Challenging the Closing Space for **Civil Society**

A practical starting point for funders

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Contributors to the Funders' Initiative for Civil Society

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The global trend of the closing space for civil society, and the disabling environment for cross border funding, is having a serious impact on the ability of a wide variety of organisations, community groups, NGOs, civil society leaders, funders and donors to carry out their work, and is attacking civil society as a whole. Restrictions have been directed at respected development organisations, humanitarian organisations working in areas of conflict and great poverty, social change and justice initiatives, environmental and education charities, and independent donors, who have found themselves outlawed and vilified in different countries around the world.

The aim of this report is to give all funders and members of civil society a practical starting point for thinking about possible approaches for working together and contesting the closing space for civil society. The report, drawing on funders' workshops on closing space, and other reports and responses, shares the perspectives of numerous donors, civil society representatives, and experts engaged with this issue and offers ways of aligning work moving forward.

This report comes from the Funders' Initiative for Civil Society (FICS), which a number of donor organisations have committed funds to set up, and which aims to develop a coherent and strategic response to this trend. This new initiative will help private funders align their efforts in this field, provide information to civil society organisations about the different forms of support available, begin to build cross-sector networks between humanitarian, environmental, development, democracy and peace-building, indigenous rights, social change and human rights funders, and start work on creating better channels of communication with state actors and international institutions.

The Funders' Initiative for Civil Society is housed at Global Dialogue in London. Protecting civil society space is a long-term endeavour and one of the key challenges is how to bring on board decision makers who influence power at the national and international levels. This requires resources, knowledge and political connections. Another challenge is addressing the competing interests currently at play: ensuring that increasing security and economic interests do not trump the creation of a positive and enabling environment for civil society to flourish. These are political challenges and so the kind of response needed is not simply through funds. What is needed is a coordinated approach which combines the knowledge and networks of a variety of philanthropic actors working together with a targeted strategy. This is what FICS has been set up to achieve.

You can find out more by joining the Ariadne, IHRFG and EFC online community, *'Donor Working Group on Cross Border Funding'* or *'Dealing with the Disabling Environment for Funding',* where funders, NGO leaders and other actors, who support an open and tolerant civil society, share strategies and resources in real time. This is password protected on the Ariadne portal; if you are a funder or a member of civil society please e-mail info@ariadne-network.eu to request to join.

Funders' Initiative for Civil Society Advisory Board

Global Dialogue

Closing Space – Who does it impact?

"In the early hours of March 3, 2016, human rights and environmental activist Berta Cáceres was brutally murdered, only days before leading a forum against the expansion of mining on the traditional lands of the indigenous Lenca people in Honduras. Cáceres had led a decade-long fight against a project to build the Agua Zarca Dam along the Gualcarque River, a project which threatened the livelihoods of hundreds of Lenca families. Under her leadership, the Honduran indigenous rights group COPINH brought legal charges against the project, organised community resistance, and brought the case to the Inter-American Human Rights Commission. The communities scored major victories, including compelling two major international investors to withdraw funding for the dam. In 2015, this success won Cáceres the Goldman Environmental Prize, given to grass-roots leaders who build community support to protect the environment. The impact of her activism also attracted unrelenting threats, kidnapping attempts, and efforts to criminalise her work. While the local investigation so far has failed to identify who directly perpetrated the crime, rights activists attribute her murder to an alliance of corporate and state actors who stand to profit at the expense of local communities and act with impunity to silence independent activists and groups that speak out against them."

Fund for Global Human Rights
March 2016

"Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade… Their goal is to stop any major project no matter what the cost to Canadian families in lost jobs and economic growth. No forestry. No mining. No oil. No gas. No more hydro-electric dams… (these groups) threaten to hijack our regulatory system to achieve their radical ideological agenda… and use funding from foreign special interest groups."

Canada's Natural Resources Minister Joe Oliver, speaking in 2012 about Environmental and other "radical groups" who, he claims, are trying to block trade and undermine Canada's economy

Indonesian Defense Minister Ryamizard Ryacudu called Indonesia's LGBT community "a threat" that he likened to something worse than nuclear bombs, and the country's Vice President called for the United Nations to stop funding a programme that is meant to end the stigma, discrimination, and violence LGBT people face in Indonesia.

Think Progress blog,
March 2016

"There is no better example of the crucial role of independent NGOs and volunteers than in the Greek islands over the last year and for long before that. Now the Greek state at the behest of the EU is seeking to get all volunteers to 'register' with the police and hand over lots of personal data including previous 'activities' - they are being asked to spy on themselves… Demands that NGOs hand over personal details of all their members to the state have no place in a democracy. The exceptional measures being taken in Greece may become the norm across the EU if not challenged now by NGOs and civil society."

