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Civic Space:
Recent Experiences from
Three Global Initiatives**

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INTRODUCTION

The global phenomenon of closing civic space is no longer new. How best to respond to this decade-long trend as governments increasingly restrict space for civil society activities? This question is continuously debated among activists, academics and professionals in the field.¹ The restriction of civic space comes in many forms, ranging from ad hoc intimidation and harassment of civic activists to growing legal restrictions that make it difficult or impossible for civil society organizations (CSOs) to receive funding and carry out activities. Governments and non-governmental actors have pushed back against these restrictive measures in various ways, with varying degrees of success. This report captures some of their recent learning experiences by examining in particular the approaches of cross-border initiatives that are led by civil society organizations and operate globally, in order to make this knowledge available to other initiatives struggling to reclaim spaces.

The CSIS International Consortium on Closing Civic Space (iCon)² published “An Overview of Global Initiatives on Countering Closing Civic Space for Civil Society”³ in 2017. This report mapped several initiatives that emerged in response to the global phenomenon of closing civic space, striving to keep this space open or increase it. The report focused on approaches including advocacy on the international level, awareness-raising activities, peer-to-peer learning platforms, and technical assistance to civil society actors on the ground.

- 1 Thomas Carothers and Saskia Brechenmacher, *Closing Space: Democracy and Human Rights Support under Fire* (Washington, D.C.: Carnegie Endowment for International Peace, 2014), https://carnegieendowment.org/files/closing_space.pdf; Darin Christensen and Jeremy M. Weinstein, “Defunding Dissent: Restrictions on Aid to NGOs,” *Journal of Democracy* 24, no. 2 (April 2013): 77–91; Kendra Dupuy, James Ron and Aseem Prakash, “Hands Off My Regime! Governments’ Restrictions on Foreign Aid to Non-Governmental Organizations in Poor and Middle-Income Countries,” *World Development* 84 (August 2016): 299–311; Annika Elena Poppe and Jonas Wolff, “The Contested Spaces of Civil Society in a Plural World: Norm Contestation in the Debate about Restrictions on International Civil Society Support,” *Contemporary Politics* 23, no. 4 (2017): 469–488; Douglas Rutzen, “Aid Barriers and the Rise of Philanthropic Protectionism,” *International Journal of Not-for-Profit Law* 17, no. 1 (March 2015): 1–42.
- 2 The Center for Strategic and International Studies (CSIS) established the International Consortium on Closing Civic Space (iCon) in 2016. iCon is composed of 20 scholars, experts, and practitioners from around the world who conduct research and generate recommendations on how best to address the drivers of the global trend of closing civic space. For further details, see <https://www.csis.org/programs/international-consortium-closing-civic-space-icon>.
- 3 Jana Baldus, Annika Elena Poppe, and Jonas Wolff, *An Overview of Global Initiatives on Countering Closing Civic Space for Civil Society* (Washington, D.C.: CSIS, 2017), <https://www.csis.org/analysis/overview-global-initiatives-countering-closing-space-civil-society>.

The present report focuses in depth on three initiatives selected from the 2017 report:⁴ the World Movement for Democracy, the Civic Space Initiative, and the Civil Society Innovation Initiative. These initiatives are collaborative in nature, civil society driven, and global in outreach. They do more than simply provide a communication platform or offer financial assistance; instead, they pursue advocacy and other activities on the ground. This report describes their challenges and successes in pushing back against closing civic space and aims to identify lessons learned as well as strategic adaptations and innovations that other initiatives can use to defend civic space in national, regional and global contexts.

In addition to a desk review, we conducted extensive interviews with a secretariat-level representative from each initiative. Interviewees were asked to share their assessments of their organizations' recent experiences in terms of successes, challenges, and best practices. This methodology has its limits: our findings are based primarily on the perspectives of the selected initiatives and the information received.⁵ These perspectives were not independently verified, nor were the initiatives' local partners or representatives of broader constituencies on the ground interviewed.

Methodological limitations aside, providing general guidance for appropriate responses is challenging in its own right, considering the diversity of contexts and actors that advocates for open civic space must engage. We offer our analysis and findings as a useful starting point for actors engaged in pushing back against closing civic space, particularly concerning modalities of cooperation and strategies in cross-border solidarity. By identifying emerging, innovative strategies and highlighting lessons learned, we hope to enhance a collective learning

process that allows other actors to circumvent challenges already mastered by others. In short, this report seeks to help strengthen transnational solidarity among actors working on behalf of endangered civil society organizations around the globe.

In our discussion of each initiative, we first describe its structure, strategic priorities, and range of recent activities. Second, we examine each initiative's successes, challenges, and best practices to identify lessons learned. Finally, we reflect on the elements necessary to establish effective multi-stakeholder partnerships and highlight recommendations that other initiatives may choose to follow. The conclusion summarizes the key recommendations, while also questioning key assumptions underlying the global response to closing civic space.

The key findings and recommendations for cross-border initiatives to effectively respond to closing civic space are:

Broad Collaboration: Inclusive, cooperative approaches that engage a broad spectrum of local civil society actors—including, for example, faith-based organizations—are crucial to develop, support, implement, and sustain effective responses to closing civic space.

Context-specific Communication Approaches: Effective communication requires continuous analysis and deep understanding of the local context. It is crucial to develop locally resonant narratives expressing civic space norms. Locally-tailored, innovative communication approaches can strengthen CSOs' linkages with a broad range of local constituents, and counter government attacks on their legitimacy.

Core, Flexible and Long-term Funding: Short-term, inflexible, project-based support has hobbled cross-border initiatives with administrative and op-

⁴ Ibid.

⁵ In addition, these initiatives often work in close collaboration, so it can be difficult to identify precisely which actor is responsible for particular activities.

erational challenges. For greatest effectiveness, donors should consider providing core, flexible, long-term funding to CSOs, which improves their program planning and adaptability to changing contexts.

