346->

[open-letter-donors-and-supporters-must-act-to-ensure-civil-society-resilience-against-covid-19-pandemic%20 .](#)

10. Civicus, nd. "Civic Freedoms and the Covid-19 Pandemic: A Snapshot of Restrictions and Attacks," nd, accessed at <https://monitor.civicus.org/COVID19/>.
11. Cornish, L., 2020. "Is it finally time for the localization agenda to take off?," DevEx, June 3, 2020, accessed at <https://www.devex.com/news/is-it-finally-time-for-the-localization-agenda-to-take-off-97323>.
12. Fast , L., and Christina Bennett Frett, 2020. "From the ground up: It's about time for local humanitarian action," Overseas Development Institute, May 2020, accessed at <https://www.odi.org/publications/16991-ground-it-s-about-time-local-humanitarian-action>.
13. Hiebert, M., 2020. "Covid-19 threatens democracies in Southeast Asia," May 25, 2020, East Asian Forum, accessed at <https://www.eastasiaforum.org/2020/05/25/covid-19-threatens-democracy-in-southeast-asia/>.
14. Latanya Mapp, 2020. "COVID-19 poses an existential threat to human rights activists worldwide," Open Democracy, April 29, 2020, accessed at <https://www.opendemocracy.net/en/5050/covid-19-poses-existential-threat-human-rights-activists-worldwide/>.
15. Hilbink, T. and Daniela Aydin, 2020. "COVID-19: An opportunity for transformative grant making," Alliance [Magazine], April 3, 2020, accessed at <https://www.alliancemagazine.org/blog/covid-19-an-opportunity-for-transformative-grant-making/>.
16. Human Rights Watch, 2020. "Human Rights Dimensions of COVID-19 Responses," <https://www.hrw.org/news/2020/03/19/human-rights-dimensions-covid-19-response>, Summarizes with examples different human rights implications of responses, including freedom of expression, protecting community and civil society organizations.
17. ICNL, 2020. "Coronavirus and Civic Space: Positive Government Practices in Responding to COVID-19," May 2020, accessed at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/05.2020-Positive-COVID-Responses.pdf?_ga=2.21721787.1459783983.1592938731-292240533.1592938731.
18. ICNL, 2020. "Top Trends: COVID-19 and Civic Space," May 2020, accessed at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/05.2020-Trends-in-COVID-impact-on-CS-vf.pdf?_ga=2.214003991.1459783983.1592938731-292240533.1592938731

19. ICVA, 2020. *The Future of Civil Society Organizations*, May 2020, accessed at https://www.icvanetwork.org/system/files/versions/Futures_Civil_Society_articles_0.pdf.
20. International Center for Not-for-Profit Law, 2020. "Coronavirus and Civic Space: Preserving Human Rights During a Pandemic," March 10, 2020, accessed at https://mk0rofifiqa2w3u89nud.kinstacdn.com/wp-content/uploads/03.2020-Coronavirus-and-Civic-Space.pdf?_ga=2.247777794.468130538.1588723209-556841326.1588723209.
21. International Center for Not-for-Profit Law, 2020. COVID-19: "The Surveillance Pandemic," accessed at <https://www.icnl.org/post/analysis/covid-19-the-surveillance-pandemic>.
22. James, L., 2020. "Sharing Power, Strengthening Accountability: Changes needed for civil society to remain relevant and resilient in a post-COVID19 world," in ICVA et al, *The Future of Civil Society Organizations*, <https://www.icvanetwork.org/resources/future-civil-society-organisations-articles-concept-note>
23. Joseph, J. and Ed O'Donovan, 2020. "Defending Rights During a Pandemic: Impact of Covid-19 on the safety and work of human rights defenders," Human Rights Defenders, April 17, 2020, accessed at <https://www.frontlinedefenders.org/en/statement-report/defending-rights-during-pandemic-impact-covid-19-safety-and-work-human-rights>.
24. LINC, 2020. "COVID-19 and CSOs: Shifting the Paradigm for Assistance to the Global South," LINC Research Report, April 2020, accessed at https://linclocal.org/wp-content/uploads/2020/04/COVID-19-Impact-on-CSOs_LINC-report.pdf [survey of CSO in the South on expected impact of Covid-19 on their work].
25. Momani, B., 2020. "After COVID-19, Will We Live in a Big Brother World?," Center for International Governance Innovation, June 1, 2020, accessed at <https://www.cigionline.org/articles/after-covid-19-will-we-live-big-brother-world>.
26. Pornschlegel, S. 2020. *Countering shrinking spaces: Recommendations to support EU civil society*, European Policy Center, June 2020, accessed at <http://www.epc.eu/en/Publications/Countering-shrinking-spaces-Recommendations-to-support-EU-civil-socie~344cac>.
27. Pritchard, Yolaina Vargas, 2020 "Four Ways Funders are Supporting NGOs and responding to coronavirus," BOND, April 1, 2020, accessed at https://www.bond.org.uk/news/2020/04/4-ways-funders-are-supporting-ngos-and-responding-to-coronavirus?utm_medium=email&utm_campaign=Network%20News%2026%20March%2020&utm_content=Network%20News%2026%20March%202020+Version+A+CID_f141045be310896030433217ff033b7e&utm_source=Campaign%20Monitor&utm_term=4%20ways%20ofunders%20are%20supporting%20NGOs%20and%20responding%20to%20coronavirus.