Tony Bunyan, Statewatch Director, commenting on the news that NGOs and volunteers helping refugees in Greece were to be placed under state control, February 2016

"An ecological support group in Russia running a protected site for cranes has been branded as a "foreign agent" by Russian prosecutors. The group says it is "outraged" that its members have been branded "foreign agents". Set up by Russian ornithologist Sergei Smirensky, it says it has no other activity than running a small reserve protecting rare birds from forest fires and poachers, and running ecological awareness groups for children. The group says it cannot put up with the burden of being classed as a foreign agent, which incurs considerable extra supervision from government and time-consuming red-tape for disclosure of funding and reporting on activities. Crane Homeland says it gets some funding from the International Crane Foundation."

Sputnik News report (International News Agency), May 2013

"The signal that they are sending by making a case out of Greenpeace to larger civil society is that if you challenge our policies then we will come after you" – Vinuta Gopal, acting head of Greenpeace India, commenting after the group was labeled 'anti-national' by the Indian Government for its campaigns against coal mining, genetically modified crops and nuclear power. The group's bank accounts were blocked, foreign workers were deported, and Indian staff were stopped from travelling overseas.

The Guardian, September 2015

"In 2012, Islamic Relief Worldwide, the largest British Muslim INGO, with operations in over 30 countries, discovered that donations that accountholders at Swiss bank UBS had tried to send the charity had been blocked. In 2014, the Ummah Welfare Trust, which has operations in the Gaza Strip, was notified by HSBC that its account was to be closed. Another INGO estimated that it had foregone £2m in donations in 12 months as a result of funds being blocked. Another INGO explained that all of its attempts to transfer funds for aid operations in Myanmar had been blocked by its main bank due to international sanctions."

Research from an ODI-commissioned report, 'UK humanitarian aid in the age of counter-terrorism: perceptions and reality'

"An Overseas Development Institute report found evidence that some INGOs operating in Syria, Gaza and other high-risk contexts are taking decisions on where to operate and which affected communities to provide aid to in part on the basis of their risk of exposure under UK and other counter-terrorism measures."

Christian Aid Ireland submission to the OHCHR consultation on civil society space, July 2015

"The voluntary sector's independent voice, freedom of purpose and action are being undermined by a negative climate. This includes the Lobbying Act, 'gagging clauses' in public service contracts, new restrictions on the ability of voluntary organisations to use the courts to overturn poor Government decisions, truncated government consultations, commissioning and procurement for public services that does not support independence and diversity in the voluntary sector; and weakened safeguards to protect the sector's independence… It is becoming more common for Government Ministers and MPs to attack campaigning by the sector."

Panel on the Independence of the Voluntary Sector voicing its concerns for the future of an independent voluntary sector in the UK

"The undersigned organisations condemn the orchestrated, escalating assault on Egyptian civil society who see in recent measures an attempt to entirely eliminate rights organisations by reopening case no. 173/2011, known as the foreign funding case, and deploying the judiciary as a political and security weapon to achieve objectives that inflict grave harm to justice and human rights... The handpicked investigating judges in the foreign funding case took a series of measures against leaders and staff at a number of rights organisations, including travel bans and summons for questioning. In addition, Hossam Bahgat, the founder of the EIPR, and Gamal Eid, the director of ANHRI, along with two members of his family, had their assets frozen. The undersigned organisations expect additional repressive, retaliatory measures in the near future, not only to gag these organisations, but to silence the sole remaining voice of tens of thousands of victims of human rights abuses."

Extracts from a joint press release from Egyptian NGOs in March 2016

"Two years after we first raised the alarm, we are still receiving numerous reports on how the anti-terrorism law is being used to target journalists, bloggers, human rights defenders and opposition politicians in Ethiopia… Torture and inhuman treatment in detention are gross violations of fundamental human rights… Confronting terrorism is important, but it has to be done in adherence to international human rights to be effective. Anti-terrorism provisions need to be clearly defined in Ethiopian criminal law, and they must not be abused."

A group of United Nations human rights experts appealing to Ethiopia to stop manipulating anti-terrorism laws to curb freedoms of expression and association in the country – This Is Africa, September 2014

An Israeli bill targeting groups that campaign largely on Palestinian human rights issues has overcome its first hurdle in the process to become law. The proposed legislation, which would compel NGOs receiving most of their funding from foreign governments to declare it in official reports, has passed its first reading in the Israeli parliament. An earlier version of the bill stipulated that these organisations' employees would be mandated to wear badges labeling them as being funded by foreign governments during visits to the Knesset, Israel's parliament.