THE WORLD MOVEMENT FOR DEMOCRACY

Background

Created in 1999, the World Movement for Democracy is a non-governmental and non-profit global network that brings together regional and local groups, networks, and individuals who work to advance, promote, and strengthen democracy worldwide.⁶ It is directed by an international steering committee of 30 individuals “who represent democracy scholars, activists, journalists, and politicians from around the globe.”⁷ It receives support from the National Endowment for Democracy (NED), which also hosts the movement’s secretariat. By bringing together various local groups, CSOs, and civil society networks, the World Movement has embraced a peer-to-peer approach to foster mutual learning, collaborative activities, and global solidarity among its partners. In addition to offering online and offline platforms for peer-to-peer learning, it supports local partners on the ground by providing funds and technical assistance, as well as carrying out complementary advocacy and networking activities on the international level.

The initiative and its partners currently focus on three key issues: promoting inclusive governance, strengthening democratic leadership; and defending democratic space. As part of defending democratic space, the World Movement runs different initiatives to defend civic space and push back against increasing legal restrictions against civil society actors and their right to receive foreign funding. These sub-initiatives are the Defending Civil Society Project; the Access to Resources Initiative; and the Civic Space Initiative.⁸

The Defending Civil Society Project was launched in 2007 in partnership with the International Center for Not-for-Profit Law (ICNL) “to develop a unified response to the global challenges of restrictive legal environments for civil society.”⁹ To counter repressive laws and enhance the space for civil society, the project focuses on four strategic priorities:

1. understanding the global trend of restrictions on civil society;
2. developing practical strategies to improve legal environments;
3. coordinating global responses to restrictive legal measures; and
4. building the capacity of civil society organizations to respond to legal restrictions.¹⁰

To further these goals, the project published the *Defending Civil Society: Report* (updated in 2012) and developed an online resource, the Defending Civil

6 In February 1999, the World Movement for Democracy was founded by democracy activists, practitioners, and scholars from over 80 countries during a conference in New Delhi. “World Movement for Democracy,” National Endowment for Democracy, https://www.ned.org/wp-content/uploads/World_Movement_09.pdf.

7 “Steering Committee Members,” World Movement for Democracy, <https://www.movedemocracy.org/about/steering-committee/>; “World Movement for Democracy,” National Endowment for Democracy, <https://www.ned.org/world-movement-for-democracy/>.

8 “Defending Democratic Space,” World Movement for Democracy, <https://www.movedemocracy.org/defending-democratic-space#>.

9 “World Movement for Democracy,” National Endowment for Democracy, https://www.ned.org/wp-content/uploads/World_Movement_09.pdf.

10 “Defending Civil Society,” World Movement for Democracy, <https://www.movedemocracy.org/defending-democratic-space/defending-civil-society#>.

Society Toolkit.¹¹ The report examined and described legal restrictions against civil society in a variety of countries and articulated international legal principles to protect civil society. The toolkit—developed with civil society representatives in over 40 countries—is a multi-language, online resource that collects and provides tips, tools, and strategies by and for civil society actors on how to successfully engage in NGO law reform processes in their countries.¹²

The Access to Resources Initiative emerged in response to growing legal restrictions on CSO's access to domestic and foreign funding. Partners of the World Movement developed videos, infographics, texts, and case studies to inform local CSOs and activists about international norms protecting their right to access funding as well as typical measures governments undertake to undermine this right, and strategies and best practices to push back against and navigate within these restrictions.¹³

The Civic Space Initiative is run by the World Movement, together with three international non-governmental organizations (INGOs) and will be covered in more depth as the subject of the second section of this report.

Successes, challenges, and best practices

1. Developing international norms

Concerned by increasing restrictions against civil society and its rights of peaceful assembly and of

association—most visible in the aftermath of the so-called color revolutions that took place in the former Soviet Union and the Balkans throughout the 2000s¹⁴—the World Movement started to raise awareness on the issue on the international level. The initiative drafted two reports entitled *Defending Civil Society*, which were among the first to shed light on the global scope of increasing restrictions against civil society groups. The World Movement also supported the Community of Democracies in creating the Working Group on Enabling and Protecting Civil Society,¹⁵ an effective forum that raised awareness on the issue of closing space at the international diplomatic level.

One of the greatest successes of these and similar activities, according to a representative, was their contribution to creating a worldwide narrative of closing civic space. While restrictions against CSOs had long been viewed as minor attacks against certain segments of the sector, they are widely recognized today as a worldwide trend affecting the entire sector in a multitude of countries. The growing recognition of closing civic space not only attracted the attention of existing international bodies, such as the UN Human Rights Council, but also inspired the creation of new bodies. For example, the mandate of the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association was created in 2010.¹⁶ These bodies greatly contributed to developing international soft norms that

11 International Center for Not-for-Profit Law and World Movement for Democracy Secretariat at the National Endowment for Democracy, *Defending Civil Society: Report* (Washington D.C.: World Movement for Democracy, 2012), http://prod.defending-civilsociety.org/dl/reports/DCS_Report_Second_Edition_English.pdf; “Defending Civil Society Toolkit,” World Movement for Democracy, <http://www.defendingcivilsociety.org/en/index.php/home>.

12 World Movement for Democracy: *Defending Civil Society*, <http://prod.defendingcivilsociety.org/index.html>.

13 “The Right to Access to Resources,” World Movement for Democracy, <https://www.movedemocracy.org/defending-democratic-space/access-to-resources>.

14 Carothers and Brechenmacher, *Closing Space*.

15 “Working Group on Enabling and Protecting Civil Society,” Community of Democracies, https://community-democracies.org/?page_id=592.

