

DO WE STILL EXIST?

Experiences and the art of
surviving shrinking civic space

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Introduction

Around the world, restrictions of civil society’s spaces to act, react and operate have become increasingly common over the last decade. This trend, referred to as “shrinking civic space”, has been described as an accelerating, expanding and global “clampdown on civil society”¹ affecting both organisations and individuals, and in particular those who challenge political or economic elites.² For any actor working to support civil society organisations (CSOs) today, being aware of the ways in which shrinking civic space impacts on these organisations’ abilities to operate is crucial. This report aims to provide an overview of how current trends regarding available and shrinking civic space are perceived, and how they are managed, by local CSOs in the countries and regions where Forum Syd works. To better understand how a shrinking – or narrow – civic space affects local CSOs, the report uses

the accounts and perspectives of CSO representatives as a basis for analysis. It focuses primarily on: how CSOs in various countries and regions view their spaces for action; if and in what ways they believe these spaces to be shrinking; what strategies they have adopted in order to combat a shrinking (alternatively, narrow) space, and; what forms of support they need.

This report does not attempt to make any broad generalisations concerning shrinking or available civic space in the countries and regions discussed. Instead, it aims to highlight the experiences and perceptions of local CSOs in these countries and regions, in order to contribute to a better understanding of the specific conditions under which they operate and the challenges that they face.

Method

The data for this report was gathered through in-depth interviews conducted in 2017 and 2018 with representatives of local CSOs (working in a total of 15 countries), representatives of Swedish organisations working in close contact with local partners and with Forum Syd workers based in different countries. For the safety of the organisations and individuals concerned, the interviewees and their respective organisations have been anonymised and details regarding e.g. their locations and/or activities have been left out when needed. The interview data has been complemented by additional information found in reports, articles and research papers. However, as this report primarily aims to highlight the experiences of people working for, or in close contact with, local CSOs, it was deemed important to give as much room as possible to their accounts and to use these as the main data sources.

Three questions were used as a basis for the interviews and subsequent analysis:

1. How is shrinking, or narrow, civic space manifested in the countries and regions where Forum Syd works, and what are local CSOs perceptions and experiences of these manifestations?
2. How are local CSOs addressing the challenges associated with a shrinking or narrow civic space?
3. What forms of support are desired by these organisations, and what could Forum Syd do to contribute to them being able to conduct their activities in an environment characterised by a shrinking or narrow civic space?



Women groups from Nijera Kori marching on Right to information Day.
Photo: Maria Persson, Swallows India Bangladesh

What is shrinking civic space?

The term “shrinking civic space” denotes a reduction in the spaces that civil society has for operating. Civic space, defined by CIVICUS as “the respect in law and practice for the freedoms of association, peaceful assembly and expression”³. It can be shrunk through various forms of restrictions (both formal and informal), by state – as well as non-state actors, and the concept is therefore somewhat difficult to define.⁴ It can perhaps best be understood, as suggested by the Transnational Institute (TNI), as a framework which “helps us to think through common trends of repression, including their sources, effects, and mechanisms”⁵ in a world where these freedoms are under threat. It is important to note, however, that while this subject has received a lot of attention recently, the very *occurrence* of repressions against CSOs who challenge political or economic elites should not be viewed as a new phenomenon, as such repressions have been common in many countries throughout history.⁶ It is rather the *pattern of increasing and intensifying restrictions* against civil society on a global scale (including countries that are considered democratic) that should be understood as recent. In short, the

expanding and deepening tendency of limiting civil society’s room for manoeuvre which has been observed globally in the last decade – where the freedoms of association, assembly and expression are most clearly at stake⁷ – is what is termed “shrinking civic space”.

Buyse (2018) identifies three interrelated factors determining the extent of civic space which are helpful in understanding how it is limited. These factors are: *formally enacted restrictions* (including the use of both criminal and administrative law to regulate or suppress civil society); *discourse or labelling* (i.e. the ways in which CSOs are talked about among the general public and labelled by authorities, which impact on their freedom, safety and potential to function); the *practical capacity* that CSOs have to maintain and create their spaces. The “practical pressures” that CSOs face take multiple forms, including: threats from private actors and state institutions; violence; co-optation; the channelling of CSOs’ incomes through government funds; the selective funding of organisations that align with the government’s policies; and the closing down of arenas for contestation (e.g. websites).

History and current global trends

“Shrinking civic space” has been increasingly debated and analysed in the last few years, as a pattern of repressive measures against CSOs.⁸ Rutzen (2015) describes a global backlash against the idea of a free civil society taking place since 2004 (the Orange Revolution in Ukraine being a turning point).⁹ As laws restricting CSOs were introduced in both Belarus and Zimbabwe at this time, the idea of a “managed civil society” (meaning, e.g., that CSOs were permitted to operate as long as they stayed away from politics, or that CSOs were co-opted and resisting groups were shut down) started to gain momentum and several governments would proceed to introduce restrictive measures in the following years.¹⁰ Between 2004 and 2010 more than 50 countries considered or enacted such measures, and between 2012 and 2015 more than 120 laws constraining the freedom of association or assembly were proposed or enacted in 60 countries.¹¹ According to the International Center for Not-for-Profit Law (ICNL), 64 restrictive laws have been adopted by states in all of the world’s major regions between 2015 and 2016.¹² This shows that the shrinking civic space trend (although it encompasses factors other than restrictive legislation) has been accelerating and become a structural global issue, making it urgent to consider for any actor working in or with civil society.

Data from the CIVICUS Monitor reveals that civic space is now seriously restricted in 111 countries – almost six in ten countries worldwide.¹³ Regionally, conditions for civic space are worst in Central and Eastern Africa, The Middle East and North Africa (MENA), Central Asia and parts of Southeast Asia.¹⁴ The Americas is a deadly region for activists and are experiencing a higher threat of direct violence. Especially journalists and human rights defenders are at risk in the region.¹⁵ According to the European Union (EU), regimes around the world have become bolder in their moves against civil society in the last few years and now “feel less need to act covertly or to contrive defensive justifications.”¹⁶ At the same time, International IDEA (2017) identifies a parallel trend, pointing to a new set of tactics increasingly used by governments to restrict civic space. Rather than outright censorship, attacks or imprisonment, these tactics are characterised by subtlety and more sophisticated approaches to curtailing civil society, including “legislation that is presented as legitimate, harmless and in the interest of the common good, but which is used to gradually silence critical voices and undermine the opposition”.¹⁷ Taken together, these observations suggest that regimes have become both bolder and more inventive in their attempts to control CSOs in the latest phase of the shrinking space trend.¹⁸

Why does shrinking civic space matter?

The World Economic Forum (WEF) emphasises that civil society actors have throughout history, been integral to driving political, social and economic progress by advancing human rights, the Rule of Law and sustainable development, and that they are still at the forefront when it comes to tackling today's global challenges (e.g. relating to migration, transparent governance and the implementation of the United Nations 2030 Agenda).¹⁹ Therefore, shrinking civic space – aside from having dire consequences relating to democracy and the freedoms of assembly, association and expression – diminishes the chances of these challenges being effectively met. The trend can thus be viewed as a problem from a normative standpoint (as it undermines human rights and freedoms) as well as from a pragmatic one (as it risks reducing efficiency in various areas of development work).

How is it restricted?

Formally enacted restrictions

Includes the use of criminal and administrative laws to regulate or suppress civil society, through limitations on the areas of creation and registration, functioning, activities and access to resources.

Discourse or labelling

Includes the application of derogatory terminology to CSOs (e.g. the “foreign agents” label used in Russian law), verbal attacks and stigmatisation of CSOs to legitimise restrictive measures against them (e.g. linking CSOs to foreign interventionism or terrorism).

“Practical pressures” on CSO capacities to maintain spaces

Includes threats and violence (by private actors and state institutions), as well as “peaceful” means such as co-optation of CSOs, the channeling of CSOs' incomes through government funds, selective funding and the closing down of arenas for contestation.

How and where is our space shrinking?

Eastern and Southern Africa

Understandings and manifestations of shrinking civic space

In Eastern and Southern Africa, similar patterns can be observed across several countries in regards to shrinking civic space. For example, a common trend has been the introduction of restrictive laws that place greater administrative burdens on CSOs, or that allow governments to control their activities to a higher degree. The interviewees' accounts also suggest that older laws have been increasingly used to prevent CSOs from meeting and demonstrating, e.g. Zambia's 1955 Public Order Act (POA, used during colonialism to control opposition) and Zimbabwe's 2002 Public Order and Security Act (POSA, amended in 2007), both described as restricting the freedoms of assembly and association. It should be noted that the use of legislation to limit civic space can include *both* the inventive invoking of existing laws and the introduction of new regulations (some specifically targeting CSOs). Examples of the latter are Burundi's two 2016 NGO bills, Zambia's 2012 NGO Act, Zimbabwe's 2017 Cybercrime and Cybersecurity Bill, Uganda's 2015 NGO Registration

Act, 2013 Public Order Management Act (POMA), 2011 Computer Misuse Act and 2010 Regulation of Interception of Communications Act (RICA), and Tanzania's 2015 Cybercrimes Act - all of which were viewed by the interviewees as obstacles to a free civil society.