Al Jazeera, February 2016

A federal screening programme designed to uncover terrorists working for U.S. government-backed aid organisations has drawn criticism from groups that say the vetting process is overly intrusive, undermines their mission, and could endanger the lives of their employees. The vetting system prompted several aid groups to pull out of U.S. government-funded projects, including Mercy Corps, which backed out of a $38 million USAID programme aimed at helping farmers in four northeastern provinces in Afghanistan because it did not want to turn over the names of its local partners. "The requirements of PVS (Partner Vetting System) will undermine the trust that communities where we work have in us," said Craig Redmond, Mercy Corps' senior vice president of programmes.

Philanthropy News Digest, July 2015

"The Chinese authorities have ordered a leading women's legal aid center in Beijing to shut down operations, another sign of a continuing crackdown on civil society. As word spread of the closing of the Beijing Zhongze Women's Legal Counseling and Service Center, many women's rights advocates expressed shock. The center was highly symbolic for having been born of the United Nations Fourth World Conference on Women in Beijing in 1995. "It looks like they are trying to crush all people with any influence," said a longtime women's rights campaigner who requested anonymity while discussing a politically sensitive matter. "As far as well-known people go today, it's 'kill one and scare 100' to make sure no one else tries to do anything. Controls on thought and speech are intensifying. The repression of lawyers and NGOs is growing."

New York Times, January 2016

"Human rights defenders in Hungary are increasingly working in a rather polarised and politicised environment," said the UN Special Rapporteur on the situation of human rights defenders at the end of the first visit to the country, while criticising attempts to de-legitimize defenders and undermine their peaceful and legitimate activities through criminal defamation and excessive administrative and financial pressure. "In the context of the refugee crisis and the excessively manipulated fear of the 'other' in society, defenders face public criticism by government officials, stigmatisation in the media, unwarranted inspections and reduction of state funding."

OHCHR, February 2016

Background

By **Poonam Joshi, Fund for Global Human Rights**

Since January 2012, more than 100 laws have been proposed or enacted by governments aimed at restricting the registration, operation, and funding of non-governmental organisations (NGOs), in a context where the majority of civil society organisations globally have little support from funders in their own countries. While such legislation usually applies to all non-profit organisations, the smear attacks accompanying legislative change target civil society in different ways. While human rights activists are accused of being foreign agents, environmental activists are finding themselves branded as anti-economic development and a threat to security, and development and humanitarian groups are facing accusations of corruption and a lack of accountability. The vilification of civil society actors leaves them even more vulnerable to attack.

In the short term, this phenomenon of closing space is disrupting, and in some cases paralysing, the day-to-day work of a range of civil society actors who are being forced to divert limited time and resources towards navigating restrictions and responding to administrative and judicial harassment. In the long term, the phenomenon threatens to weaken irreversibly the infrastructure of human rights and environmental movements, but could also roll back gains on development, peace and security.

While the nature of restrictions varies, common elements of restrictive laws include: increased powers for governments to decide which NGOs can register; increased scrutiny of NGOs' activities and sources of funding; and in some cases, a requirement for government approval for those seeking cross-border funding.

Laws are often vague, allowing governments to disrupt or block the registration, operation or funding of NGOs on the grounds of 'national security,' 'economic interests,' 'sovereignty' and 'morals and values,' and leaving NGOs with limited recourse against these decisions. This allows governments to use the laws in a politically motivated way to stifle or silence specific groups.

In particular, restrictive laws have been used to:

- Target organisations that are critical of the state and undertake advocacy, litigation and mobilisation to hold governments to account on their human rights obligations;
- Target activists who scrutinise public policies and, especially, counter-terrorism policies;
- Harass environmental and human rights activists who challenge the economic interests of states and corporations;

- Restrict the autonomy of development actors by requiring them to openly operate with government approval and in line with government development goals;
- In some cases, target organisations who work on contested and marginalised issues, including women's rights, LGBTI rights, migrants' rights and the environment.

Funders also face challenges in maintaining their support for public benefit work in countries like Algeria, China, Columbia, Egypt, Ethiopia, Hungary, India, Russia, Syria, Venezuela and Zimbabwe, and anticipate problems in other countries where similar laws are being proposed, such as Bangladesh, Cambodia, Pakistan and Uganda. Funders grapple with how to continue supporting organisations which are denied permission to receive specific grants or to receive foreign funds in general. In some cases, the media has publicised the sources of foreign funding for targeted human rights organisations, leaving funders' programmes and staff vulnerable. Donors have also seen grantees painted as foreign agents in orchestrated defamation campaigns by governments and media. This has particularly been the case for grantees who received bilateral funding (i.e. from a single state donor).