28. Rutzen, D., and Dutta, N. [International Center for Not-for-Profit Law], 2020. "Pandemic and Human Rights," *Just Security*, March 12, 2020, accessed at <https://www.justsecurity.org/69141/pandemics-and-human-rights/>.
29. Smith, A.M & Landry, Julien, 2020. How are Civil Society Organizations adapting in the pandemic?," Oxfam Power to Poverty Blog, June 19, 2020, accessed at <https://oxfamblogs.org/fp2p/how-are-civil-society-organizations-adapting-in-the-pandemic/>.
30. Srinath, I, 2020. "How Funders Can Respond during COVID-19," IDR (India), March 24, 2020, accessed at <https://idronline.org/how-funders-can-respond-during-covid-19/>.
31. Tiwana, Mandeep, 2020. "Observations on the Quest to Build Back Better," IISD Knowledge Hub, June 18, 2020, accessed at <https://sdg.iisd.org/commentary/guest-articles/observations-on-the-quest-to-build-back-better/>.
32. Voule, Clément, 2020. "States responses to Covid 19 threat should not halt freedoms of assembly and association", UN expert on the rights to freedoms of peaceful assembly and of association, Office of the High Commissioner for Human Rights, April 14, 2020, accessed at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25788&LangID=E>.
33. Yerkes, Sarah, 2020. "Coronavirus Threatens Freedom in North Africa", April 24, 2020, accessed at Carnegie Endowment for International Peace, accessed at <https://carnegieendowment.org/2020/04/24/coronavirus-threatens-freedom-in-north-africa-pub-81625>.

H. Databases on Civil Society Enabling Environment

Some parts or all of the following databases have relevant information, data or indicators on CSO enabling environment.

1. Civicus, Civicus Monitor, <https://monitor.civicus.org/>, Up to date data and information on the state of civil society freedoms in 195 countries in both the Global South and the Global North.
2. Bertelsmann Stiftung, Bertelsmann Transformation Index, <https://www.bertelsmann-stiftung.de/en/our-projects/transformationindex-bti>, The BTI analyses and assesses whether and how countries are steering social change toward democracy and a market economy.
3. International Center for Not-for-Profit Law, Civic Freedom Monitor, <https://www.icnl.org/resources/civic-freedom-monitor>, Country level data and narrative information on legal and regulatory issues for civil society, including freedom of association, in 62 countries in the Global South.

4. International Center for Not-for-Profit Law, COVID-19 Civic Freedom Monitor, <https://www.icnl.org/covid19tracker/>, Country level data on emergency restrictive laws with implications for civil society operations.
5. Freedom House, Freedom in the World, <https://freedomhouse.org/report/freedom-world/2020/leaderless-struggle-democracy>, An overview of democracy trends in the world including indicators relating to civil society participation and its legal and regulatory environment.
6. V-Dem Institute, University of Gothenburg, Sweden, V-Dem Dataset Version 10, <https://www.v-dem.net/en/data/data-version-10/>, a complex set of country level indicators data covering a wide range of issues including CSO enabling environment.
7. International Budget Partnership, Open Budget Survey, <https://www.internationalbudget.org/open-budget-survey/data-explorer>, results of annual country level surveys documenting the degree of civic engagement in the budgetary process and transparency relating to enabling CSO policy engagement.