Another factor contributing to a shrinking civic space is that CSO representatives are continuously threatened, raided, arrested, and at risk of being killed. A majority of the interviewees mentioned that they had been threatened, raided and/or arrested, or knew of other civil society actors that had been subject to such methods. For example, interviewees in Zambia described arrests of journalists, the closing down of a newspaper due to "tax non-compliance", physical attacks, disappearances and politically motivated imprisonments occurring in the past years. Even comments on Facebook have, in some cases, led to arrests. In several countries, interviewees gave examples of people who have been killed for protesting against their respective governments. Furthermore, many CSOs face risks of having their equipment confiscated,

e.g. in Uganda where one interviewee expressed that "the state can take and retain equipment and occupy premises, even when the courts clear the organisation of charges". Reduced donor support to local CSOs and a flight of both international NGOs and experienced staff, are other developments that have taken place over the last few years and that limit the space for civil society (particularly in cases where local sustainability strategies are lacking or insufficient). Many local CSOs are characterised by a high degree of donor dependency, and reductions in funding thus significantly impact on their potential to function. For example, one interviewee in Zambia pointed out that currently "long running organisations have no resources for administration", due to reduced support. Several interviewees in Zimbabwe also described a trend of international donors leaving the country or cutting back on funding e.g. the closing of the Danish (2016)²⁰ and Norwegian (2016)²¹ embassies and reductions in financial support from The Netherlands and linked this to shrinking civic space.

In Zambia and Zimbabwe, governments use of GONGOS (government-organised non-governmental organisations) were brought up as something that limits civic space and creates unfavourable conditions for independent CSOs. In both countries, GONGOS were described as making up a "parallel civil society", created and funded by their respective governments with the aim of furthering their political interests. Interviewees stated that the functions of GONGOS are to "divert attention" from independent CSOs and "conduct research that counters the research of other organisations", thus de-legitimising them.

How is "shrinking civic space" understood by local CSOs?

A majority of the interviewees displayed a clear understanding of "shrinking civic space" (viewed as a collective term for the ways in which civil society's room for manoeuvre is curtailed) and were able to describe how it is manifested in their respective countries. However, three out of 16 interviewees were not familiar with the concept. One described civic space in their country as "open" but at the same time mentioned that the

government oppresses civil society by stopping demonstrations and that protesters have been shot by police (suggesting that the space is not in fact open).

Strategies used by local CSOs

In order to be able to operate in a shrinking civic space environment, many organisations opt to take appealing or cooperative approaches to their respective governments, aiming to become "key partners" rather than being openly critical. Several interviewees emphasised the importance of being diplomatic and adjusting language and terminology in order to make their work appear less controversial (e.g. staying away from words such as "rights"). This strategy has been effective in establishing links within political systems, but it was pointed out that it has the drawback of potentially diluting the messages of CSOs, as organisations cannot communicate freely on sensitive issues. One interviewee in Burundi stated that since only those CSOs that are seemingly in support of the government are allowed to demonstrate and hold meetings, many are choosing to "follow what the govern-

ment wants". When organisations do engage in lobbying, advocacy or discussions with the government, several interviewees pointed out that it is important to keep arguments evidence-based to "reduce political perception".

The adoption of various safety measures is an important strategy for CSOs that face risks of being shut down, raided or threatened. Insuring office property, hiring security guards, using secure Wi-Fi and using soft copies or iCloud to create data backups ("a safe haven for office data") were all described as important measures. In Zimbabwe, interviewees mentioned the use of free legal services offered by human rights lawyers in cases where rights are violated (e.g. when civil society actors are arrested by the government). Networking with other CSOs and human rights defenders was also brought up by several interviewees as a strategy for improving security and building solidarity.

Various forms of capacity development activities were described as important for combating a shrinking civic

»Shrinking space is subtle. It's more indirect ways of working, rather than just coming in banging on the door and putting everyone in jail.«

space. Programs aimed at strengthening civil society and grassroots movements in areas such as human rights, participation, policy and organisational development were understood as crucial for mobilising communities and building a civil society sector that can operate in a harsh environment. Many CSOs organise and participate in trainings, workshops, seminars and committees where knowledge and experiences are exchanged. One interviewee emphasised the importance of capacity development on human rights at the grassroots level, and stated that if grassroots groups can present evidence of human rights abuses, this information may then be used for advocacy on national and international levels.

Several interviewees brought up the use of social media for creating alternative spaces. This strategy was described as successful for running online campaigns, communicating, spreading information and overall “making up for shrinking space”. However, CSO representatives in Zimbabwe expressed concern with the introduction of the Cybercrime and Cybersecurity Bill, which enforces limitations of civic space even on social media. In Tanzania, the 2015 Cybercrimes Act has already narrowed civic space online, as several individuals have been arrested simply for insulting President Magufuli (in most cases for statements written in WhatsApp groups).²²

Forms of support desired

For CSOs to be able to operate in a shrinking space environment, continued (and in some cases increased) funding is important. According to several interviewees, funding is needed for CSOs to pay for staff as well as additional security measures, legal services and fees for those who are sued by the government. It was emphasised that both financial and legal support is of key importance. One interviewee pointed out that there needs to be a balance between core funding and project funding in order for organisations to be able to adapt quickly to contextual changes, and argued for an expansion of core funding. It was also recommended that donors should be involved in the strategies of local CSOs and offer strategic advice as well as support in implementing plans for safety and security.

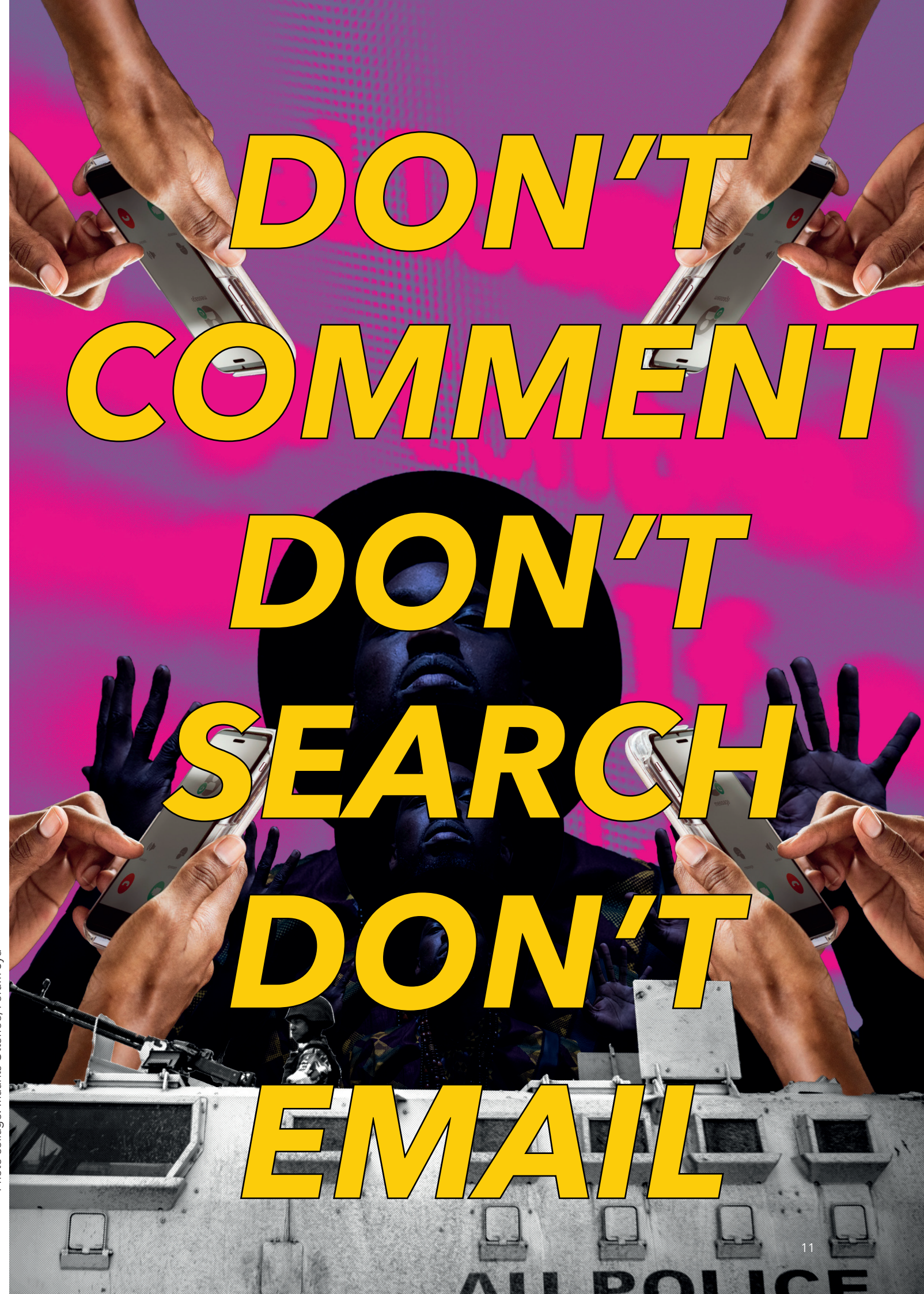
The need for capacity development was brought up by nearly all interviewees. It was stressed that support to local CSOs should not only be financial but also strategic and aimed at building capacity in several areas, including (as expressed by the interviewees): “learning to build relationships”; “creating and sustaining a platform”;

“working with the government”; “governance and building strategies”; “local fundraising strategies”; “becoming more specialised on certain issues”; “risk management in the face of shrinking space”; “security training to protect staff”; “technical advice and resource mobilisation”. One CSO representative in Uganda pointed out that project-linked training is not effective, and suggested that there should instead be annual needs assessments on which capacity development efforts could be based. Another interviewee in Tanzania expressed that current capacity development projects in the country are insufficient, and that more support for this (especially for smaller CSOs) is necessary.