The closing space phenomenon, strikingly, is not limited to autocratic states, such as Russia and Egypt, but has spread to democracies including India, Canada, Hungary, Mexico and the UK. Civil society experts have noted a contagion effect, where repressive laws introduced in one country are copied by neighbours, leading to a regional shrinking of civil society space.

Drivers behind Closing Space

These are often hard to discern as governments cloak restrictions in justifications around 'national sovereignty and interest' and 'national security'. Drivers include the global loss of democratic momentum, the rising power of political systems and leaders opposed to universal values, and the fear of many power-holders of the capacity of independent civil society to challenge and hold to account entrenched regimes, especially following recent revolutions in the former Soviet Union and the Middle East and North Africa.

The heightened international focus on counter-terrorism has also contributed heavily to the restrictions. More than 140 governments have passed counter-terrorism legislation since September 11, 2001, often in response to U.S. pressure, UN Security Council resolutions, and the counter-terrorism guidelines developed by the Financial Action Task Force (FATF), an international body established in 1989 to combat global money laundering, and after the 9/11 attacks, terrorist financing. Mandatory compliance with FATF standards has led to a tightening of control over the funds civil society can receive. One of the FATF recommendations (Recommendation 8) singles out the NGO sector as being particularly vulnerable to abuse for financing terrorism and recommends that governments take steps to prevent this. This standard has been used by some governments to introduce laws to restrict the flow of cross-border funding of civil society groups, and has also impacted the ability of humanitarian, peace-building, and development groups to send aid to extremely vulnerable communities in conflict zones controlled by extremist groups.

The push for economic growth and the power of corporations has also been identified by funders and activists as an emerging driver. The Indian and Canadian governments, as two examples, have introduced repressive laws and engaged in smear campaigns targeting resource and labour rights activists opposing aspects of their development policies, including foreign investment and large infrastructure projects. In Russia, the government, with the complicit support of business actors, has used the 2012 Foreign Agents Law to smear and administratively harass anti-nuclear activists, potentially rolling back three decades of progress on the disposal of nuclear waste and decommissioning nuclear reactors in the aftermath of Chernobyl.

Agreements around 'host country ownership' and 'aid effectiveness' have been used by aid recipient governments such as Ethiopia and Egypt to justify increased control over aid monies and, in turn, constraints on international funding for both development and human rights organisations.

The inconsistent approach of democracies and multilateral institutions to governments which undermine the enabling environment for civil society has in turn emboldened those seeking ways to control or stifle civil society. Economic, political and security interests have often been allowed to trump concerns about rule of law, human rights, development, peace and security, environmental protections and civic space, and opportunities to use economic or political leverage to halt the introduction of restrictions, for example in Ethiopia and Azerbaijan, have been squandered.

Overview

"There is tremendous diversity to this problem. This should push us harder to think about the sources, which are multiple and to not view it as a straightforward trend. We need to go inside the reality of each place where this is happening - and look at local elements, nationalism and cultural challenges."

Thomas Carothers,
Carnegie Endowment for International Peace

Overview of the problem:

Drawn from an interview at a funders' workshop on closing space between ***Jo Andrews, Ariadne – European Funders' for Social Change and Human Rights and Thomas Carothers, Carnegie Endowment for International Peace,*** as well as a number of reports and articles that he has authored on this topic.

Closing space for civil society is not a short-term phenomenon but instead a much larger tectonic movement, with two large trends that have come together to drive it; namely, a shift in power and relations between 'the West and the Rest', and the recognition of the power of civil society, which has generated fear in some power holders.

The counter-terrorism agenda continues to clash with civil society and generate a sense of fear; anti-migration sentiment is feeding into the same space.

It is frustrating to work with governments who on the one hand say they accept the issue is serious, but on the other are creating new obstacles. How do we get across the need for a joint response?

It is important to get governments to see that democracy, the economy and security, are not countervailing interests, but that trying to increase security by squeezing civil society actually sows the seeds of anger, radicalisation and long-term instability.

In some countries it really is the 'foreignness' of support that is aggravating issues, if this is relieved it will improve things, whereas in other countries they really don't want any civil society activity, however locally led it may be. Funders and civil society leaders need to distinguish in each context if this is about foreignness or values.