16 “Special Rapporteur on the rights to freedom of peaceful assembly and of association,” United Nations Office of the High Commissioner for Human Rights, <http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/SRFreedomAssemblyAssociationIndex.aspx>.

protect and enhance the scope of civil society freedoms, which in turn serve as powerful advocacy tools for states and international organizations engaged with repressive governments on the international level. In 2013, the UN Special Rapporteur issued a second thematic report that classifies access to resources, including foreign funding, as a fundamental part of the universal right to freedom of association and considers it thus protected by international treaties.¹⁷ The report helped create a (not unchallenged) international norm that explicitly protects foreign funding of local CSOs and provides international actors with powerful legal arguments to advocate against foreign funding restrictions on the international level.¹⁸

Although these international norms have strengthened international diplomatic efforts to defend civic space, they have turned out to be less effective in supporting advocacy campaigns on the local level. Partners of the World Movement reported that this ineffectiveness is due to two main causes. First, many of these international standards protecting and promoting civic freedoms remain in the realm of international diplomacy: they are not communicated well to CSOs on the country level, are often not well known or understood by local civil society actors on the ground, and therefore cannot be incorporated into local advocacy strategies. Second, international standards and their underlying narratives are often too broad, too legalistic, or too disconnected from local realities to serve as an effec-

tive advocacy tool for civic space on national or regional levels. This disconnect often affects the legitimacy and salience of international norms in the domestic arena. A World Movement representative noted that the main challenge is to “localize” the narratives—to translate international legal human rights arguments into language that reaches and convinces local constituencies, the general public as well as governmental actors.

These challenges led the World Movement to shift activities and focus on strategies that (1) overcome the existing communication gap on international standards and (2) help local civil society actors to identify and communicate context-specific local narratives to advocate for their rights, weaken local counter-narratives, and explore strategies connecting international human rights arguments with local values.

2. Communicating international norms

Based on these observations, the World Movement started to address the problem of communicating these provisions from the international to the local level by establishing the Access to Resources initiative. In order to improve communication strategies that had largely failed to translate international norms to CSOs on the local level, the World Movement designed innovative and accessible communication tools—an interactive online infographic in several languages¹⁹ and a set of short videos—that conveyed CSO rights to access resources and receive foreign funding, and demonstrated innovative ways to advocate

17 United Nations Human Rights Council, “A/HRC/23/39: Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai,” 2013, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.39_EN.pdf.

18 See, for example, Annika Elena Poppe and Jonas Wolff, “The Contested Spaces of Civil Society in a Plural World: Norm Contestation in the Debate about Restrictions on International Civil Society Support,” *Contemporary Politics* 23, no. 4 (2017): 469–488; Douglas Rutzen, “Aid barriers and the rise of philanthropic protectionism,” *International Journal of Not-For-Profit Law* 17, no. (2015): 5–44.

19 “Civil Society and the Right to Access Resources,” World Movement for Democracy, <https://www.movedemocracy.org/rightto-accessresourcestranslated/US/>.

for these rights on the national level.²⁰ According to World Movement personnel, it was this focus on interactive and easily accessible communication that elicited strong positive feedback from a number of local civil society actors and, in turn, helped spread knowledge about foreign funding and its related standards to broader public audiences. The interactive and attractive design ensured quick and intuitive learning sessions for their recipients. The tools marked a broadly welcomed move away from traditional approaches of distributing extensive text-based pieces of information and received much higher viewing rates in terms of clicks and webpage visits.

3. Developing and communicating local narratives

Several of the World Movement's local civil society partners reported that they struggled to find effective arguments to protect their rights and counter closing space on the ground. Arguments that relied solely on international norms often proved to be ineffective locally. To help develop effective advocacy strategies on the ground, the World Movement recently expanded support to local actors who are identifying narratives—local, regional, or country-specific—that convince broader local audiences of the value of civil society freedoms, and counter local perceptions and narratives that discredit the work of advocacy and human rights groups.

The World Movement representative suggested that the most promising efforts to garner support on the ground are those that reconcile perceived tensions between democratic and human rights standards, as enshrined in international norms, and traditional local values, whether religious or cultural. In Latin America, for example, the World Movement works with a regional CSO network that engages with faith-based organizations and Catholic institutions. The goal is to convince religious

officials that many democratic values and modern human rights standards are very similar to values of Christian charity and can thus be regarded as part of Catholicism. This, in turn, weakens perceptions that modern human rights are incompatible with Catholic values and could potentially reconcile tensions between human rights CSOs and Catholic institutions. In the Middle East, the World Movement helped local CSOs to facilitate an eight-week online course for members of civic groups, Islamic organizations, and public civil servants on how international human rights norms and specifically the right to access funding relate to traditional Islamic values such as the tradition of donating. In order to bring together often-disjointed segments of society and foster long-term learning effects, the course particularly targeted CSO and government representatives who were not very familiar with the civic space discourse on the international level. The relatively long duration of the course allowed all participants to engage in intense debates and take time for personal reflection. Participants slowly reconsidered their prejudices against each other and opened up to the idea that CSOs' right to access resources corresponds with Islamic traditions. This process reportedly helped reduce negative stereotypes of foreign-funded CSOs among participating public civil servants and religious leaders. The course's focus on gradual, long-term attitudinal change can be considered a model for sustainable engagement with local constituencies.

To help CSOs in Europe and Asia defend themselves against charges that their work undermines social cohesion and moral order—an argument often used by governments to legitimize restrictions on CSOs—the World Movement brought together several regional partners to foster peer-to-peer learning on developing effective counter narra-

20 "The Right to Access to Resources," World Movement for Democracy, <https://www.movedemocracy.org/defending-democratic-space/access-to-resources>.

tives.²¹ Participants in these activities reported on strategies that were successful for them. For example, engaging with representatives of the Orthodox Church helped raise awareness about similarities between human rights standards and Christian values. This exchange helped fight the stigma of civil society actors as undermining long-standing religious traditions.

According to World Movement staff, peer-to-peer learning is not only a promising strategy to help develop powerful advocacy narratives, but also to identify and share effective ways to convey advocacy arguments to wider local audiences. As part of the World Movement's and ICNL's Defending Civil Society Toolkit,²² many local CSOs shared how they communicated effectively with local public and political decisionmakers, which in turn built local constituencies, helped prevent restrictive legislation, and supported legislation that empowers civil society. In many contexts, CSOs reported that concise and precise delivery of the CSO message was key. In Ukraine, for example, local CSOs reported that they convinced parliamentarians to push CSO administration reforms by distributing a small brochure whose core element was a graphic that contrasted burdensome CSO administration rules with relatively lax business administration regulations. By sharing those success stories, peer-to-peer platforms like the toolkit promote good communication practices and help improve advocacy strategies among local civil society actors around the globe.