Several interviewees wished for more support from the international community in terms of advocacy and putting pressure on governments to respect human rights and freedoms, stressing the need for international solidarity in protecting the rights of a free civil society. For example, one CSO representative in Burundi stated that for the government to change its stance concerning funding to civil society (currently restricted to a high degree), there is a need for more reports in the international community and advocacy in high level meetings. It was also stressed that states need to be held accountable to global commitments (e.g. the Busan Partnership agreement). Several interviewees pointed out that it is crucial for donors that work with local CSOs to keep up-to-date concerning domestic developments and be aware of any political, economic and administrative changes.

Another form of support desired by many CSOs is the facilitation of networking. The importance of networks especially when civil society is not free, was emphasised by several interviewees. Pointing to the possibility of “speaking in one voice”, having the opportunity to learn from other organisations and creating a sense of moral support, solidarity and security. The need for networks to be better supported was stressed. For example, one CSO representative in Zambia stated that the coordination of networks in the country is currently weak and needs financial support. An interviewee in Rwanda similarly expressed that platforms and joint action forums need more resources (referring to technical and financial support as well as personnel). CSO representatives in Zimbabwe (where civil society was described as currently “divided”) suggested a “consortium to share ideas on how to best deal with shrinking space”.

Photo collage: Maurits Otterloo, Forum Syd



Examples of restrictive legalisation

Burundi

Two NGO bills adopted in 2016 aimed at “closely controlling the actions of local and international NGOs”²³ were adopted by the National Assembly. Since then, organisations need to obtain authorisation from the Minister of the Interior for any activity, foreign funds need to be transferred through the Central Bank, and foreign NGOs working in Burundi need to comply with the government’s priorities.²⁴ One interviewee stated that it is now demanded that CSOs re-register and that they are explicit concerning the details of their work, that no gatherings or demonstrations are allowed, that international money transfers have been restricted and that it is not permitted for CSOs to have bank accounts in any foreign currencies.

Zambia

Zambia’s 2012 NGO Act requires organisations to de-register and re-register, and to submit annual financial reports. According to several interviewees, the Act is part of a “rise in government intolerance towards CSOs” and a “tool for silencing civil society”. Interviewees described how the 2012 NGO Act (along with other legislation, e.g. the 1955 Public Order Act and taxation laws) is used by the government to limit civic space, to harass civil society actors and to close down CSOs. It was expressed that, due to restrictive legislation, “space has dwindled” and that civil society is no longer vibrant.

Zimbabwe

In Zimbabwe, the proposal of a Cybercrime and Cybersecurity Bill with the purpose of monitoring social media and criminalising “defamatory information” was viewed as particularly threatening, as CSOs have been using social media to compensate for the shrinkage of their traditional spaces. The 2017 Cybercrime and Cybersecurity Bill has been described by Zimbabwe Democracy

Institute (ZDI) as “repressive”, and as a framework to “control citizens’ activities online, monitor online activities and draw boundaries for internet users as far as access to information and information dissemination is concerned.”²⁵ One CSO representative described it as “a nightmare” for organisations to participate in civil and social justice activities in Zimbabwe, as the state apparatus is used to repress civil society. Today, the government has broad powers to close down organisations, restrict their movement or arrest individuals for “defamation”. In addition, extensive registration requirements for CSOs further restrict civic space.

Uganda

Interviewees in Uganda described how the 2015 NGO Registration Act has resulted in long registration procedures, that it has become increasingly difficult for CSOs to operate, and that any organisation believed to be in conflict with “public interest” risks being forcibly closed down. CSOs working on issues such as LGBT rights, or that are critical of the government, were described as particularly at risk. Interviewees also brought up the 2013 Public Order Management Act (POMA) as an obstacle, describing it as being “selectively used to ensure that any activities they don’t like are not carried out”. The POMA requires groups to register with the local police before any meeting, and gives the police authority to deny approval if the meeting is not deemed to be in the “public interest”, as well as to use force to break up assemblies considered unlawful.²⁶ In addition to the POMA and the NGO Act, the 2011 Computer Misuse Act, used to control social media, and the 2010 Regulation of Interception of Communications Act (RICA) further limit the spaces for CSOs. The RICA means that a warrant can be issued for an authorised person to access private communication if there is any “actual or potential threat concerning any national economic interest”.²⁷ Civil Rights

Defenders and Unwanted Witness write that “what is meant by a national economic interest is not defined/.../and it can thus be loosely interpreted to mean many different things”.²⁸ One CSO representative interviewed for this report described the RICA as a way to “legally get into private e-mails and phones in order to get information and use it against you”.

Tanzania

Tanzania’s ruling party CCM has taken an authoritarian turn since 2015, introducing several laws that restrict the freedoms of expression, press and assembly. Examples include the 2015 Cybercrimes Act, which criminalises the online publication of information with intent to insult, abuse, threaten or defame. Since its enactment, several people have been arrested just for insulting President Magufuli on e.g. WhatsApp.²⁹ The 2018 Electronic and Postal Communications Regulation further regulates online content by requiring bloggers, social media influencers and online platforms to pay a licensing fee, and by giving the government powers to revoke the license for any site that publishes content that “leads to public disorder” and “threatens national security”.³⁰



Photo collage: Maurits Otterloo, Forum Syd

Latin America and the Caribbean

Understandings and manifestations of shrinking civic space

In Ecuador and Bolivia, there have been numerous cases of CSOs closing down in recent years. In both countries, interviewees linked this trend to restrictive legislation, pointing to the introduction of stricter regulations of CSO work and increases in administrative tasks. One interviewee in Ecuador explained that environmental organisations are particularly at risk of closing down due to the government's tensions with international cooperation. Similarly, CSO representatives in Bolivia brought up the "politics of controlling the thematic areas in which international cooperation can support civil society", and stated that one reason for the closing down of CSOs has been the cutting of support from the United States.

In the past years, legislation that effectively limits the space for civil society has been introduced in both Bolivia and Ecuador. In Bolivia, the 2013 Law 351 on Legal Entities require CSOs to align their activities with government policies.³¹ If an organisation should violate the law's regulatory decrees, its permit to operate can be revoked.³²

According to one interviewee, CSOs have felt "harassed by the government" since the introduction of the new rules, which has ultimately resulted in the disappearance of many organisations. CIVICUS refers to the legal framework in Bolivia as something that has led to – rather than the forcible shutting down of organisations – a form of "silent suicide" in the sense that several CSOs, due to feelings of intimidation, have opted to either close down or change their objectives so as to not "disturb power".³³ This was corroborated by the CSO representatives interviewed for this report, indicating that the introduction of stricter rules – along with government "harassment" in pressurising CSOs to align their work with state policies – has been an effective way of stifling civil society.

Interviewees in Ecuador described how administrative tasks have increased in the last years, and that "more arguments, control and clarity" are now demanded for CSOs to justify their work. One interviewee pointed to the "pressure from the state for the NGOs to be under their rules and policies". This can be linked to relatively recent legislation. Executive Decree No. 16, signed in 2013, has established several new requirements,

controls and ambiguous causes for CSO dissolution.³⁴ With the Decree, regulations on Ecuadorian CSOs as well as on foreign aid agencies were introduced, including new procedures to obtain legal status and demands that international organisations seeking to work in Ecuador undergo a screening process.³⁵ Discussing Decree No. 16, ICNL states that "it is clear the government is applying wide discretion to control any CSO activities it deems 'against the public order'".³⁶

Aside from restrictive legislation, civic space is limited through threats against civil society actors in both Bolivia and Ecuador. One Ecuadorian interviewee stated that their organisation, along with many others, has received direct threats in recent years, and that freedom of speech has been restricted. She held that the increase in threats against civil society is linked to the prevalence and influence of mining companies. In Bolivia, interviewees described how CSOs working with issues related to sexual exploitation, human trafficking, education and health have received threats as well as insults, as many public officials are critical of these organisations. CSOs working with gender issues and/or gender-based violence were understood as particularly "under pressure", partly due to the prevalence of religious fundamentalism.

Another factor impacting on civic space is norm-setting and defamation of CSOs. Interviewees in Bolivia descri-

bed how the government function as a norms producer, and how any actor that thinks in a way that differs from that of the government "will be prosecuted or stereotyped as being part of the 'right'". One interviewee stated that "the possibility to differ from the government's point of view has been reduced", indicating that such stereotyping has been increasingly used to silence criticism. CIVICUS writes that in Bolivia, smear campaigns and "public lynching" have, for the last years, been part of a strategy of repressive social control where any sector, institution or leader who appears overly critical is "accused by the president of being right-wing, destabilising or promoting coups".³⁷ The Bolivian interviewees also emphasised the role of the Catholic Church in regards to norm-setting, and described them as an endeavour to "reverse gender rights" and as "an obstacle for the human rights public agenda and for the organisations that work with young people and women." LGBT and feminist organisations were perceived as having been particularly targeted in the last few years, as interviewees identified "a setback in women and LGTB rights, in terms of public resistance" and "a rejection of feminist organisations".