This is a global and multifaceted problem facing actors from the full spectrum of civil society, and so it is vital that there be recognition of and a response to the issue from development, humanitarian, human rights, environmental, social change and social justice communities alike. Different groups of funders and actors have experienced different manifestations of the closing space phenomenon in different ways and contexts, and in some ways the issue has intensified uneasiness between these groups. Development funders can be wary of joining closing space responses with more politically oriented funders that support human rights or democracy-building work, for fear that their work and access will suffer by association with more political actors. On the other hand, some contend that Western civil society assistance, especially as practiced by large official humanitarian aid providers, has brought the problem of closing space on itself by funding professionalised NGOs that are at good at carrying out donor agendas but bad at developing local support and legitimacy.

As an increasing number of development aid groups experience negative actions from host governments – such as Mercy Corps and Cordaid being put on the Indian government's watch list and Save the Children encountering problems in Pakistan – development funders are beginning to accept that this is not a problem they can avoid. As the targeting of human rights defenders escalates alongside the increasing introduction of restrictive laws concerning NGO registration and the receipt of foreign funding, it is becoming clear that these challenges are part of a broader shrinking of civil space that requires a broader, coordinated response.

This is long-term work, we will not see abrupt shifts in the short term, we need to dig in for years of work on this and not expect sharp shifts in either direction.

Guidelines for funders

- Don't give up or back away
- Create wider sector networks – don't go it alone
- Take the multi-lateral level seriously - the UN, the EU and others matter
- Use emergency funds, smart adaptions, and new technologies
- Tie this to other policy levers such as trade agreements
- Advocate for understanding that a healthy civil society is a bulwark against extremism and violence
- Multiple strategies are needed

Responses to this Environment

In 2013 a group of foundations began to focus on the trend of closing civil society space and the disabling environment for cross-border philanthropy. This led to the creation of the Donor Working Group on Cross Border Philanthropy in 2014, to develop a strategic response to this problem. The working group was housed on the Ariadne portal and co-hosted by Ariadne, the International Human Rights Funders Group, and the European Foundation Centre. This was the first time these three networks collaborated on a common theme. The group commissioned research, organised briefings and engaged in one-to-one conversations with peers, aimed at mobilising a growing pool of donors to harness their grant-making, expertise and voice to push back against the closing space.

A number of other groups have been convening around and responding to this trend, including:

- WINGS (Worldwide Initiatives for Grantmaker Support) held an International Meeting on the Enabling Environment for Philanthropy in Lisbon in March 2016
- The Consultative Group on Biological Diversity held a meeting on 'Holding Civil Space for the Environment' in New York in February 2016
- ILGA-Europe (International Lesbian, Gay, Bisexual, Trans and Intersex Association) commissioned a study in 2014 to explore how this trend affects their members, and held a 'shrinking space workshop' during their annual conference in Riga in October 2014
- The Lafayette Practice and Open Society Foundations produced the report 'Reaching the Moveable Middle: Counteracting the attack on LGBTI and reproductive rights in Europe'. At a meeting in Barcelona in September 2014 they set out to bring together key actors in the field to develop advocacy and communication strategies that affirm LGBTI and Women's Rights, and effectively counter arguments made by those who use a conservative understanding of religion and 'family values' to undermine support for these rights.
- Global Philanthropy Project has engaged a consultant to develop and implement research and documentation on the impact of Shrinking Civil Society Space for LGBTI Organisations.
- The European Foundation Centre and Alliance Magazine are conducting a survey to investigate the extent of the closing space for philanthropy. The findings will be published in May 2016, and will contribute to a study the EFC is conducting on how philanthropic actors working on development and humanitarian agendas are affected by restrictions on civic space (supported by Open Society Foundations and the Fund for Global Human Rights). There will also be a session on the shrinking space for civil society at the EFC 2016 conference in Amsterdam, where foundations will discuss their responsibilities around this issue and the practical role they can play.
- The European Commission CSO Forum, held in March 2016, focused partly on an enabling environment for civil society organisations, and included a session on 'Confronting the Shrinking Space: Supporting Human Rights Defenders'.
- The Civic Space Initiative (CSI) brings together the International Center for Not-for-Profit Law (ICNL), ARTICLE 19, CIVICUS, and the World Movement for Democracy; it aims to address the closing space trend through multiple initiatives, including raising public awareness, supporting research, shaping global, multilateral initiatives and empowering local actors at country level

The Donor Working Group on Cross-Border Philanthropy hosted a meeting in 2014 to consider the effectiveness of existing strategies and identify where new strategies and approaches may be needed. The group agreed on seven 'levers' or areas of intervention that they could use that could lead to concrete improvements in the enabling space for civil society on the ground. We recognise that not all of these will be appropriate for all funders and actors in all environments, and therefore advise a 'pick and mix' approach depending on the context in question. These 'levers' are:

Lever 1

Economic interests: Drawing on existing work by environmental, and business and human rights activists to identify and strengthen strategies and tools to hold corporations who benefit from the closing space to account, engage with corporations as potential allies where possible, and make the business case for civil society. This lever should be of particular interest to environmental and social justice funders, for example those supporting activists under pressure from corporations and private groups such as illegal loggers in Peru or agribusinesses in Honduras.