Annex Two

Key definitions

Civic Space: “Civic space is the bedrock of any open and democratic society. When civic space is open, citizens and civil society organisations are able to organise, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions. These are the three key rights that civil society depends upon.”³³

Civil Society: While often used inter-changeably with Civil Society Organisations (CSOs), Civil Society is a broader concept than CSOs: “Civil society [is] the arena outside the family, the state, and the market, which is created by individual and collective actions, organisations, and institutions to advance shared interests.”³⁴ [Emphasis added] It has also been described as “an ecosystem of organised and organic social and cultural relations existing in the space between the state, business, and family, which builds on indigenous and external knowledge, values, traditions, and principles to foster collaboration and the achievement of specific goals by and among citizens and other stakeholders.”³⁵

Civil Society Organisations (CSOs): “CSOs can be defined to include all non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain. They cover a range of organisations that includes membership-based CSOs, cause-based CSOs and service-delivery CSOs.”³⁶ [Emphasis added]

CSO Enabling Environment: “The political, financial, legal and policy context that affects how CSOs carry out their work. It can include:

- ⇒ Laws, policies and practices respecting freedom of association, the right to operate without state interference, the right to pursue self -defined objectives, and the right to seek and secure funding from national & international sources;
- ⇒ Institutionalised, inclusive and transparent multi -stakeholder dialogue;
- ⇒ Effective support from development providers to empower CSOs.”³⁷

³³ CIVICUS [website](#).

³⁴ CIVICUS, [Civicus 2013 Enabling Environment Index](#), p. 5.

³⁵ Charles Kojo Van Dyke. June 30, 2017. [Concept and Definition of Civil society Sustainability](#), Center for Strategic and International Studies.

³⁶ Global Partnership for Effective Development Co-operation/GPEDC. 2018. [2018 Monitoring Guide for National Co-ordinators](#), Global Partnership for Effective Development Co-operation, New York and Paris, p. 65. This definition has its roots in work undertaken by multi-stakeholder initiatives within the Global Partnership since 2007 and has framed subsequent work on aid and development effectiveness and CSO development effectiveness (the 2010 Istanbul Principles on CSO Development Effectiveness and the Siem Reap Framework for implementing these Principles).

³⁷ GPEDC, [FAQs for Participating in the Second Monitoring Round of the GPEDC: Indicator 2](#)

Development Assistance Committee (DAC): The DAC is a member committee within the OECD and is a forum to discuss issues surrounding aid, development and poverty reduction in developing countries. It describes itself as being the "venue and voice" of the world's major donor countries. It establishes good practice for donors and publishes detailed statistics on all member aid transactions. CSOs have a consultative protocol with the DAC through the CSO DAC Reference Group. The DAC can be accessed at <http://www.oecd.org/dac/development-assistance-committee/>.

Digital Environment/Transformation: Digitalisation is the use of digital technologies and data, as well as interconnection, that results in new activities or changes to existing activities. Digital transformation refers to the economic and societal effects of digitisation and digitalisation.³⁸ Digital transformation is the profound transformation of business and organisational activities, processes, competencies and models to fully leverage the changes and opportunities of a mix of digital technologies and their accelerating impact across society in a strategic and prioritized way, with present and future shifts in mind.³⁹

Donors: Donors are providers of development cooperation, which may take the form of financial support, technical assistance and in-kind commodities. Providers of development cooperation include governments, government agencies, foundations and non-for-profit private philanthropy, as well as international non-governmental organisations (INGOs), based in both the Global North and the Global South. Official donors are government donors of international assistance (usually members of the DAC). Southern countries that provide international assistance (China, India, Brazil etc) refer to themselves as "providers".

Global Partnership for Effective Development Cooperation (GPEDC): The GPEDC is a voluntary multi-stakeholder partnership (of 161 countries and 56 international organizations) devoted to improving aid effectiveness and development effective with those that have associated themselves with the outcomes of the 2011 Busan High Level Forum.

The GPEDC made a **commitment relating to CSOs** to create the conditions that maximize CSOs contributions as development actors. This commitment is monitored through **Indicator Two:** "Civil society organisations operate within an environment that maximises their engagement in and contribution to development. This indicator measures the extent to which governments and development partners contribute to an enabling environment for Civil Society Organisations (CSOs); and the extent to which CSOs are implementing the development effectiveness principles in their own operations. The political, financial, legal and policy context in which CSOs work, as well as the ways in which these development actors organise themselves and work with governments and development partners, deeply affects their development effectiveness and contributions to achieve results."⁴⁰ The GPEDC can be accessed at <https://www.effectivecooperation.org/>.

³⁸ OECD, 2019. [Going Digital: Shaping Policies, Improving Lives](#).

³⁹ I-SCOOP, [Digital Transformation: Online Guide to digital business transformation](#).

⁴⁰ GPEDC, 2018 Monitoring Guide for National Co-ordinators, *Op. Cit.*, p. 62.