How is "shrinking civic space" understood by local CSOs?

CSO representatives in Ecuador notably linked shrinking civic space to the prevalence of extractive industries. Interviewees stated that CSOs have observed an

increase in government support to mining companies in recent years, and described such “extractivist policies” as threats to their own processes as well as to the lives and territories of local communities. In Bolivia, interviewees described how CSOs working in the fields of environmental issues, indigenous rights and LGBT rights are particularly at risk of receiving threats, being subject to defamation or in other ways having their operations held back, due to the combination of a government that has imposed strict rules for CSO work and the influence from both the government and Catholic Church in regards to norm-setting.

Strategies used by local organisations

Several interviewees mentioned networking with other CSOs as a strategy for maintaining a strong voice. Interviewees described that networking with other organisations is important for sustaining CSO processes, and that some organisations are also using networks to be able to fundraise more efficiently. The use of social media is important to some CSOs for maintaining contacts and spreading information. In addition to networking with other organisations, the support and participation of local communities was described as important for “gaining legitimacy and support from local authorities”.

Interviewees also stressed the significance of building good relations with the state. One interviewee in Bolivia stated that “having permanent relations with the government at local and national levels” is important for CSOs to be able to work effectively, and another CSO representative in Ecuador described that their organisation has worked to strengthen its relations with the state in recent years.

Another strategy, described as crucial by one interviewee in Ecuador, is the diversification of funding. This interviewee stressed that such diversification is of key importance for an organisation to be sustainable and able to work towards long-term objectives, and described that her CSO puts significant effort into fundraising and working strategically to reach new donors.

Forms of support desired

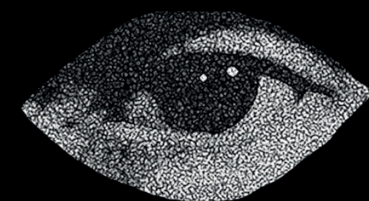
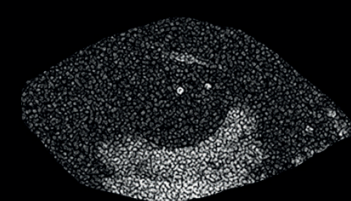
Several interviewees stressed the importance of strengthened networks within and between countries. Two main arguments were given, namely that: networks facilitate the exchange between organisations, and: networks make communication and advocacy more impactful. One interviewee expressed that it is “good to

have the experience from other countries and situations”, and another stated that, while many CSOs work to promote freedom of speech, “communications networks must be strengthened for the people to be heard”. In Ecuador, CSO representatives wished in particular for more collaboration on: resistance to mining interventions; protection, security and safety; practices that benefit local communities. In addition to networking with other CSOs, one Ecuadorian interviewee emphasised the importance of having a dialogue with the state, and wished for support in promoting such dialogue.

Several interviewees emphasised the need for capacity development, and legal training in particular. One CSO representative in Ecuador expressed that capacity development is necessary for organisations to “understand the legal framework and how to act by using its mechanisms”. Others stated that there is a need for community-based organisations (CBOs) to be better supported in exchanging experiences and learning how to address challenges. One key aspect of developing capacities would be, according to several interviewees, providing education on rights and legal mechanisms. Some interviewees in Bolivia stated that their organisations have felt “disconnected from Forum Syd”, and wished for support regarding the rights-based approach as well as training on “administrative skills, systematisation of human rights cases and other relevant information”. It was pointed out that a large organisation such as Forum Syd could identify successful and unsuccessful examples of civil society work in various shrinking space contexts, learn from this and then share the knowledge with local CSOs.

One interviewee in Ecuador pointed out that many local organisations need technical support in the areas of safety and security. It was also suggested that communications could be improved if organisations are better supported to use information and communications technologies (ICTs).

Photo collage: Maurits Otterloo, Forum Syd



Eastern Europe and Central Asia

Understandings and manifestations of shrinking civic space

The interviewees, who work with local organisations in Eastern Europe, South Caucasus, The Balkans and Central Asia, pointed out that while these regions do share some similarities it is important to distinguish between them when discussing civic space, as contexts may differ.

In several countries, one of the main ways in which the space for civil society is restricted is norm-setting and defamation. Civic space is thus limited through indirect rather than direct means, as resentment towards certain CSOs grows when public opinion is influenced by repressive governments or other actors that aim to silence civil society. One interviewee mentioned a conversation with CSO representatives from Georgia, Armenia and Ukraine, who had described how states in the region are generally reluctant to openly persecute civil society actors, seeing as such activities could damage their relations with the rest of Europe. Instead, governments work in more subtle ways to limit civic space, by using propaganda to influence public opinion on certain issues (e.g. LGBT or women’s rights) and thereby legitimising restrictions for, as well as violence against, organisations working on those issues.

This form of narrative construction by states, but also by churches and radical groups was described as the main threat currently facing CSOs. Since civil society is under-

stood to have the purpose of working in the interest of “the people”, organisations that work with LGBT or women’s rights risk losing their legitimacy in the eye of the public when the discourse frames these issues in a more negative way. Discussing this, interviewees stated that “it’s concerning and you can see how fast it’s moving”. They linked the backlash against LGBT and women’s rights partly to Russian influences, as well as a surge in radical right-wing sentiments and conservatism both in the regions and on a global scale.

How is “shrinking civic space” understood by local CSOs?

The interviewees, who at the time that the interviews were conducted had recently held discussions on civic space with CSO representatives in Belarus, Ukraine, Armenia and Kyrgyzstan, pointed out that none of these representatives had described challenges relating to any recent restrictions of the freedoms of expression, assembly and association. Conversely, many had described their environments as “kind of open” in relation to these freedoms (however, unclear legal frameworks were brought up as potential, indirect threats to civil society). In general, most CSO representatives with whom the interviewees had been in contact had difficulties understanding how the concept “shrinking civic space” could be relevant in or applicable to their contexts, seeing as the space for civil society has long been restricted in these regions (and is not necessarily perceived as currently



You are always watched



shrinking). One interviewee stated that “they have been working in environments which have been restricted in some or another way all the time”, and that operating within the boundaries of a narrow space is therefore viewed as the rule rather than the exception.

In some countries, civic space has been affected by recent geopolitical changes. For example, interviewees pointed to a “reapproaching” between the West and Belarus in terms of international relations, and warned that these developments risk shrinking the space for many Belarusian human rights organisations through reduced funding, due to the tendency among international donors to re-direct their funding as relations with the Belarusian government improve:

“When this re-approaching started again, a lot more international organisations and donors are either trying to move out of the country or reduce their funding to organisations in favour of giving more funds to the institutions and institutional support frameworks. So this actually puts some of those classic human rights defender organisations in a bit of a pickle, because

they are not wanted by their governments. They may be acting in a little bit more open and less restrictive space at this point in time, because the regime needs to somehow do things better with the West, but in terms of them being supported and their sustainability, their opportunities are actually shrinking.” – Interviewee from Hub Eastern Europe

It was also pointed out that as relations between the Belarusian government and international donors improve, it leads to more funding being allocated in GONGOs rather than in independent CSOs. Interviewees stated that “through these organisations, the government just attracts funds in the country, and the work which is done is all in line with the government’s agenda.” As grants are increasingly given to pro-government organisations, and as financial support from the state goes to GONGOs, CSOs that oppose the government or work with controversial topics end up in unfavourable positions. This was referred to as a “double challenge” where both endogenous and exogenous factors contribute to a narrow space as CSOs have to operate within a restrictive environment at the same time as outside support is reduced. It should

be noted that this is not only a problem for Belarusian CSOs. In Tajikistan, the interviewees described a similar trend of improved relations leading to EU funding being re-directed from independent CSOs to government institutions, further undermining the role of the CSOs.

In Belarus, the extensive monitoring of internet activities constitutes another challenge. In 2017, Freedom House described internet freedom in Belarus as “deteriorating”, due to the government’s clamping down on activist and journalists and restricting mobile internet.³⁸ The interviewees stated that the influence from Russia, where internet activities are strictly monitored and “people go to jail for commenting”, is substantial in Eastern Europe and especially in Belarus, where the government employs far-reaching surveillance (e.g. demanding that anyone who wishes to access the internet from a public hotspot provide their passport). Freedom House states that “the law allows the government to undertake wide-ranging surveillance at its discretion, and does not require independent judicial authorization” and that “fear of surveillance is pervasive amongst civil society activists in Belarus”.³⁹

»Do not email,
do not comment,
and do not search.«

In Armenia, one factor affecting CSOs is the recent co-optation of civil society actors in the government. One interviewee described that since the 2018 revolution, many people who were previously part of civil society have joined the government institutions. She pointed out that this could potentially be beneficial in the sense that CSOs may have better opportunities to form networks within the political system, but that it also entails challenges as civil society is drained of key actors and competences. The importance of attracting new young activists to replace those who have left was emphasised.