Lever 2

Countering the impact of counter-terrorism policies on civil society: including strengthening existing approaches by NGOs to challenge the negative impacts of the Financial Action Task Force (an international body established in 1989 to combat global money laundering, and after the 9/11 attacks, terrorist financing) and addressing the banking sector's role in access to financial services for NGO actors. This is of particular relevance to humanitarian and development funders who are experiencing challenges in getting funds into conflict areas due to counter-terror legislation, and whose grantees are avoiding operating in areas of need because of fear of prosecution under such legislation.

Lever 3

Sustainable Development Goals and other international development agreements and processes: ensuring that key actors across the development, humanitarian and human rights fields jointly pursue indicators and commitments to enable and defend civil society space. This is useful for those wanting to move beyond the 'West vs. the Rest' dialogue and focus on universality; civic space is universal and threats to it are everywhere – this is no longer about charity or aid, and the SDGs are a good framework for breaking down traditional silos.

Lever 4

Developing approaches to bridge **international norm-setting** with domestic legal reform initiatives. This is about identifying tools such as regional mechanisms or international treaties, and ensuring that they are enforced and adhered to at a local level. This is also about preventing or addressing the 'capture' of regional mechanisms, such as the Council of Europe, by repressive states.

Lever 5

Strengthening and diversifying **counter-narratives** around civil society's value. This lever focuses on working directly with civil society itself. Private funders are more likely to be familiar with working alongside grantees to build capacity and communicate value, and therefore might feel more comfortable making use of this particular lever, rather than working directly with international systems to shift policy.

Lever 6

Advocacy to strengthen the **diplomatic response** to civil society pushback, including strengthening and supporting responses, such as the Stand with Civil Society Agenda launched by the US. Commentators point out that progressive states and institutions need to understand that not dealing systematically with the global nature of the crackdown on civil society hurts their interests and undermines their credibility. Large development, humanitarian, environmental and human rights donors are well-placed to make use of this lever, and could also look to trade deals as a point of leverage.

Lever 7

Strengthening the **long-term security and resilience** of activists and NGOs, for example, by investing in data protection, legal protection, accounting/auditing and governance, but also by exploring how to foster the survival and resilience of movements. This is particularly important in areas such as the Former Soviet Union and the Middle East and North Africa, where just keeping civil society alive and functioning would be a success.

The following pages look at these levers in more detail, and explore the role that funders can play.

Lever 1

Economic Interests

This is a powerful and under-utilised lever. Private funders have a strong role to play as a bridge between civil society and business, as business and industry have historically been the source of much of the wealth on which foundations are based.

This sector is also important because of the enormous flow of funds and the almost universal desire to nurture and encourage business. The business community has been successful in ways in which civil society has not been (for more, see the report on Business and Civil Society of the UN Special Rapporteur, Maina Kaia). Businesses are free to move funds and act as they wish, sometimes beyond the law, because economic activity is perceived as a universal good, whereas civil society, which underpins a healthy and resilient society, is treated with suspicion at every corner.

In a significant number of countries, state violations of civic space relate directly to the protection of business and corporate interests. The consequences of related restrictions for civil society are very real: community activists are assassinated for opposing mining projects, environmentalists are jailed for exposing land-grabbing, and peaceful protestors meet with violence.

Speaking out against abuse is the right thing to do on its own merits, but a 'business case' to support tolerant and open civil space is not too difficult to make, as businesses clearly benefit when the rules of the game are clear – consumers are empowered, employees are respected, and the judicial system works well.

What sort of business allies can we target?

Companies fall on a spectrum between a sense of impunity and concern for civic space and between silence and voice. But they are unlikely to speak out unless there is an impact on their profits. Four typologies have been identified by the Business and Human Rights Resource Centre:

Venal Lobbyist

– often business associations that have a limited brief to promote the interests of their members and not wider society.

Dark Lords

– those prepared to collaborate with states and pay large sums of money to dispossess people of their land and repress activists – often resource extraction companies.

Good Shouters

– high-brand companies with a name to protect. For example in 2015, a prominent independent journalist and activist, Rafael Marques, faced 24 charges of criminal defamation over his investigation of killings, torture and land grabs in Angola's diamond industry. Several human rights, press freedom, and anti-corruption NGOs worldwide expressed grave concerns about the trial and called for Mr. Marques' release. But, perhaps less predictably, three leading jewellers, Tiffany & Co., Leber Jeweler, and Brilliant Earth also joined calls on the government to end the trial.