Governance: Most definition of governance “rest on three dimensions: authority, decision-making and accountability. ... [A] working definition of governance reflects these dimensions: Governance determines who has power, who makes decisions, how other players make their voice heard and how account is rendered.”⁴¹ It includes the role of organised civil society as legitimate social actors, access to government decision-making spaces and processes for multi-stakeholder policy dialogue which should be open, inclusive, timely, iterative, informed, and transparent.⁴² Governance may also be understood in terms of power relations and power dynamics with other actors, such as donors, international institutions, INGOs, private sector and corporate actors.

Multi-stakeholder dialogue/engagement: “A policy process or development initiative that brings together two or more stakeholder groups (government, development partners, CSOs, private sector, etc.) on the basis of equality among the stakeholders.”⁴³

Organization for Economic Cooperation and Development: The OECD is an intergovernmental economic organisation based in Paris with 37 member countries, founded in 1961 to stimulate economic progress and world trade. Access at <https://www.oecd.org/>.

Private sector: “The private sector comprises entities that are run by private individuals or groups, usually seeking to generate profit, and that are not controlled by the State. The private sector includes small and medium-sized businesses, large multinationals, sole proprietors, co-operatives, professional/trade associations and also trade unions.”⁴⁴

Public sector: “Portion of the economy composed of all levels of government and government entities, and government-controlled enterprises. It does not include private companies, social organisations (voluntary, civic or social sectors), or households.”⁴⁵

⁴¹ Institute of Governance, [Defining Governance](#).

⁴² Cf. Wayne-Nixon, Laurel, Wragg-Morris, Tanya, Mishra, Anjali, Markle, Dawson, and Kindornay, Shannon. 2019. [Effective multi-stakeholder engagement to realize the 2030 Agenda](#). Good Practice in 2030 Agenda Implementation Series. Vancouver and Ottawa: British Columbia Council for International Cooperation and Canadian Council for International Cooperation.

⁴³ GPEDC, 2018 Monitoring Guide for National Co-ordinators, *Op. Cit.*, p. 67.

⁴⁴ GPEDC, 2018 Monitoring Guide for National Co-ordinators, *Op. Cit.*, p. 72.

⁴⁵ GPEDC, 2018 Monitoring Guide for National Co-ordinators, *Op. Cit.*, p. 72.

Annex Three

CIVICUS Civic Space, Country Designation: Definitions Allocation of Ranking to Forus Country Members

The definition of each category is the following:

Open: The state both enables and safeguards the enjoyment of civic space for all people. Levels of fear are low as citizens are free to form associations, demonstrate in public places and receive and impart information without restrictions in law or practice.

Narrowing: While the state allows individuals and civil society organisations to exercise their rights to freedom of association, peaceful assembly and expression, violations of these rights also take place.

Obstructed: Civic space is heavily contested by power holders, who impose a combination of legal and practical constraints on the full enjoyment of fundamental rights. Although civil society organisations exist, state authorities undermine them.

Repressed: Civic space is significantly constrained. Active individuals and civil society members who criticise power holders risk surveillance, harassment, intimidation, imprisonment, injury and death.

Closed: There is complete closure - in law and in practice - of civic space. An atmosphere of fear and violence prevails, where state and powerful non-state actors are routinely allowed to imprison, seriously injure and kill people with impunity for attempting to exercise their rights to associate, peacefully assemble and express themselves.

Source: Civicus, Civicus Monitor, <https://monitor.civicus.org/>

The **membership of Forus** experience a range of country contexts in relation to civic space and enabling environments.

Charts One and Two plot this membership in the Global South and the Global North according to the categories of the Civicus Monitor.