Strategies used by local organisations

For CSOs to be able to operate in an environment where they risk being targeted or scrutinised, diplomatic communication is important. For organisations that work with issues perceived as controversial, a common strategy is to avoid using certain words and/or phrases (for example, “rights”, “discrimination” and “LGBT”). Instead, many CSOs opt to “wrap it up nicely” and to portray their activities and objectives as “a more practical thing without that much politics” according to the interviewees. As words such as “human rights” and “LGBT”

are considered highly political, organisations that use them will be under high levels of supervision by the authorities. Many CSOs do still organise activities aimed at promoting human rights, but – in order to avoid being scrutinised – refer to them in terms that are deemed less political.

Aside from diplomatic communication, CSOs take various security measures, such as using secure communication channels and avoiding speaking openly or on the phone about anything related to activities or funding. According to the interviewees, CSOs need to be aware of, and constantly consider, how their communication could potentially be used against them. It was pointed out, however, that while there is a general understanding of the importance of security, many CSOs lack the necessary capacities for using sufficient security measures, and that this is a problem that needs to be addressed.

As funding from outside donors is shrinking, some CSOs attempt to maintain their activities by finding new partners in the business sector. As corporate social responsibility (CSR) is becoming a popular concept in Belarus, the opportunities for rights-based CSOs to collaborate with businesses improve. The interviewees pointed out that such collaborations could, however, be problematic as these actors operate based on commercial interests, meaning that “there should be something in it for them”.

Forms of support desired

As the interviewees observed a tendency among international donors to favour support to government institutions over support to independent CSOs, they stressed the importance of continued funding for civil society. It was emphasised, however, that donors should not only support local CSOs through funding, but also by being attentive to their work and helping in making their issues visible. Many organisations wish for support regarding international solidarity, advocacy and networking. One interviewee described how the CSOs with whom they work continuously stress the importance of “not being forgotten”. Illustrating this point, they mentioned organisations who work to promote LGBT rights face severe rights violations and persecution. Previously, the severity

of this situation was high up on the international agenda, but recently much of the attention “disappeared but the problem remained”. Consequently, these organisations feel abandoned, expressing that international actors have “left”. In order to avoid this, organisations that work to support local CSOs need to build international solidarity and call attention to the challenges that these CSOs face.

It was also emphasised that donors need to have better knowledge and understandings of local contexts, needs and challenges, and to always consider these when selecting projects and evaluating project proposals. Even the ways in which concepts are understood in different contexts need to be taken into account (as, e.g.,

»We worked with LGBT but were not officially registered as a media organisation. It’s discouraging for civil society, when we have to sneak around because of the legal and political environment.«

“civil society” may in some cases be interpreted in ways that differ from the donors’ definitions, and “shrinking space” is itself a concept that CSOs may have difficulties relating to). The interviewees stressed that greater sensitivity to local contexts is generally needed.

Capacity development is another form of support that many CSOs could benefit from. The interviewees stressed that the local CSOs with whom they work, without any exceptions, currently lack the necessary capacities to work in an environment where the internet, social media and ICTs are increasingly used, both by those who restrict civic space and by those who work to defend it. If capacities in the areas of ICTs and social media (including security) are developed, organisations will have better opportunities to use these technologies more effectively, reach out to more people, and gather and share information in more secure ways. Aside from training on ICTs and social media use, it was stated that capacity development in general is valuable and that it has yielded positive results in these regions in the past.

Belarus: an opening space?

In Belarus, the developments in regards to civic space were described by the interviewees as a “pendulum movement”. Currently, there are some indications of a slight opening up of this space, e.g. changes in the legal framework making it easier for CSOs to register. However, the interviewees stressed that there are groups and organisations – in particular watchdog human rights organisations and those that work to promote LGBT rights – for whom the room for manoeuvre is in fact shrinking rapidly, due to increased pressure from the Ministry of Internal Affairs and other institutions. These organisations have been subject to raids, detentions and forced cancellations of activities in the past years. It is thus important to note that while it could appear that civic space is generally opening up, an organisation’s space for action is strongly linked to the issues and policy areas on which its work is focused. While most CSOs may experience a positive trend concerning available civic space, there are some that, conversely, experience an increase in setbacks due to growing resistance against their work.

Photo collage: Maurits Otterloo, Forum Syd

Southeast Asia and Sri Lanka

Understandings and manifestations of shrinking civic space

In several countries, civic space has been limited through restrictive legislation. One interviewee in Cambodia described the challenges that CSOs in the country face as “pressing” and specifically pointed to the 2015 Law on Associations and Non-Governmental Organisations (LANGO) as something that causes “strain and fear” in civil society. A recent report on civic space in Cambodia states that “[t]he LANGO has been applied in increasingly creative methods, empowering the government to conduct debilitating investigations; to enforce censorship on the web; and to shut down CSOs, charged with allegations of violating the law.”⁴⁰ This description was echoed by the interviewees, one of which explicitly described the LANGO as a “tool to oppress civil society”, particularly targeting CSOs that work to promote human rights, freedom of expression and rights in connection to natural resources. Along with the LANGO, taxation laws are often used to curtail civil society operations.

In Myanmar, interviewees expressed that repressive laws are increasingly used to curtail CSOs. Both the Peaceful Assembly and Procession Law (PAPPL) and Section 66(D) of the 2013 Telecommunications Law were described as “practiced more strictly by the new government”. Interviewees stated that the government uses the PAPPL to stop CSOs from demonstrating. On Section 66(D) of the 2013 Telecommunications Law, which provides for up to three years in prison for “extorting, coercing, restraining wrongfully, defaming, disturbing, causing undue influence or threatening any person using a telecommunications network”⁴¹, Human Rights Watch states that it has “opened the door to a wave of criminal prosecutions of individuals for peaceful communications on Facebook and has increasingly been used to stifle criticism of the authorities.”⁴²

In Laos, one interviewee brought up the recent introduction of stricter regulations for CSO registration, and stated that this makes it difficult for local organisations to operate as the registration process is time-consuming and as government authorities have broad powers to infringe on their work. This was described as a tool for “controlling organisations”, and for making it harder for new CSOs to register. In a joint letter, nine NGOs have criticised the current legislation (Decree on Associations No. 238 of 2017), stating that it includes measures to “criminalise unregistered associations and allow for prosecution of their members”⁴³. Further it gives government authorities sweeping powers to arbitrarily restrict fundamental rights by controlling and/or prohibiting the formation of associations, inspecting, monitoring and curtailing their activities and finances, and disciplining or dissolving them.⁴⁴

In addition to restrictive legislation, several interviewees brought up threats, arrests and imprisonments, and held that CSOs are increasingly controlled in e.g. Cambodia, Myanmar, Laos, Thailand and Vietnam. On several occasions, representatives of the interviewees’ local partner CSOs have been arrested for demonstrating or making statements (including online) that might “jeopardise national stability and security” (it was pointed out that the grounds on which CSO workers are arrested are often vaguely formulated). One interviewee mentioned the 2012 disappearance of Laotian Sombath Somphone, who



»People used to express ideas and opinions! But we have all gone silent. No one wants to be accused of supporting the opposition party.«

is believed to have been forcibly detained. While there has been pressure from the international community to investigate his disappearance, the Laotian government has not taken action.⁴⁵ The interviewee understood this case to be a form of deterrence, to stop civil society from becoming too active or vocal.

Extensive monitoring of CSO activities (including on the internet) was brought up by interviewees discussing civic space in Cambodia, Thailand, Myanmar and Vietnam. One interviewee, working with local CSOs in Cambodia, described the space for civil society as “narrowed down, even on social media” and stated that citizens are constantly monitored on various platforms and apps. She pointed out that many individuals working in the civil society sector are afraid of being personally associated (e.g. through their Facebook accounts) with organisations that criticise the government.

In some countries, reduced funding constitutes a significant challenge to maintaining a space for civil society. One interviewee, working with CSOs in Sri Lanka, described that international donor support has been reduced since the country graduated from low income country to middle income country status. As many local organisations have been highly dependent on foreign aid inflows and lack financial sustainability, this reduction has made it difficult for civil society to survive. According to the interviewee, it has “clearly limited the space for civil society” as many CSOs have disappeared. In Cambodia and Thailand, interviewees also identified problems related to funding, and pointed out that many of the larger organisations which are able to sustain themselves financially are in fact directly aligned with the ruling parties. This alignment between organisations and governments was described as a recent development, taking place over the last five years, and the interviewees stressed that it makes support to smaller, local and independent CSOs even more important.

How is “shrinking civic space” understood by local CSOs?

Interviewees stated that the local CSOs with whom they work are generally familiar with the term “shrinking civic space”, and that they tend to describe it in terms of “limited room for expression”. In Myanmar, it was pointed out that many CSOs view the term “available civic space” as more applicable than “shrinking civic space”, partly because the space for civil society has been narrow for a long time and partly because it has in fact opened

up somewhat during the last few years, due to political reform and new possibilities to receive foreign funding. However, civic space is still narrow and CSOs continue to face challenges. Students, youth activists and human rights defenders who criticise the government were described as particularly at risk of having their spaces restricted.