Nice Silent Types

– low-brand, much lower-profile companies.

"There are no final victories or defeats, only battles that are won and lost along the way – but to win them you have to build a coalition and businesses need to be part of that. Seek to integrate them."

Phil Bloomer, Business and Human Rights Resource Centre

What do we need to do?

- Promote and support the good shouters.
- Encourage the silent types to speak up.
- Stymie the Dark Lords.
- Create greater transparency around the activities of the venal lobbyists, so that they cannot act with impunity.

The vision in using this lever is to promote a safe and enabling environment, free from restriction and attack, and to help shape the public narrative to recognise the value of supporting civil society. The hoped-for outcomes are that:

- Governments support enabling legislation.
- Companies speak out and refrain from collusion, repression and criminalisation.

What strategies can we use?

Research: Under what conditions and why do businesses speak out?

Smart communications: We need to be better at speaking to businesses and economics ministries.

Empower grassroots organisations: The groups on the frontline are the most creative; they need a knowledge-hub of tools and guidance.

Respond to attacks: We need to document attacks and respond quickly and forcefully.

Engage investors and companies: Identify investors that can put pressure on companies and individuals within who are persuaders.

Engage governments and multi-laterals: Campaign for new clauses in trade treaties and aid agreements.

Practical Action for Funders

- Invest endowments with a pro-civil society lens - for example join Divest Invest
- Reframe the debate around long-term value, not short-term profit
- Help set some realistic actionable targets for companies
- Don't speak in sweeping intellectual terms
- Support rewards for baby steps
- Concerned funders should come together to collab-orate, strategise and fund pushback

Lever 2

Countering the Impact of Counter-terrorism Policies

> "We need to address the zero-risk approach of security services and governments to civil society – it is not a standard they hold themselves to."
>
> **Doug Rutzen, International Center for Not for Profit Law**

This is one of the most difficult and sensitive areas for civil society to deal with, especially in current circumstances, where there is a real and justified fear of terrorism.

There is also an understanding that, post 9/11, civil society and NGOs have been framed by governments, "as aiding and abetting terrorist organisations". Counter-terrorism measures are having a debilitating effect on civil society organisations, whether inadvertently or deliberately. States such as the UK and US that have been supportive of NGOs and defended human rights are, because of the practices they are themselves introducing, undermining their ability to have positive influence and push back at restrictions that are 'much graver' in places such as Russia and Egypt. Legislation put in place by Western states, though intended to prevent support for terrorism, is creating a chilling effect amongst NGOs because of the fear of prosecution. Humanitarian and development agencies operating in conflict areas have been particularly hard hit by the unclear and often conflicting requirements of anti-terror legislation, which is deterring them from working in areas of greatest need because of proximity to terrorist groups. Banks are also wary of servicing charities that work in these contexts because of unclear legislation, and are therefore 'de-risking' by declining to process transactions. This is not just bad for charities trying to work in difficult contexts, such as Syria, but for the global financial system as a whole – if money cannot reach these areas, this harms development in the countries where it is most needed to pull states out of chaos.

The Financial Action Task Force (FATF), set up by 36 member countries to crack down on terrorist financing, has been the source of much of this de-risking and chilling of the sector. It stated, in its Recommendation 8, that "non-profit organisations are particularly vulnerable" to terrorist financing abuse, even though evidence suggests that cases of abuse of the NGO sector are rare. FATF as a task force does not follow clear transparency and accountability standards, it is not a legislator but has at its disposal the power to down-grade a country as non-compliant to FATF standards with negative implications on the countries' financial ratings. There is not much public awareness of FATF – some have described it as 'working in the dark'. It is tied to a security perspective and has only over the past few years started to acknowledge that countries have used the FATF recommendations as a tool to close down civil society This has led to what some call "the structured abuse of the NGO sector".

There have been concerted efforts to engage with FATF on this issue, particularly by the Civil Society Platform on FATF, with some success. These tasks have been identified as next steps:

a. Try to influence the policy drafting to take civil society concerns into account.

b. Encourage FATF officials to understand the value and the needs of the civil society sector.

c. Change the narrative around civil society for decision-makers. Get them to see a healthy civil society as a counter-terrorism measure and to learn how to measure this.

d. Engage more with national governments – they claim that they "simply don't hear concerns from domestic civil society actors about counter-terrorism measures and it is, therefore, just an elite concern".

e. Funders should be aware when their own countries are up for FATF review, as the government might be forced to comply even if they see no need.

f. Advocate for a risk-based approach – if the laws in place adequately address the risk, there is no need for further laws. If there is a risk, there should be appropriate and proportionate laws, not catch-all, over-broad legislation.

g. Work should be done with regional institutions, with evaluations at regional level.

h. Rules on NGO participation are needed for transparency and accountability. Both funders and civil society will need to push for this.