Chart One

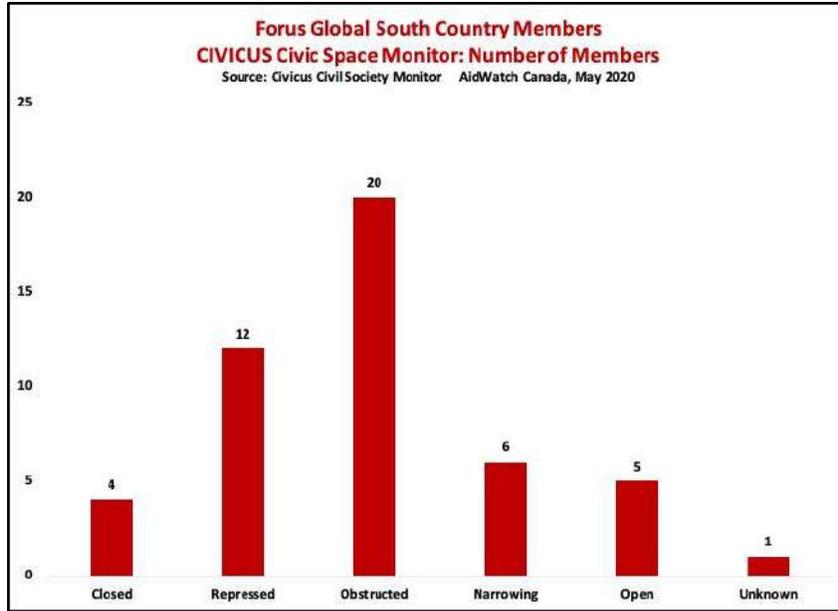
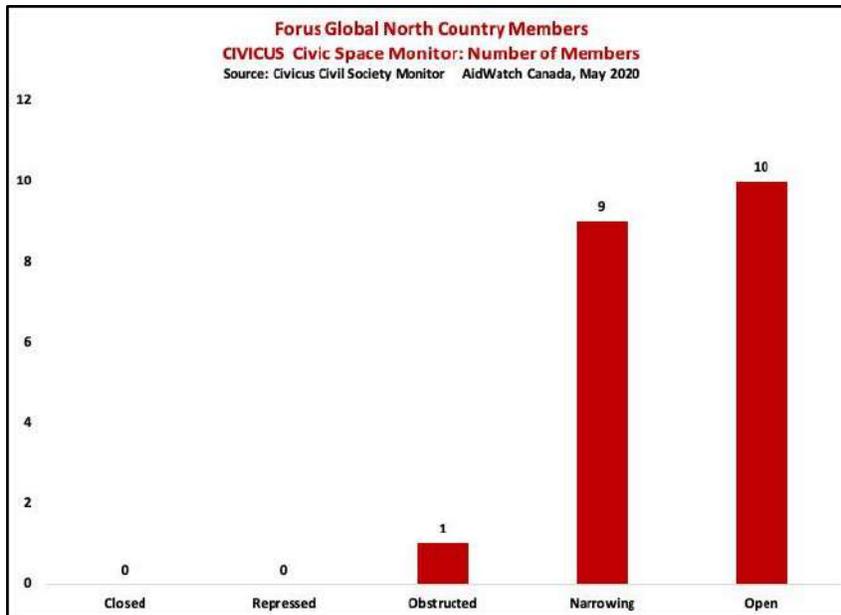


Chart Two



Annex Four

Civil Society Summit

The Belgrade Call to Action

An Action Agenda: Positive Measures for Enabling Civic Space towards Maximizing Civil Society Contributions to the SDGs

April 2019

[See <http://aidwatchcanada.ca/wp-content/uploads/2019/04/Revised-April-Action-Agenda.pdf> for the full document.]

4. An Urgent Action Agenda: Protecting and promoting an enabling civic space by all UN Member States and Multilateral Institutions

This **Action Agenda** is informed by civil society proposals for an enabling environment for civil society organizations, by human rights approaches and standards in development practices, by principles for democratic ownership and effective development cooperation, and by the October 2018 [Global Call to Protect Human Rights Defenders Everywhere](#),¹ launched in Paris at the Human Rights Defenders Summit.²

4.1 Take measures to protect and enable space for civil society, taking account of unique country contexts

All Actors

1. Take a comprehensive approach Implement comprehensive measures across government for laws and regulations that enable civil society, for democratic accountability based on human rights and human rights standards, and for the full protection of human rights defenders and gender equality activists. Such measures taken together require a human rights-based approach to governance, development initiatives and development cooperation.³

2. Ensure compliance with international human rights standards Ensure that domestic laws on the rights to freedom of association, expression and peaceful assembly are in full compliance in law and in practice with international human rights standards. Advocate for the implementation of multilateral commitments, norms and standards relating to civic space.

3. Review and redress legal and regulatory restrictions affecting civil society and human rights defenders Review and redress legal and regulatory restrictions on civil society with measures to uphold their civic and political rights, including by prosecuting the rising number of crimes against civil society activists, journalists and other human rights activists, and avoiding impunity or state collusion with these crimes.

4. Combat and prevent the use of hate speech and discrimination within political campaigns and public policy discourse in society and by public officials.

5. Support civil society-initiated monitoring Support civil society-initiated efforts and various tools to monitor civic space, human rights and democratic accountability, and laws, regulations, and practices that enable civil society. Support the sharing of this information within countries, regionally and globally. Such efforts should be closely coordinated with local civil society and other actors.

6. Support civil society collaboration across borders Assist civic collaboration across borders, including the convening of meetings to share experiences and lessons and to formulate response strategies to situations of closing space.