Strategies used by local organisations

The importance for CSOs to not be perceived as controversial or in confrontation with the government was brought up by several interviewees. In order to avoid being arrested, or in other ways stopped from operating, a common strategy is to use diplomatic communication through which sensitive issues are portrayed as less controversial and/or political, as CSOs e.g. avoid using certain words.

“The word ‘advocacy’, the word ‘empowerment’ – these words are very sensitive to the government. And then the words ‘human rights’ or ‘rights based approach’ – ‘Oh, what are you going to do with human rights?’/.../ So we try to avoid using these words, by saying ‘We just raise awareness, we educate people, we want people to decide their own development by themselves’”
– Interviewee working with civil society in Cambodia

It was also brought up that some CSOs, in different countries, are working to establish constructive dialogues with their respective governments and cooperating with local authorities, rather than openly protesting against them. One interviewee described this strategy as having both benefits and drawbacks, in the sense that it gives communities better chances of having their voices heard by decision-makers, at the same time as those voices are not able to speak freely. She stated: “If we are always humble and not critically speaking, we tend to make less change.”

Although many organisations have taken appealing or collaborative approaches to their respective governments, one CSO described their strategy as, conversely, “confronting the challenges” and “preparing members to be ready to get arrested”. This organisation stated that if they would silently accept repression, civil society would eventually cease to exist, and that they would therefore rather fight to expand their space. Organising public protests and press conferences, issuing joint statements and researching were brought up by this CSO as methods for actively defending civic space.

Networking was considered to be an important strategy by several interviewees. One CSO in Myanmar described “solidarity alliances” with other activist groups as an effective way of maintaining a strong civil society. For this strategy to be successful, it is crucial that civil society actors are able to meet and exchange ideas and experiences, e.g. through national and international forums. One interviewee, working with local CSOs in several countries, described that networking is a vital and widely used tactic among the Cambodian and Vietnamese partner organisations. Through their respective networks, these CSOs are able to discuss developments and strategies in relation to civic space. However, it was stressed that networking may be difficult for some organisations, particularly in cases where governments have placed additional administrative burdens on CSOs (e.g. time-consuming registration processes).

It was also brought up that many CSOs work to build awareness and mobilise communities locally, and that advocacy at local or municipal levels tends to be more impactful than advocacy at the national level. The development of local capacities and knowledge regarding advocacy work, and ways in which citizens can affect legislation, was described as a successful strategy for promoting human rights and democracy. One interviewee emphasised that if CSOs can successfully build awareness, it leads to a situation where “the people understand their rights, the people can speak, the people can claim their rights”.

Forms of support desired

Continued funding was described as a crucial aspect of support to local CSOs. Several interviewees stressed that funding needs to be long-term, with room for flexibility in case of rapid or unexpected contextual changes. It was expressed that sustained funding is particularly important for promoting democracy in countries like Cambodia, where many of the larger CSOs are aligned with the ruling party. One interviewee stated that “those who are in power also have the economic control, and can make sure that organisations that work for something else are not funded.” Forum Syd’s provision of small grants to CBOs was brought up as a successful model, and

interviewees emphasised the importance of prioritising support to organisations that work to promote human rights and democracy.

Capacity development is another form of support that could help many CSOs in combating a shrinking civic space. One interviewee in Cambodia expressed that “it seems like the government now is ahead in terms of capacity, so we need to build capacity that keeps up with the country development”. The interviewee pointed out that for many CBOs, capacities are lacking in areas such as fundraising and resource mobilisation, and that it is important to address this as well as to build overall institutional capacity in these organisations. The need for capacity development in advocacy was brought up by

some interviewees, who stressed the importance for advocacy to be evidence-based and for CSOs to be strong (in regards to institutional capacity) in order for them to be recognised by decision-makers.

»It’s a message to civil society – or what could become a civil society – ‘Do not have opinions that bother us’«.

Advocacy at national and international levels is another way in which local CSOs can be supported. It was stressed that the international community and organisations can play important roles in putting pressure on governments to respect human rights and support a free civil society. One interviewee pointed out that, aside from calling attention to civic space issues at the international level, it is important for larger donor organisations to advocate with their respective national governments in order to secure funding to local CSOs combatting shrinking civic space. It was emphasised that the Swedish government, for example, needs to continue supporting a democratic development in Cambodia.

Aside from funding, capacity development and advocacy, interviewees expressed that donors and large organisations could support local organisations by facilitating networking and exchange between CSOs, nationally and internationally. In order for support to local organisations to be more effective, the need for coordination and networking within the donor community was also pointed out by one interviewee, who expressed that Forum Syd could fill an important function as a platform for networking between Swedish donors.

West Africa

Understandings and manifestations of shrinking civic space

Several interviewees brought up the stigmatisation of individuals and organisations working to promote women’s rights and empowerment as well as LGBT rights, and described how such stigmatisation has resulted in a legitimisation of both threats and violence (from officials and communities). In Nigeria, one CSO representative described that her organisation has received threats for advocating for women’s rights, and stated that corruption and transparency are other issues on which it can be dangerous to speak out. Another interviewee expressed that “it is important to be careful towards the army, police and government officials” and to “stay out of ‘government business’”, as any organisation that is perceived as challenging political elites may receive threats. Aside from the stigmatisation of women’s rights organisations specifically, many CSOs in Nigeria are generally perceived as “agents of western powers” with the purpose of destabilising national politics, which also contributes to delegitimising them. In Liberia, several interviewees mentioned stigmatisation and negative attitudes towards LGBT rights, with state and church being particularly powerful in influencing public attitudes. One CSO representative pointed out that “before challenging legislation and influencing lawmakers, the larger community needs to be backing you” and that stigmatisation therefore poses a major problem for organisations working on policy areas such as LGBT rights and/or HIV/AIDS.

Another challenge for CSOs is restrictive legislation. In Nigeria, interviewees expressed concern with the pending 2016 Non-Governmental Organizations Regulatory Commission (Establishment) Bill (NGO bill), stating that this will particularly target CSOs and “effectively silence them”. Similar concern has been expressed by ICNL, listing a number of problematic provisions in the bill, e.g.: mandatory registration for all NGOs; demands for detailed information on organisations’ activities and sources of funding; demands that every NGO comply with any terms and conditions added to its registration

certificate, with the risk of having its registration suspended or cancelled should it violate these terms; broad discretion for government agencies to refuse to issue registration certificates; harsh criminal penalties in case of any violations of the bill.⁴⁶ In Liberia, interviewees expressed that laws are used to undermine, and even arrest, civil society actors working to promote LGBT rights. Furthermore, it was pointed out that a weak legal framework makes it difficult to defend and protect against oppression. Similarly, interviewees in Nigeria stated that “vague formulations in policies and legislation keep CSOs on their toes and nervous as they are not sure of what they can and cannot do”. In addition, corruption and lack of government transparency and accountability were understood to have increased in the past five years.

How is “shrinking civic space” understood by local CSOs?

In both Nigeria and Liberia, interviewees described a harsh working climate for many CSOs, in particular those working to promote women’s and LGBT rights, resulting from stigmatisation and hostile sentiments towards, and resistance against, these organisations. This resistance was perceived by CSO representatives in both countries as strongly linked to social norms surrounding gender and identity. However, several aspects of a shrinking civic space (e.g. restrictive legislation) were understood as affecting all types of CSOs, and not only those focused on these issues. In Gambia, interviewees did not consider the term “shrinking civic space” to be applicable to their contexts. Conversely, they spoke of “opening space” as a result of the 2017 regime change. Under the previous regime, civic space was very narrow and many CSOs were closed down. During this time, many CSOs opted to work as closely as possible with the government in order to avoid being targeted. The new regime was described as having a more positive attitude towards civil society, and Gambian CSOs now have the possibility of revising their relationships with the government, engaging more in direct lobbying and functioning as watchdogs to a greater extent.

Photo collage: Maurits Otterloo, Forum Syd



Strategies used by local organisations

Several CSO representatives in Nigeria and Liberia mentioned advocacy as a strategy for making their work more effective, however it was emphasised that this needs to be done in a “careful” and “balanced” manner, seeing as organisations that are perceived as critical of their governments risk facing threats and/or violence. Interviewees in Nigeria stressed the importance of keeping briefs, reports and public messages “general” in the sense that names of officials are not mentioned, and held that issuing anonymous press releases can be a preferable strategy for spreading information. The strategy of maintaining a low profile and disassociating from media during times of tension was brought up by one CSO representative in Nigeria, who stated that this entails a big change seeing as organisations otherwise use media frequently.

All interviewees in Nigeria and Liberia described cooperating with other CSOs, building networks and working through platforms as important strategies for sharing information and strengthening advocacy. In addition, networks were described as offering some sense of security and protection to CSOs. One interviewee in Nigeria expressed that “when speaking together they cannot repress us all”.

Some interviewees in Nigeria and Liberia mentioned building strategic partnerships and relationships with local and national officials (finding “allies” within the government and public institutions, as well as engaging with religious and traditional leaders) as a way of increasing their organisations’ room for action. One CSO representative in Liberia described that having connections to high level stakeholders and duty bearers makes it “harder for certain people to hinder or shut down activities” and that the use of “friendly gatekeepers” can help CSOs in gaining access to institutions. Another interviewee in Nigeria expressed that as an organisation working for women’s rights, it is important to get men on board as “gate-keepers” when approaching communities. Appeasement was described by some as a successful strategy. For example, one CSO representative in Nigeria mentioned that with an appeasing approach to local officials, their organisation has worked to “break the image that they are on different sides” and thereby been able to introduce roundtable discussions through which agreements have been made.