Key recommendations and conclusions

Four points can be drawn from the World Movement's experience:

1. Global narratives and standards that effectively advance civic space on the international level are far less effective in pursuing local advocacy efforts and need to be complemented by narratives that connect powerfully with the local context. These locally resonant narratives can weaken smear campaigns and charges that civil society actors undermine long-standing societal values. Such local narratives foster a growing local understanding of human rights norms as embedded in traditional value systems.²³
2. Communication is most effective when it is concise, precise, and easily accessible, whether it is between international actors and local CSOs, or local civil society actors and wider local populations.
3. A peer-to-peer approach to explore, plan, and implement effective activities can help reverse restrictive environments and defend enabling environments for local civil society actors.
4. Donor funding requirements often do not fit long-term strategy development processes to develop, test, and refine advocacy approaches against closing civic space. Donors' inflexible funding guidelines hindered the abilities of the World Movement's partners to explore and implement innovative ways of collaboration and advocacy. Such efforts are often essential to engage effectively on the issue of closing civic space. In response to CSO concerns, some donors are exploring ways to provide civil society groups with core funding for operational costs instead of project-based funding.

21 "Integrating Traditional and Democratic Values," World Movement for Democracy, <https://www.movedemocracy.org/traditional-and-democratic-values>.

22 "Defending Civil Society Toolkit," World Movement for Democracy, <http://www.defendingcivilsociety.org/en/index.php/home>.

23 On narrative development in the face of smear campaigns, see for example the recent edited volume by César Rodríguez-Garvito and Krizna Gomez, *Rising to the Populist Challenge: A New Playbook for Human Rights Actors*, (Bogotá: Dejusticia, 2018).

THE CIVIC SPACE INITIATIVE

Background

The Civic Space Initiative (CSI) aims to protect and expand civic space at the global, regional, and national level. Founded in 2012 to address the global trend of increasing restrictions against civil society and its space to operate, the CSI brings together four international nongovernmental partners: the International Center for Not-for-Profit Law (ICNL), Article 19, CIVICUS, and the World Movement for Democracy. It receives financial support from the Government of Sweden.²⁴

During its first phase, 2012–2016, the CSI worked on eight separate initiatives, each led by a distinct member organization, including activities to shape the content of relevant international law, raise public awareness, and facilitate research on the issue of closing civic space.²⁵ Now in its second phase, 2017–2021, the CSI continues its prior work but focuses on three overarching priorities: (1) influencing policy actors on the national, regional, and international level to protect civic space; (2) empowering civil society actors to advance and promote civic space freedoms; and (3) increasing the awareness and engagement of targeted segments of the public so they help open civic space.²⁶

To foster these strategic priorities and help protect and enhance civic space, the CSI carries out several activities on various levels.

On the global level, the CSI focuses on two distinct areas of engagement. First, it engages with the UN to help promote international law that protects civic freedoms and civil society’s right to operate. Second, it carries out global awareness-raising activities to educate the public on the importance of a free civil society and the negative effects of the current phenomenon of closing civic space. As part of its work with the UN, the CSI supports the UN Special Rapporteur on the rights to peaceful assembly and association, fosters collaboration among UN mandate holders on the issue of closing civic space,²⁷ and supports civil society’s participation in the UN Human Rights Council’s Universal Periodic Review²⁸ to raise concerns about civic space issues.

On the regional level, the CSI aims to advance the civic space norms within regional human rights mechanisms in Latin America, Asia, Europe, and Africa. For example, the CSI engaged with the African Commission on Human and People’s Rights (ACHPR) to develop “norms for the freedom of assembly and of association that are specifically tailored to the regional context,”²⁹ and promoted civil society participation in norms and guidelines formulation processes. It has supported advocacy and engagement with networks at the Organization for Security and Cooperation in Europe, Association of Southeast Asian Nations, and the Organization of American States.³⁰

On the country level, the CSI focuses on the legal environment for civil society, pursuing three

24 “CIVICUS Civic Space Initiative,” CIVICUS, <https://civicus.org/index.php/what-we-do/knowledge-analysis/civic-space-initiative>; “The Civic Space Initiative (CSI),” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/index.html>.

25 A full list of the mentioned eight initiatives can be found at “About the Civic Space Initiative (CSI),” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/About.html>.

26 “The Civic Space Initiative,” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/index.html>.

27 More information on activities on the UN level in 2017 are available “Civic Space Initiative,” World Movement for Democracy, <https://www.movedemocracy.org/defending-democratic-space/civic-space-initiative>.

28 The Universal Periodic Review is a universal peer review mechanism that provides the opportunity to review states’ commitment to their international human rights obligations. It ultimately aims to improve the human rights situation worldwide and to address human rights violations wherever they occur (UN Human Rights Council, <http://www.ohchr.org/en/hrbodies/upr/pages/uprmain.aspx>).

29 “Regional Human Rights Mechanisms,” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/regional.html>.

30 *Ibid.*

main goals: (1) promoting laws and regulations that enable civil society, (2) preventing restrictive legislation, and (3) empowering local actors to advocate for these aims. CSI recently provided technical and advocacy support³¹ to CSOs and state actors in over 35 countries across the globe, among them Myanmar, Tunisia, Kenya, and Bolivia.³²

Successes, challenges, and best practices

1. Awareness-raising activities

Under the umbrella of the CSI, its members—especially CIVICUS and the World Movement for Democracy—carried out several global and regional awareness-raising activities on the importance of civic freedoms and the threat of closing civic space. In order to raise visibility and educate the general public on the vital role of civil society, CSI members employed a communication strategy that particularly focused on the use of modern technologies such as audiovisual media, online platforms, and social media.

For example, CSI produced a series of short films and videos that portrayed civil society activists and the challenges they face at the grassroots level in countries such as Zimbabwe, Pakistan, and Iraq.³³ These films received large viewings, helped raise general public awareness of the importance of civil society, and positively influenced how civic space issues are framed in local contexts.