7. Expand civic space in multilateral bodies Support specific measures to expand space for direct engagement by civil society in UN and other international organizations and multilateral negotiation processes.

8. Expand civil society and human rights defenders' participation in multilateral mechanisms Facilitate robust country-level civic engagement in multilateral mechanisms from all sectors and from marginalized communities, in such processes as the UN Universal Periodic Review, Open Government Partnership, and regional processes such as the African Commission on Human Rights and Peoples' Rights or the Inter-American Commission on Human Rights.

Providers of Development Cooperation

9. Sustain political leadership on promoting civic space Ensure committed political leadership at the highest level of government and provider institutions to safeguard the promotion of open civic space as an overarching and specific provider priority in development cooperation and in strategies for the realization of Agenda 2030 / SDGs.

10. Screen security policies Screen provider security policies and political decisions, such as anti-terrorism measures or measures governing the right to assembly, to ensure no negative impacts on human rights and on civil society partnerships.

11. Review and promote enabling funding modalities Review current funding modalities to facilitate flexible multi-year financial support for civil society, including a) institutional and programmatic support to CSO initiatives; b) deliberate measures that increase direct provider support to local civil society; c) creative avenues to support social movements; d) provisions for exceptional support in situations of emergency for civic organizations, human rights defenders, gender equality advocates facing sustained threats to their well-being;⁴ and e) enabling financing regulations, terms and conditions, and audit requirements that promote equitable civil society partnerships and global solidarity.

12. Be open to alternative channels for finance Explore alternative strategies to ensure financial support to Human Rights Defenders and other marginalized sections of civil society in countries where access to external finance is facing increasing restrictions. Providers should make every effort to sustain and increase their support for national and local CSOs in countries where they have decided to limit their bilateral aid due to the prevalence of repression and persistent human rights violations.

13. Undertake regular analysis of civic space for country development strategies Prioritize space for civil society in guidelines for country development strategies, including programs to strengthen support for rights to freedom of expression, association and assembly in governance, gender equality, environment, labour rights, justice and media.

14. Support training in regulatory implementation Support demand-driven training and capacity development for country regulatory bodies affecting civil society.

15. Strengthen CSO / human rights organizations' resilience in hostile environments Empower CSO resilience in hostile environments, by supporting capacities to assess risks, including gender specific risks, by designing collective and individual responsive strategies, and by increasing awareness of rights and making available legal advice. Put in place measures for quick visas and travel expenses for at risk human rights defenders.

16. Enforce human rights standards for foreign operations of businesses Review on a regular basis the foreign operations of companies domiciled in provider countries for human rights violations, and provide significant sanctions to end these practices. Promote inclusivity and civil society input in business standard setting and monitoring processes, including rigorous

mechanisms for complaints and redress where violence against civil society and human rights defenders is linked to extractive and other projects.

17. Increase public awareness of CSO roles in development Support civil society efforts to improve national trust in civic institutions and to raise public awareness of the positive roles of civil society in development and why civic space is important for these contributions, including the rights of minority groups, the empowerment of women and girls, and the various SDGs.

4.2 Promote inclusion and meaningful accountability in development practice

All Actors

1. Promote and enable civic space as a pre-condition for achieving the SDGs Build and promote the case, in the context of SDG17 for global partnerships, for civic space as a pre-condition for achieving the other SDGs, including poverty eradication, ending hunger, promoting decent work, empowering women and girls, reducing inequality and taking concerted measures in response to widening impacts of climate change. Promote and take all necessary measures to enable and maximize civil society roles and contributions in realizing these critical SDGs.

2. Uphold citizens' right to initiative Uphold and promote the right to initiative for all citizens, rooted in human rights standards for freedoms of association, of expression and of political participation, and in the right to peaceful assembly.

3. Development national SDG plans that reach all excluded groups Establish inclusive, transparent and accountable processes for ensuring that national SDG and development plans reach all excluded groups, including through regular national and/or sub-national dialogues and accessible mechanisms to hold service providers to account.

4. Assess conditions and implement plans with civil society for those "furthest behind" Assess conditions, implement related plans, and report progress for all those considered "furthest behind" – i.e. people living in poverty and all groups otherwise marginalized – through systematic collaboration and constructive partnerships with closely related civil society actors, in all country SDG strategies and plans, and as a key benchmark for advancing the SDGs.

5. Undertake inclusive processes for gender-based budgeting Work with women's rights organizations to institutionalize gender based budget analysis and allocate national and local budgets in ways that address gender equality issues in the implementation of development priorities for the SDGs.