Forms of support desired

Many interviewees emphasised the importance of financial support, and wished for increased, more sustainable and long-term funding. As fast-changing political environments make projects prone to instability, an increase in non-project based funding (core funding) was considered important in allowing organisations to adapt to changes. Financial support for trainings, capacity development and international networking was specifically desired by interviewees in Liberia. Similarly, interviewees in Nigeria stated that increased funding would help with trainings in media outreach, communication and advocacy, for which equipment (computers, cameras) would be needed, and with “building and strengthening organisations’ support systems and expanding capacity strengthening activities”.

The importance of support in security was stressed by interviewees in Nigeria. One CSO representative pointed out that having security present during field work would be helpful, and another stated that assistance with encrypting information would be necessary if the NGO bill will be passed.

Several interviewees wished for more support in advocacy at the international level. It was stated that larger organisations and donors could be helpful in raising awareness and bringing local and national issues to the international agenda, thereby putting pressure on governments that restrict civic space. It was emphasised that governments need to be held accountable to international treaties and documents, and that support regarding this is desired. However, such engagements must be balanced according to one interviewee, who stressed that soft lobbying is preferred to strong lobbying, as the latter risks doing more harm than good, it could create a backlash leading to even more oppressive policies.

Somalia

Understandings and manifestations of shrinking civic space

Important to note is that the challenges that CSOs in Somalia face differ significantly depending on location. The interviewee stated that it is relatively easy for CSOs to operate in Somaliland and Puntland, whereas it tends to be more difficult for those that work in the south to access communities and safely conduct their activities due to threats from armed groups. Furthermore, challenges differ depending on the character of the work that organisations do. Journalists and other actors who “work to get information out” were understood by the interviewee to be particularly at risk of being restricted.

One factor that contributes to a shrinking civic space in all of Somalia is the changing power dynamics between the government and civil society, where the government has a growing will to “push back” CSOs, which results in a tendency towards a more restrictive legislation. After the government collapse in 1991, the civil society sector took over responsibilities for much of Somalia’s service delivery. Today, according to the interviewee, the new government wishes to “take back its role and push the NGOs and the civil society aside”. The interviewee stated that here is now a pending NGO bill in Somalia

that would entail a lot of restrictions should it be passed. This bill would provide for a Registrar-General and Registrars at federal and state levels, responsible for processing applications for NGO registration. The Registrar-General would have the power to cancel, refuse to approve or refuse to renew registrations.⁴⁷ According to the interviewee, the NGO bill is characterised by significant “borrowing” from neighbouring countries, e.g. Ethiopia, known for restrictive legislation on CSOs.

During the past year, there has also been an increase in social media monitoring by the government and other powerful actors. Those who have expressed criticism of the government have faced threats and sometimes even arrests according to the interviewee. By explicitly letting people know that their activities on social media are being monitored, those that wish to silence critical actors have fostered an environment of self-censorship where, for example, CSOs refrain from publishing negative statements about the presidency. The interviewee pointed out that this form of monitoring is, however, not necessarily a structured or official initiative by the government, but that it is sometimes a “personal initiative” where “the person who controls that sector decides to take matters into his hands”.

Another factor that contributes to shrinking civic space is security challenges and threats. Although the interviewee identified a general reduction in targeting and killings in Somalia in the past years, as a result of improvements in stability and security, he held that CSOs still receive threats and that targeting, violence and killings still do occur. Since many armed actors in the country perceive CSOs as “working on a foreign ideology” (a discourse that is used to delegitimise and discredit their work), some organisations operate in a harsh climate where they are being targeted and face severe security threats.

The interviewee also identified a noticeable reduction in funding for civil society in Somalia (something that was previously prioritised among donors) in the last years. Today, many CSOs are highly donor dependent and their activities are contingent on whether they are able to receive funding for the coming time period. Sustainability is, in other words, a pressing challenge and a reduction in donor support would diminish the possibilities for CSOs to operate and combat a shrinking civic space.

The co-optation of civil society leaders in the government and bureaucracy is another factor that negatively impacts civil society. The interviewee described that in recent years, the government has been “fishing out” civil society, in the sense that strong civil society workers have joined the government and thus abandoned their positions within CSOs, leaving a noticeable gap behind. The interviewee viewed this tendency as a challenge, as it results in a drain of key actors and competences, stating: “They joined the government, and all of a sudden you wonder ‘Do we still exist? Does the civil society still exist?’”.

How is “shrinking civic space” understood by local CSOs?

In Somalia, it is mainly the larger CSOs and those that form part of networks that are familiar with the term “shrinking civic space”, whereas many of the smaller organisations in the rural areas are not, although they may also be facing the challenges associated with it. The interviewees described that CSOs have used TV and social media to express that they are being “attacked by the government” and that they want to “protect the rights of the community” – showing that they are aware of, and addressing, rights violations



Photo: United Nations

and attempts to curtail civil society – although the interviewee suggested that a broader perspective on shrinking civic space might be missing even in these cases.

Strategies used by local organisations

Networking and the forming of pressure groups have been important strategies for spreading information to the public and pushing back against oppression and rights violations. However, the interviewee pointed out that networking has in fact decreased in the past years. An explanation for this is that networks have been weakened due to reduced funding and the tendency among activists to join the government, thus leaving the civil society sector.

While this has been a successful strategy in the past, the interviewee expressed that, currently, “strong networks are not in place”.

Another strategy is the use of strategic partnerships and personal connections to powerful actors. Some CSOs manage to use the co-optation of civil society actors in the government and bureaucracy to their advantage, in

the sense that maintaining personal connections to former colleagues who are now in government or authority positions lets them form a “base of supporters” within the political system. The fact that many ministers and people in powerful positions (at all levels) are former civil society actors can thus facilitate dialogue. For fostering good relations between the state and civil society, the interviewee emphasised that it is also important for CSOs to demonstrate their value as part of the service delivery.

Forms of support desired

The interviewee expressed that there is a need to strengthen CSO networks, so that “if we are tackling a national issue that will affect everybody, we at least have a strong network that can provide support”. In Somalia, there are several CSO networks and platforms; however these are currently weak and need to be better supported in order to function as efficient systems for support and exchange. With well-functioning networks, the building of a vibrant civil society would be facilitated. For this, it was also pointed out that CSOs need to improve in “keeping the focus” on a select number of issues, as a lack of specialisation among CSOs makes it difficult to develop a strong civil society sector. According to the interviewee, international donors could contribute to develop a civil society where organisations are specialised

to a higher degree, and where they are able to collaborate and exchange with each other.

The interviewee expressed that donor support to CSOs in Somalia should, aside from funding, include use of the leverage that larger, international organisations have with decision makers. It was suggested that an organisation such as Forum Syd could serve as “a more powerful voice to talk on [local CSOs]’ behalf and support them to have that space”. The interviewee stressed that in doing so, donors should not “take the front seat”, yet make it clear that they support the rights of local CSOs and that they will take action should these rights be violated. Another suggestion was to lift Forum Syd’s focus from the grassroots level to the “bigger issue” of building a civil society with the power to influence decisions. The interviewee explained that grassroots actors in the rural areas often have little influence over, and connections to, decision makers, whereas those who are located in the cities are able to engage with duty holders more frequently. He expressed that while it is important to support grassroots organisations, it is also crucial – particularly in Somalia where civil society is “in a developing stage” – to provide support to those who are operating in the cities and working to influence decisions.



Groups from Nijera Kori on a march against fundamentalism.
Photo: Maria Persson, Swallows India Bangladesh

India

Understandings and manifestations of shrinking civic space

Only one out of five interviewees was familiar with the term “shrinking civic space” at the time that the interviews were conducted. However, when discussing the current situation in India, a majority of the CSO representatives gave various examples of government oppression and resistance to civil society, many of which were perceived as linked to a recent surge in populism and Hindu-nationalism, manifested in the government of Narendra Modi.

The Modi government’s resistance to certain parts of civil society has led to some organisations being aggressively targeted and scrutinised. Three interviewees, working for a CSO connected to one of the religious minorities in India, described that the Hindu-nationalist tendencies have negatively affected their organisation, which has experienced an increase in control by the local government and secret police. Similarly, another CSO representative, whose organisation works to promote seed freedom and farmers’ rights, expressed that the Modi government has taken an aggressive stance towards CSOs focused on these issues (leading to the interviewee’s organisation itself being targeted by the police, and some of its activities being cancelled due to security risks), as well as towards those that work to prevent natural resource exploitation. Furthermore, participating in public gatherings has, according to another interviewee, become more difficult in recent years as “any public meetings are viewed as potential political gatherings, and are as such under scrutiny from the police”.