To raise awareness on increasing attacks on basic civic freedoms, foster discussions, and build glob-

al solidarity, CIVICUS also launched the campaign and online platform “Be The Change,” which used short videos³⁴ and social media to connect and motivate people to take action on behalf of threatened civil society actors. The online campaign culminated in four days of global civic action that included over 230 events in 65 countries, with over 46,000 attendees and an online reach of over 7.5 million people.³⁵

According to CSI personnel, it was the innovative communication tools—videos, films and social media—that were particularly effective in raising visibility and mobilizing large segments of the global and local general public to engage on behalf of civil society freedoms. This engagement with wider audiences in turn helped break down existing prejudices and stigma that repressive governments use to discredit and isolate civil society actors and helped endangered CSOs become more resilient.

2. Support for international and regional human rights bodies

As outlined above, the CSI closely collaborated with UN bodies such as the UN Human Rights Council and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association. For example, the ICNL, under the umbrella of the CSI, provided technical assistance, legal expertise, and human resources to former UN Special Rapporteur Maina Kiai and thus helped to develop a report that highlighted civil society’s right to access

31 One specific initiative to support local advocacy is the “Enabling Environment National Assessment” (EENA) under the leadership of CIVICUS. EENA is a research initiative aimed at creating evidence-based advocacy tools for an enabling legal environment on a national scale. It focuses on countries where civil society actors experienced restrictions or threats to their legal and regulatory environment. During the first round, EENAs were carried out in eight countries. “CIVICUS Civic Space Initiative,” CIVICUS, <https://civicus.org/index.php/what-we-do/knowledge-analysis/civic-space-initiative>.

32 “The Civic Space Initiative,” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/index.html>.

33 “Raising Public Awareness,” The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/awareness.html>.

34 “Voices for Change,” CIVICUS Be The Change, <https://www.togetherwespeak.org/stories/>.

35 Ibid.

resources.³⁶ The report was a particular success: it received high levels of attention, was instrumental in putting the issue of funding restrictions on the international agenda, and served as a powerful advocacy tool against these restrictions.

Despite these successes, the CSI—like the World Movement for Democracy—observed ongoing challenges when it came to how well these norms resonated with the public and civil society on regional and national levels. Meanwhile, national governments often successfully portrayed these norms as illegitimate attempts at interference by foreign actors. To overcome this challenge, the CSI works with regional human rights bodies to foster the promotion of regional standards and guidelines that protect civil society. Regionally developed norms yield two distinct benefits over international norms. First, regional norms have a limited scope and are specifically tailored to their context, allowing regional CSOs to advocate for norms that speak to regional and local needs. Second, as these norms are exclusively developed by regional actors for their constituencies, they possess a higher level of legitimacy than norms generated externally. In 2017, for example, ACHPR published *Guidelines on Freedom of Association and Assembly in Africa*³⁷ which focuses on the issue of civic space, calls for its protection and enhancement, and condemns increasing restrictions. The CSI's role in this was merely supportive: its legal experts were invited to provide technical advice and comparative research. These guidelines were developed with broad participation of regional civil society actors and drafted by a study group that was entirely locally led. According to CSI staff, it is this local development of the standards—by Af-

ricans for Africans—that makes them more robust when used in regional advocacy efforts. It undermines the often-cited narrative that most norms calling for the protection of civil society actors are externally imposed, do not reflect regional values, and thus are not legitimate.

3. Advocacy campaigns on the national level

On the country level, the CSI helps local CSOs strengthen domestic efforts to create an enabling legal environment and push back against restrictive legislation. Based on the CSI's experience in providing technical and advocacy assistance to CSOs in over 35 countries, the initiative identified five key factors that increase the chances of successful pushback against planned legal restrictions. Although these factors do not guarantee success, in the CSI's experience they played important roles in cases where restrictive legislation was successfully fought off. These key factors can thus serve as a point of reference for other actors working to prevent a repressive legal environment for civil society.

1. Campaigns to halt the implementation of repressive NGO laws need to be led by domestic actors. International partners such as donors, the UN, or INGOs should adopt a solely supportive role and carefully consider the potential negative effects of their visibility in those campaigns. High visibility can, for example, foster governmental narratives of local civil society organizations following a foreign agenda—a narrative that is often used to justify restrictions on CSOs. To avoid these dangers, international partners should always make their strategic decisions in close consultation with local actors. Local actors know

36 United Nations Human Rights Council, “A/HRC/23/39: Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai,” http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A.HRC.23.39_EN.pdf.

37 African Commission on Human and People's Rights (ACHPR), *Guidelines on Freedom of Association and Assembly in Africa*, (Banjul, The Gambia: ACHPR), https://www.ishr.ch/sites/default/files/documents/guidelines_on_foaa_english.pdf.

when visible international engagement may be harmful or helpful.

2. Campaigns that bring together a broad range of local civil society actors are most powerful. Broad coalitions should ideally consist of human rights groups alongside service delivery, humanitarian, and faith-based organizations. This allows access to more resources. Moreover, an argument based on the unity of human rights and economic, social, and humanitarian considerations is particularly strong. Such a narrative makes it hard for governments isolate and stigmatize one specific part of the sector, as they often do to discredit human rights organizations. For effective coalition building, some form of shared concern among the different actors is important, but perfect unity is not essential. Creating a shared concern, however, can constitute a major challenge in the first place. This is especially true when government restrictions focus on particular segments of civil society, such as human rights and democracy groups. As a result, other segments of civil society may not believe they face a common problem, which negatively affects levels of mobilization.
3. External technical assistance, when carefully conducted, helps ensure that domestic actors leading a campaign have the best information available, either to develop successful advocacy strategies or to engage in dialogue with governmental or parliamentary policy makers. Technical assistance can thus help empower the local partners to carry out their activities as effectively as possible. In Myanmar, for example, the CSI provided technical assistance to CSOs in their participation in the development of the 2014 Association Registration Law (ARL).³⁸ Due to

unprecedented CSO participation in the drafting process, the new law, which replaced the far more restrictive Association Act of 1988,³⁹ marked a substantially improved legal environment for CSOs in Myanmar.⁴⁰

4. Much like the degree of engagement and visibility of international partners, how and when to use domestic and international media to highlight an issue requires careful consideration. On the one hand, media has great potential to reach and mobilize the public on behalf of civil society groups and can, in turn, help place pressure on the government. On the other hand, media coverage can undermine sensitive negotiations between local CSOs and state representatives, such as during joint legal drafting processes.
5. A multi-dimensional advocacy strategy is important. None of the above-mentioned factors standing alone, nor the combination of some or all, guarantees success. It is clear, however, that pushback against restrictive civil society laws is more likely to be successful if several advocacy and support tools interact and build on each other at the same time. These advocacy tools include media engagement, coalition building, domestic lobbying efforts with government officials, and international diplomatic engagement.