6. Encourage inclusive multi-stakeholder collaboration Support inclusive demand-driven multi-stakeholder collaboration with civil society, based on genuine interest on the part of all stakeholders, to build trust across sectors and enhance effective implementation of SDG priorities.

Providers of Development Cooperation

7. Analyze roles of civil society in achievement of SDGs in providers' countries of priority

Invest in collaborative and sustained analysis of the roles of civil society in supporting the achievement of SDGs in providers' countries of priority for development cooperation. Such measures include conflict-sensitivity, risk and vulnerability analysis, identifying the impact of measures that restrict civic space on CSO roles as development actors, and setting out appropriate responses by the provider of development cooperation.

8. Increase providers' support for marginalized communities Increase support for projects, organizations and communities that focus on marginalized groups, which promote their self-development, their participation in decision making at all levels, and which raise awareness of their rights. Increase all forms of support for feminist and women's rights organizations and gender-equality focused groups at all levels, as a critical condition for mainstreaming gender equality in provider programs.

9. Increased support for CSO coalitions and collaboration on civic space for excluded groups Increase and sustain support for CSO coalitions at all levels. They play essential roles in supporting excluded communities and groups to engage directly with governments to seek respect for their rights.

10. Assess and promote gender equality and women and girls empowerment in all SDG initiatives Assess country conditions for gender equality and women and girls empowerment in all SDG and development initiatives, in collaboration with women's rights organizations and Women Human Rights Defenders.

11. Assess impact of climate change measures on vulnerable populations Undertake detailed assessments of the social impact of measures to adapt and mitigate climate change to ensure they do not exacerbate the impoverishment of vulnerable populations, while giving priority to such populations, their communities and organizations, in ramped-up adaptation finance.

4.3 Implement and respect democratic ownership for inclusive SDG delivery

All Actors

1. Strengthen mechanisms for inclusive policy dialogue Strengthen mechanisms for inclusive policy dialogue and mutual accountability in development cooperation, institutionalizing the direct participation of civil society from the local to the national. Dialogue should be iterative, timely, structured for the exchange of views, transparent, and focused on important and contested issues, with accountability for the outcomes of dialogue.

2. Strengthening national accountability institutions Support and strengthen a range of independent country accountability mechanisms including parliament, human rights institutions, courts, media and ombudspersons. Ensure communities and individuals have access to effective grievance mechanisms, including protection against sexual violence. Among these mechanisms should be a national focal point to champion the rights of civil society.

3. Implement inclusive governance mechanisms relating to SDG plans and implementation Implement governance mechanisms open to all marginalized groups at all levels respecting the implementation, accountability, monitoring and regular reporting of progress for development and SDG plans.

4. Implement effective measures for access to information Ensure timely and easy access to relevant information from all stakeholders, including multilateral development banks regarding country SDG priorities and development plans, implementation and assessment, open to all stakeholders – civil society and peoples organizations, parliamentarians, and citizens – in both provider and partner countries.

5. Nurture CSO accountability to constituencies Support and nurture CSO accountability to constituencies and communities by a) encouraging effective and robust voluntary CSO self-regulatory initiatives; b) structuring provider accountability in ways that incentivize community accountability; c) supporting efforts to reduce dependencies on external funding; and d) supporting an expanded outreach to communities.

Providers of Development Cooperation

6. Support inclusive processes for policy development and implementation Encourage reform processes that prioritize inclusive and cross-sectoral approaches to policy development, whereby civil society has the opportunity to work with government / parliamentarians early in the policy process.

7. Provide demand-driven technical support to CSOs for policy dialogue Ensure that domestic CSOs engaged in policy dialogue receive appropriate institutional and technical assistance, on a demand basis, to enable effective participation.

8. Respect and implement free, prior and informed consent in development practice Ensure all investment plans by financial institutions adopt effective requirements for the protection of human rights, respecting the right to free, prior and informed consent for Indigenous Peoples, and for the facilitation of full participation of all affected populations, including freedom of association and collective bargaining for workers.

4.4 Take urgent and concerted action to challenge major human rights violations⁵

All Actors

1. Give priority to the challenges facing Human Rights Defenders Acknowledge and give priority to the complex challenges faced by Human Rights Defenders, affected by discrimination, gender, gender-identity and sexual orientation, disability, location, and migratory status, and ensure that they can act in an environment free from violence and discrimination.

2. Pay special attention to human rights challenges of marginalized groups and communities Acknowledge and give priority to the particular human rights challenges facing peoples' organizations, religious and racial minorities, women's rights organizations, trade unions, Indigenous peoples, and community-based environmentalists.