While there are examples of CSOs experiencing increasing pressure and scrutiny, it is important to note that civic space in India is not only restricted through explicit targeting, control or interruptions of CSO activities by the government or police. Another way in which it is limited is, simply, through the creation of an environment where organisations are prone to self-censorship, in the sense that they are well aware of what is accepted and not accepted by the government and therefore choose not to act or speak freely.⁴⁸ This was exemplified by some of the

interviewees, who expressed that their organisations have not themselves experienced any outright targeting or direct infringement of their work, but that there is a general “anxiety to upset the authorities” causing them to act and speak carefully regarding certain issues (e.g. shrinking civic space). One interviewee, who works for a relatively large CSO, stated that this organisation could not have grown had its activities been “at odds with the government”, suggesting that the possibilities to operate are limited for organisations that are critical of the regime.

Strategies used by local organisations

It was expressed that it is of key importance for organisations to make sure that they report everything to the authorities correctly and that all formalities are in order. This becomes crucial as “the authorities’ main weapon in subjugating organisations is to find formal errors they can crack down on”.⁴⁹ Since the legal system still works well in India, organisations that do follow all regulations correctly cannot, for example, have their foreign bank accounts closed down by the government (a commonly used method for shrinking civic space, as this prevents organisations from receiving foreign funding).

CSO representatives also pointed out the importance of maintaining good relations with the state and to “not upset them”, suggesting that they have opted for appeasing or cooperative, rather than openly critical, approaches to the regime. Nevertheless, there are examples of e.g. environmental organisations carefully following formal regulations, but still being critical of governmental policies.

Forms of support desired

In an increasingly harsh and fast-changing political climate, where the activities of many CSOs are closely scrutinised by the authorities, flexibility and the possibility to postpone, cancel or replace activities becomes crucial. Since local contexts in India can change rapidly, having very detailed and inflexible budgets that do not allow for any quick changes becomes an obstacle for CSOs. Aggregated budgets (on goal level) would make it easier to adjust activities to changing situations and circumstances.⁵⁰

Palestine

Understandings and manifestations of shrinking civic space

The Palestinian case in the West Bank is unique given the Israeli occupation that dominates both the discourse and everyday lives of the people. Shrinking civic space is an obvious result of the Israeli occupation, and the apparatus of the occupation makes it difficult to sift through the challenges that also exist within the Palestinian society itself. When interviewed, CSO representatives emphasised that the oppressions and consequences related to the occupation impose great limitations on “every aspect of their lives,” including their civil society work. For instance, it was stated that organisations are “constantly

monitored” by the Israeli army, preventing them from engaging in any political or advocacy work. Representatives from one CSO spoke about how Israeli soldiers enter the organisation unannounced to monitor ongoing activities. The same organisation had violent conflicts with Israeli soldiers where two of their members were killed. The accounts given by Palestinian CSO representatives suggest that this context entails some very specific ways in which the space for civil society is being restricted. One interviewee expressed that “the mere ability to continue to exist as an organisation is a huge success” given these circumstances. No specific group was understood to be particularly affected, as the occupation is something that restricts everyone living and working in Palestine.

Forms of support desired

Based on the interviewees’ accounts and the interviewers’ subsequent analyses, donors such as Forum Syd need to thoroughly understand the occupation, the Palestinian context, and what it means to work in areas where violent conflicts quickly erupt. Given the complex and context-specific challenges which arise at the intersection between the Israeli occupation and local power structures in Palestinian societies, gaining a greater knowledge and understanding of this environment and how it relates to civic space is crucial for any actor wishing to support Palestinian CSOs. When it comes to the importance of learning more about the circumstances under which these organisations work, it is also important to note that Palestine cannot be viewed as a homogenous “whole”, seeing as there are significant

(contextual, legal) variations depending on in what area a particular CSO is located.

In addition to gaining a better understanding, Forum Syd needs to support partner organisations (SvEOs) in performing more in-depth analyses of power structures in Palestinian societies (including how rights-based work is done in such complex contexts), and of how advocacy work can best be carried out in a sustainable way given those structures. Aside from this, it was stressed that continued funding is needed to support a strong civil society in Palestine. It was also suggested by one interviewee that Forum Syd should advocate for actions from the EU, as “political support from the European Union is crucial to achieve new laws and change power dynamics in the conflict”.



Wall in Betelehem.
Photo: Maurits Otterloo, Forum Syd

Conclusions

This report has described how local CSOs in the countries and regions where Forum Syd works view and manage the challenges associated with a shrinking, or narrow, civic space. Based on the CSO representatives' accounts, it is clear that civic space is restricted through direct means (e.g. restrictive legislation, arrests or violence) but also through indirect means (e.g. stigmatisation or defamation of CSOs, which in turn legitimises restrictions against them, i.e. what Buyse terms *discourse or labelling*).⁵¹ The latter was most notably brought up by interviewees working in Eastern Europe, West Africa (Nigeria and Liberia) and Latin America (Bolivia), but it was also mentioned by CSO representatives in other places. In many countries, CSOs are stigmatised both in relation to the policy areas on which their work is focused (where e.g. LGBT and women's rights organisations are often particularly at risk) and in relation to their roles as development actors receiving foreign funding (e.g. in Somalia, where armed groups tend to perceive CSOs as "working on a foreign ideology" or in Nigeria, where many CSOs are viewed as "agents of western powers"). In order to be able to continue operating, CSOs often take appealing, rather than openly critical, approaches to governments and other powerful actors, e.g. by adjusting their language to avoid being perceived as political. Several interviewees viewed this as an effective (and sometimes absolutely necessary) strategy, although it was pointed out that it could be "discouraging" for civil society as CSOs are forced to dilute their messages, and that it could make their work less impactful.

The introduction of restrictive legislation in recent years – along with the inventive use of already existing laws – was brought up by interviewees in several countries and regions (e.g. Burundi, Zambia, Zimbabwe, Uganda, Tanzania, Bolivia, Ecuador, Nigeria, Somalia, Cambodia, Myanmar and Laos). Some of the new laws and regulations (e.g. the LANGO in Cambodia) specifically target civil society, whereas others are not explicitly aimed at controlling the operations of CSOs yet impact greatly on their abilities to function (e.g. laws that restrict internet freedom, or public order acts that limit the possibilities to hold meetings). Both the former and the latter were described as making the work of CSOs significantly more difficult, and in several countries organisations

have closed down as a result. This suggests that the global trend of introducing laws that are in line with the idea of a "managed", rather than free, civil society has indeed been felt by local CSOs, and dramatically changed the environments in which they work.⁵²

It is clear that civic space is restricted in multiple ways, and any understanding of "shrinking civic space" therefore needs to be comprehensive. In some cases, there might be a need to look beyond limitations of the freedoms of association, assembly or expression (the three key freedoms commonly associated with the term, and identified as "most clearly at stake")⁵³ in order to fully understand how a CSOs' room for manoeuvre is constrained. E.g. if one considers Belarus, where geopolitical changes have led to funding from international donors being increasingly allocated in institutional support frameworks and GONGOs rather than in independent CSOs, it appears that this is not clearly related to restrictions of any of these key freedoms, yet it constitutes a major barrier to the work of rights-based organisations in the country (effectively shrinking their spaces for action).

Lastly, it is crucial to be aware that shrinking civic space is not an apolitical phenomenon, affecting all parts of civil society equally.

Any development actor working to support civil society thus needs to identify *against whom* restrictions are enforced. A clear example of why this is important is Belarus, where the interviewees described a recent, general "opening up" of civic space (resulting from changes in the legal framework), but at the same time pointed out that watchdog human rights organisations and those that work to promote LGBT rights are, conversely, experiencing a negative trend regarding their own room for manoeuvre due to growing resistance against their work.

Support the civil society!

In several countries and regions, networking with other organisations was viewed as a key strategy for CSOs to be able to operate in a shrinking space environment. Networking was understood as having the potential to: strengthen the voices of civil society actors; provide possibilities for exchange; offer a sense of "moral support", solidarity and security. Many interviewees wished for more support in strengthening networks (nationally and internationally), as local CSOs often lack the necessary resources for doing so.

Continued (and sometimes increased) funding is necessary for many local CSOs to be able to continue operating in an increasingly harsh climate. As reductions in funding have been observed by interviewees in several countries over the past years, the importance of continued financial support was stressed. It was pointed out by some CSO representatives (working in countries where CSOs face risks of e.g. threats, arrests and violence) that additional security measures to protect both staff and data are needed, and that local organisations need both financial and legal assistance. Discussing funding, several interviewees emphasised the importance of having more long-term and/or flexible budgets for CSOs to be able to adapt to fast-changing contexts.

Capacity development was emphasised by many interviewees as a crucial form of support, especially in contexts characterised by a shrinking civic space. Security, advocacy and communication, rights and legal mechanisms, fundraising and financial sustainability were brought up as areas in which capacity development is desired.

Several interviewees wished for more support from donors and larger organisations in international advocacy. It was stressed that organisations such as Forum Syd can help in putting pressure on governments to respect human rights and the rights of a free civil society, and in increasing the visibility of shrinking civic space issues internationally.

Since shrinking civic space manifests itself in widely different ways depending on time and place (as shown in this report), and as local CSOs combat it in different ways, having the necessary, updated contextual knowledge is of key importance for any actor working to support local CSOs.

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End notes

YES

WE

DO!

We exist despite all the challenges activists, civil society and completely ordinary people face every single day.

And we will continue to do so!

WE WILL NEVER SURRENDER

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