Key recommendations and conclusions

When summarizing lessons learned and best practices of the CSI, it is helpful to differentiate between those related to its specific activities and those related to organizational questions on how to operationalize a successful multi-partner initiative.

Regarding the CSI's own activities, the CSI notes an important lesson learned is that international ac-

38 "Civic Freedom Monitor: Myanmar (Burma)," The International Center for Not-for-Profit Law, <http://www.icnl.org/research/monitor/Myanmar.html>.

39 Ibid.

40 "Country Assistance," The International Center for Not-for-Profit Law, <http://www.icnl.org/csi/country.html>.

tors seeking to counter closing and promote open civic space should allow domestic civil society actors to lead such efforts. Regarding its efforts on the regional and national level, the CSI consulted closely with its local CSO partners and took a solely supportive role in cooperating with its partners. It thus avoided the harmful effects that can arise when international actors play too prominent a role in advocating for civic space, especially when they represent foreign governments.

In terms of lessons learned and best practices for creating effective multi-partner initiatives, CSI personnel note that strong levels of collaboration among members are crucial to successfully designing and implementing common activities. The value in such a collaborative approach lies in its potential to bridge different working methodologies of each member and avoid misunderstandings or information gaps. As mentioned above, the CSI in its first phase carried out eight separate sub-initiatives supervised by single members of the initiative. In its second phase, it revised this cumbersome structure to ensure a more collaborative approach, streamlined the activities into three priority areas, and established higher levels of exchange and cooperation between its members.

Another reported best practice is cooperation based on equality. Although somewhat hierarchical in its first phase, the CSI's structure applied a more equal, partnering approach in the second phase that greatly minimized administrative and operational challenges. The new cooperative approach, for example, changed the modality of funding flows to the initiative. During the first phase, funding was channeled through the ICNL, which redistributed the money to its partners. This model turned out to be impractical and caused a high administrative burden for

the ICNL. The initiative adapted by developing a funding model that directly channels the funds to the different members. This approach, however, requires some flexibility by potential donors, as they must be willing to adapt their funding requirements to the model of multi-partner initiatives.⁴¹

THE CIVIL SOCIETY INNOVATION INITIATIVE (CSII)

Background

Launched in 2014 to respond to the continuing global backlash against civil society, the Civil Society Innovation Initiative (CSII) is the result of a collaboration between USAID, the Swedish International Development Cooperation Agency (SIDA), the Aga Khan Foundation, and the Open Society Foundation in cooperation with Counterpart International and CIVICUS. The goal of the CSII is “to support new and established approaches to promote, strengthen, and connect a vibrant, pluralistic, and rights-based civil society in open, closing, and closed spaces.”⁴² For this purpose, the CSII has established seven regional civil society platforms, or hubs, operating in Latin America and the Caribbean, Africa, the Middle East and North Africa, Central Asia, East Asia, South Asia, and the Pacific.

The development and incubation of the hubs, 2014–2016, was based on a co-design approach that brought together donors, conveners (the two INGOs Counterpart International and CIVICUS), and over 250 local civil society actors.⁴³ By the beginning of 2017, the six existing hubs had started their work; the seventh hub was created later. By early 2018, according to CSII personnel, more than 200 civil

41 On funding models and regulatory alternatives, see for example, Rodríguez-Garavito and Gomez, *Rising to the Populist Challenge*.

42 Civil Society Innovation Initiative, <http://csiilearn.org>.

43 Ibid.

society organizations from 84 different countries across the Global South participated in the regional hubs. All activities and initiatives are designed, led by, and directed to support regional civic actors.

The regional hub for Latin America and the Caribbean focuses on how innovative topics and modern technology can strengthen civil society organizations in the region. For example, it created the sharing economy platform *comunidas.org*, which connects CSOs, social entrepreneurs, and academics to make the social sector in the region more effective.

The Africa hub is currently working to protect and expand civic space by promoting good governance, transparency, and accountability. In 2018, it launched a social innovation challenge to choose and support three ideas that innovatively tackle the issues of accountability, transparency, and natural resource management on the African continent.

The Middle East and North Africa hub specifically works to promote coordination and collaboration between CSOs in the region, focusing on developing instruments for sharing expertise and resources. It also fosters partnerships between civil society actors and social entrepreneurs to increase civil society's sustainability and accountability.

The Central Asia hub is implementing innovative ways to counter state-imposed restrictions against civil society groups. It hosts networking and skill-sharing events to foster partnerships between local government officials and civil society organizations. Having successfully brought together more than 150 activists, CSO members, and government officials in 2017, the advancement of state-civil society partnerships remains a strategic priority for the hub in 2018.

In 2017, the East Asia hub focused on capacity-building and security trainings for their network members; it hosted events and trainings, four inter-regional community exchanges, and an innovation fair.

The South Asia hub is generating ideas about how to create an enabling environment for civil society to operate in closed spaces where government restrictions impede the ability of CSOs to work and collaborate. In response to the increasingly restrictive environment and shrinking funding, the South Asia hub has launched a series of innovative funding trainings to equip CSOs with the tools necessary to access untapped financial resources in the region.

The Pacific hub is the newest platform and came together at a 2017 youth co-design workshop concluded in Fiji, where a loose organizational structure and potential products and services were determined. Led by youth leaders—the first hub of its kind—the Pacific hub's priority is to address the effects of climate change, lack of financial resources for social change, transparency, and mobilizing youth to engage in civil society activities.