3. Take all measures to protect and promote the safety and interests of women and Women Human Rights Defenders Address impunity and lack of access to justice for women; support women affected by the structural causes of inequalities and violence; ensure that Women Human Rights Defenders can work free of discrimination, intimidation and gender-based violence; and support locally-led strategies for empowering women and girls.

4. Unequivocally condemn attacks on Human Rights Defenders Publicly and unequivocally condemn physical and psychological attacks, threats and intimidation against all Human Rights Defenders without discrimination, and refrain from using language that stigmatizes, abuses, disparages or discriminates against them. Adopt all necessary measures to address the root causes of threats and attacks against Human Rights Defenders, including holding companies to account where they are responsible or complicit in such attacks. End impunity for such attacks and unconditionally release all detained Human Rights Defenders and all prisoners of conscience.

5. Implement national protection mechanisms Establish, with the participation of Human Rights Defenders and CSOs, national protection mechanisms for Human Rights Defenders at risk, with gender sensitive and intersectional approaches, and adequate resources.

6. Deter reprisals for engagement with international human rights bodies Take all necessary measures to prevent and deter acts of intimidation and reprisals against Human Rights Defenders in relation to communications and interactions with international human rights bodies.

Providers of Development Cooperation

7. Maintain regular contacts with human rights organizations Support Human Rights Defenders through ongoing contact with local human rights organizations.

8. Adopt protocols for quick responses to threats to Human Rights Defenders Adopt protocols for responding to threats and attacks against Human Rights Defenders in the context of development activities, including close consultation with the targets of such threats, and taking advantage of and supporting the protection experiences that the defenders themselves and their communities are developing at the local level.

9. Take all necessary public and discreet diplomatic measures Implement public and discreet diplomatic measures when requested by domestic civil society and human rights actors, and in emergency situations guarantee protection of individuals. States should ensure regular and adequate training for diplomatic representatives on these issues.

10. Increase funding for human rights protection Increase funding for Human Rights Defenders protection and the protection of civic space without undermining funding for the work of human rights organizations and other CSOs.

11. Review and control trade in surveillance technology Regulate the sale, supply and export of dual-use items such as surveillance and cyber-surveillance technology and software, restricting trade in these goods to countries where their use may lead to human rights violations.

12. Effective measures against companies/states that are responsible for / complicit in reprisals against human rights defenders Take effective measures to sanction companies or states that use reprisals and restrictions against organizations and human rights defenders in countries where they have investments to advance their economic interests.

This **Action Agenda** sets forth a range of practical measures that all Member States and International Organizations can implement. Taken as a whole, its implementation would dramatically alter conditions facing thousands of Civil Society Organizations and Human Rights Defenders around the world and significantly advance Agenda 2030 and the SDGs.

Civil society acknowledges and welcomes many current initiatives on the part of some governments and providers of development cooperation. We call upon the friends and allies of civil society to join with us to launch pro-active and collaborative political leadership to implement and promote this Agenda with all Member States and Development Stakeholders.

Civil Society is fully committed to the achievement of the SDGs and Agenda 2030. But our efforts will be in vain, if we cannot count on new measures and actions at local, national, regional and global level to reverse the debilitating trends in shrinking and closing civic space.

¹ See <https://hrdworldsummit.org/>.

² The premise of this **Action Agenda** is that implementation of these measures for civic space is an essential pre-condition for the successful implementation of a range of actions for the realization of specific SDGs and targets, irrespective of the sector. For a comprehensive civil society approach to Agenda 2030, civil society campaigns for the SDGs, and action for climate justice, see *Action for Sustainable Development* (<https://action4sd.org/>), *Climate Action Network International* (<http://www.climatenetwork.org/>), the *Global Call to Action Against Poverty* (<http://www.whiteband.org/>), and *Together 2030* (<https://www.together2030.org/>).

³ For an overview of human rights based approaches in development see CPDE and IBON, *Policy Research on the Implementation of a Human-Rights-Based Approach in Development Partnerships*, January 2018, accessed at <http://www.csopartnership.org/edc-resources-hrba> and Brian Tomlinson, "Implementing a Human Rights Based Approach: Lessons from the experience of providers' international assistance," in this volume.

⁴ For example, the Lifeline Assistance Fund for Embattled Civil Society Organizations accessed at <https://www.csolifeline.org/>.

⁵ This section in particular is informed by the *Action Plan* adopted by the Human Rights Defenders World Summit, 2018, *op. cit.* and "We've Had Enough: A Call to Action to Protect Women Human Rights Defenders & their Communities," *op. cit.* For substantial elaboration of measures to protect and promote human rights defenders see this Action Plan.



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