Successes, challenges, and best practices

1. The approach of co-design

The CSII was created as a response to two observations. First, donors such as USAID and SIDA are continuously struggling to find strategies that effectively counter closing civic space and strengthen local civil society organizations. Second, local CSOs regularly report that many donor-developed strategies to defend civic space overlook crucial aspects of the problem and are not attuned to the specific local context, sometimes leading to local CSO discomfort with externally designed strategies. According to the CSII representative, these observations led the founding partners of the CSII to conclude that they needed to move away from traditional donor-designed strategies such as simple capacity building measures for local CSOs and try a different, more inclusive approach in addressing closing space. This revisiting led to the CSII's approach of co-design: to break the paradigm of donor-driven processes, the CSII from the very beginning brought together do-

nors, INGOs, and local civil society actors for the design process. As the CSII aimed at creating as open and inclusive a process as possible, the only predetermined decision was the establishment of regional hubs as peer-to-peer platforms for CSOs. Everything else, such as the creation of the hubs' infrastructure and their strategic priorities and activities, was based on collaboration and inclusiveness.

Co-design was reported to be a remarkable success, as it “turned a traditional, donor-driven process on its head”⁴⁴ and thus marked “a departure from how we traditionally approach development,”⁴⁵ according to CSII’s website. From the very beginning, the co-design approach focused not on donors’ problem analyses but on local CSOs’ perspectives and needs and put these at the center of the hub creation process. This local needs-based approach inspired intense debates and led donors, INGOs, and local CSOs to think out of the box and collaboratively develop innovative⁴⁶ solutions that amplified existing strategies to defend civic space. The more the process of hub creation advanced, the more donors were asked to move from a participatory role to an observational one. Simultaneously, ownership and responsibility were gradually handed over to the local CSOs. According to CSII staff, this shift from a top-down to a bottom-up as well as demand-driven strategy allowed local CSOs’ motivation and self-confidence to develop and assert itself uninhibited by the usual restraints, and it allowed local CSOs to assume ownership of both the processes of hub creation as well as service development. With regard to hub creation, for

example, the participating CSOs autonomously decided to redesign the regional division of the hubs as originally envisioned by the co-designing partners: based on the assessment of their regional needs, they decided to merge two proposed Africa hubs into one, while they separated two Asia hubs into three.⁴⁷

As much as co-design fostered the empowerment of local actors, it was also an untested and challenging approach, particularly for the participating donors. As mentioned above, the more the process advanced, the more donors were asked to step back and take an observer role in the design process. Unaccustomed to this role, donors required some time to adapt. A best practice to enable and support this process was regular meetings among the donors, which provided space for them to reflect on their role. Another challenge, especially for the local CSOs, was to meet donors’ expectations of developing “innovative strategies.” This was difficult because there was no definition of “innovation” and because some stakeholders wanted to build on existing strategies. A best practice to overcome this challenge was the early development of a shared definition of innovation (see footnote 46) and the inclusion of technical experts who supported the strategy development of the hubs by providing constructive feedback.⁴⁸ These adjustments ultimately paved the way for the development of innovative, demand-driven ideas on how to work against closing civic space at the regional level.

44 Ibid.

45 Ibid.

46 “Innovative” in that sense is defined as follows: “[1] using an existing products in a new space, [2] using a new product in an existing space, [3] using a new product in a new space, or [4] recombining existing products to address new contexts”; “Setting Parameters and Managing Expectations,” (p. 3), Civil Society Innovation Initiative, http://csiilearn.org/downloads/csii_setting-parameters-and-managing-expectations.pdf.

47 “Connect | Fall 2015,” Civil Society Innovation Initiative, http://csiilearn.org/#/process/connect?_k=xjot5m.

48 “The Pitch | Spring 2016,” Civil Society Innovation Initiative, http://csiilearn.org/#/process/the-pitch?_k=a07x7r.

2. Funding of the hubs

By early 2017, the six existing hubs had started their work and began to carry out the services developed during the co-design process. At that point, the participating local CSOs took over complete ownership of the institutionalized hubs, making sure that all future services, activities, and strategic adaptations would be designed only by local actors and reflect specific local needs. CSII personnel noted that the modalities of donor funding proved to be a major challenge to transferring decision-making power to the regional level. The CSII uses three different pots of funds to financially support the regional hubs, two of them established by USAID and channeled via the Tides Center and Counterpart International and one of them funded by SIDA and managed by CIVICUS. This fragmentation of funding led to confusion among the regional hubs on how and where to apply for funding and resulted in substantial workloads to deal with varying funding and reporting requirements. The funding modalities themselves posed another challenge. Some requirements openly link local CSOs to donors and can thus place local CSOs at risk of increased repression due to this exposed connection. Other funding modalities, such as the traditional call-for-proposal approach, can hinder innovation within the hubs, since many non-traditional activities do not fit the calls' requirements.

To overcome these challenges, the CSII is in the process of adapting the funding structure and seeks to streamline the different funding requirements. Counterpart, CIVICUS and Tides have recently re-envisioned their multiple funding sources into what they call a Civic Innovation Pipeline, similar to innovation pipelines in the business or technology development fields. The Civic Inno-

vation Pipeline lines up the potential funding sources in logical sequence from smaller, mostly local, prototyping funds to larger, network-wide level implementations.⁴⁹

Furthermore, the initiative this year adopted a co-design approach in proposal writing between the donors and the hubs so as to reduce the bureaucratic burden for the local partners. To improve the programmatic autonomy of the hubs, core funding is now being provided to each hub to hire key staff to manage the work load. In addition, the hubs will receive annual or bi-annual funding based on their respective work plans. For that purpose, the tentative plan is to establish one joint pot of funding that both Counterpart and CIVICUS will supervise. Once established, Counterpart and CIVICUS will analyze the different work plans and match the funding requests with the varying funding streams and their requirements.

3. The activities of the hubs

Even though funding is an ongoing issue, the hubs are reportedly very effective in developing and implementing strategies that strengthen local civil society and defend civic space. According to the representative, the East Asia hub, for example, was very successful in breaking silo thinking both within the CSO sector and between CSOs and other actors, such as media representatives. Having observed that despite the variety of civil society groups and alliances in East Asia, there is little collaboration among them, the hub initiated several "regional solidarity dialogues" across East Asia. These dialogues brought together numerous civil society representatives with diverse backgrounds (e.g. environmental, service delivery, or advocacy) and gave them a space to exchange ideas and to collaboratively plan

⁴⁹ In order to test an idea, a local partner can quickly get a small amount of funding. If the idea is successful, it can apply for a second stage tranche with more funding for implementation. If that stage is successful and if the partner would like to try up-scaling, there is an option to go to the respective regional hub for third stage funding to scale the idea to the region, or perhaps even network-wide.

action. Aimed at creating new partnerships, the hub also facilitated dialogues between civil society actors and partners from other sectors, such as governmental agencies, businesses, and the media. A dialogue between CSOs and media practitioners in 2017, for example, helped them identify how they could strengthen each other's ability to safeguard civic spaces, reinforcing cooperation between civil society and the media.

To promote successful cooperation between local and international partners of the initiative, the CSII also established the so-called helper-hub consisting of CIVICUS, Counterpart, and Tides representatives. The hub becomes active only when local civil society partners demand assistance in the implementation of envisioned campaigns or activities. It then serves as an agency that provides supporting services to the local CSOs, e.g. by facilitating meetings, providing expertise, or activating its network to support locally led activities. This approach ensures that leadership of all activities lies with the hubs and addresses a lack of resources on the local level.

Key recommendations and conclusions

Based on CSII's experiences, two key recommendations are:

First, organizations should move away from donor-dominated processes and instead use a co-design approach to develop strategies for addressing closing civic space. Co-design brings different actors together from the start and strengthens the role of local civil society actors in developing strategy. It can be a powerful tool to develop innovative and demand-driven approaches to defend and promote civil society freedoms.

Second, and relatedly, it is important to create an atmosphere that grants all participants the

freedom to test ideas and approaches. This point requires flexibility, particularly by the donors, because they need to move away from short-term thinking and instead allow local actors to take their time to test, discard, or rethink developed strategies. This kind of freedom and flexibility generates sustainable learning and thus contributes to developing strategies that work in the long run. Also, as CSII's experience demonstrates, the civil society-run hubs are widely perceived as success stories by donors and local actors alike. This reminds us that we should adhere to the often-expressed but seldom followed promise of "letting the local take the lead." This also requires donors to move away from strict funding regulations oriented to the short-term, and instead to adapt flexible funding mechanisms that support locally-led strategy development and implementation processes. Core funding provides local civil society actors with the most reliability and security in funding schemes.

CONCLUSION

The three initiatives portrayed here—the World Movement for Democracy, the Civic Space Initiative, and the Civil Society Innovation Initiative—share many experiences and have often found similar solutions to similar problems. This is not surprising, considering that these initiatives are related to each other.⁵⁰ We examined elements that these organizations consider best practices and lessons learned for effectively responding to closing civic space. All three initiatives have, to varying extents, highlighted the importance of the following:

1. Local leadership in responding to increasing restrictions and threats against civil society is

⁵⁰ These initiatives often strongly overlap in terms of administration and executives as well as funding. Whether or not this might be problematic in some instances—conceptually and practically—is beyond the scope of this report, but certainly a question worth asking.

key. External actors and organizations should carefully consider their role in crafting and supporting these responses and always coordinate and align their actions with—and potentially adjust to—local actors. Cooperation in all stages of a response, based on a relationship between equals, is essential to effective action.

2. CSOs' effective communication approaches contribute to constituency-building and thus to local CSOs that are more resilient in the face of repressive measures. The use of modern and innovative communication tools and the development and communication of local narratives are most promising efforts in this regard.
3. Many current donor funding requirements do not align with the needs of endangered CSOs on the ground. Inflexible, short-term, project-based funding models undermine local leadership of activities to fight back against closing space and impede CSOs' ability to engage in long-term strategy development. Donors should therefore adopt more flexible and sustainable funding modalities and, ideally, provide core funding to local partners.

While many of the measures described here have proven successful, they also have limitations. For example, the report emphasizes the need for more effective communication approaches to reach and build constituencies that support endangered civil society organizations. This approach, however, presumes that the problem is one of miscommunication, and not one of actual difference in values and opinions. As one of our interviewees pointed out, pro-democracy and human rights actors should be aware that efforts to close civic space measures might result not from a communication problem but from more fundamental differences in values. In the latter case, the problem cannot simply be resolved by improving communication but requires deeper analyses on how to effectively address the issue. If different fundamental values

are at the root of a conflict, this needs to be recognized and addressed, and solutions on how best to bring these positions to a shared understanding should be explored.

Similarly, letting locals take the lead is, without a doubt, crucial—normatively as well as practically. However, who “the locals” are—or who civil society and its representatives are—is a matter of long and complex debate, and external parties often bring specific assumptions to the table. External parties often assume that civil society organizations and actors are accountable, responsibly fulfill their mandate, and are legitimate representatives of larger, less formal civil society actors, at least to some extent. This may or may not be the case and can lead to frustration. The relationship between external donors and local recipients of aid is complicated by many factors, not least that highly professionalized CSOs may have adapted their work according to donors' rather than citizens' priorities or needs. In general, it is worth considering the extent to which the larger civil society of the country or region at hand is represented by aid receiving groups, whether it agrees with the described approaches to countering closing civic space, and how inclusive the dialogue is.

These considerations are a reminder that careful analysis of the particular context and relevant actors is the key to understand each situation. Socioeconomic and political context analyses are still too seldom carried out but are important in terms of understanding and responding to the varying motives of actors seeking to restrict civic spaces. While certain measures in response to closing civic space can be helpful in one context, they might be disastrous in another. Consider, for example, the visibility of external actors, who can either persuade recalcitrant governments to ease measures against civil society organizations, or provoke them to dig in their heels and increase

restrictions even further. There is no single blueprint. However, this report's reflections on three large initiatives provides a crucial starting point for civil society actors and donors when re-evaluating their approaches and crafting new ones in an attempt to reclaim space for civil society.

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