There has also been research conducted into how humanitarian aid is limited by counter-terrorism policies, for example through work commissioned by the Overseas Development Institute, and actors such as the Norwegian Refugee Council have been talking openly about the issue of multiple requirements dictated by anti-terror legislation.

"We need to look at the countries passing this legislation - Angola, Azerbaijan and others – auto-crats are sharing notes, democrats are sharing notes, and so it's important for us to share notes as well"

Doug Rutzen, International Center for Not for Profit Law

Practical Action for Funders

- Recognise this as one of the most sensitive areas
- Promote an alternative narrative – less fear
- Change the frame – healthy civil society is a protector – not the enemy
- Support simple language – not just for geeks

Lever 3

Development and Sustainable Development Goals (SDGs)

> "Once we start to recognise that the protection of civic space is a universal concept, which isn't about charity or aid, we can use the SDG framework to develop some shared strategies."
>
> **Danny Sriskandarajah, Civicus**

The Sustainable Development Goals are different from the Millennium Development Goals and other targets, as their purpose is to create a universal agenda for sustainable development as opposed to a set of standards for poverty alleviation or for the delivery of aid as a North to South flow.

Why should we be concerned with the SDGs as a tool for the protection of civil society and space?

- There is a lot of money for overseas development, and it's an important moment to shape the vision to achieve a wider set of goals.
- There is an overlap in values between the different funding communities – civic space is where communities' voices are heard and where the conditions are built to create locally-driven development; the SDGs allow us to break down traditional silos and act together towards universal goals.
- Bilateral and multi-lateral agencies are desperate for private funders' money and support, this gives us leverage.
- Leverage of public development funding to push for the civil society agenda, see EU policy in this regard.

Funders with different missions and aims will have different goals that they feel are their priority; for example environmental funders might choose to focus specifically on SDG 15 which centres on the conservation of natural resources and a right to a clean environment, whilst a funder whose mission relates to women's rights might focus on SDG 5, which is concerned with gender equality and the empowerment of all women and girls. However it is vital that all funders concerned with the closing space phenomenon also focus on Goals 16 and 17, as they relate specifically to the enabling environment for civil society.

Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels.

Goal 17: Strengthen the means of implementation and revitalise the global partnership for sustainable development. This goal includes two relevant sub clauses: 1: encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnership and 2: Mobilise additional financial resources for developing countries from multiple sources (this means private funders!).

Until now, those working in the development and humanitarian sectors have tended to see those working in the fields of human rights and social change fields as 'problematic' in terms of being targeted by shrinking space measures. They believed that as long as they stayed as far away as possible from these fields, their work would not be obstructed.

This is no longer the case, as several of the big international NGOs (INGOs) dealing with refugees, the environment or more general mainstream development issues, have been attacked, with the consequence that there is greater willingness across all sectors and fields of interest to talk.

Practical Action for Funders

- Start to build common networks and links between development and humanitarian funders' networks, environmental and indigenous rights funders' networks, human rights funders' networks and large organisations
- Create a community of practice to enable that to happen
- Explain and disseminate Goals 16 and 17 much more widely
- Support efforts to measure and evaluate a country's progress on these two articles
- Engage with initiatives, such as the SDG Philanthropy Platform, aimed at enabling donors of all kinds to engage strategically with SDG implementation
- Think about where your own organisation has points of leverage and develop individual strategies, rather than adjusting to fit existing conversations
- Engage in conversation with public donors and other actors, such as business

Lever 4

International Norm-setting

This lever focuses on how to bridge international norms, such as treaties, laws and standards, with local contexts, ensuring that international norms become the reality on the ground.

Funders can support work that prevents restrictive regulatory proposals and promotes enabling environments for civil society within specific contexts, by linking the local situation to these norms via international treaties, frameworks or institutions. For example the Civic Space Initiative (CSI), a consortium of NGOs, has provided technical and advocacy assistance to countries around the world promoting enabling laws, polices and regulations, and working with local actors to prevent restrictive legislation. Their work has enabled unprecedented civil society participation and dialogue with government over a draft associations law in Myanmar for example, which resulted in substantial improvements to the law that was finally passed.

CSI also seeks to expand the recognition of civil space norms within regional, multilateral mechanisms. It has documented and strengthened the powers of multiple mechanisms, including the Organization of American States (OAS), the Inter-American Commission on Human Rights, The Organization for Security and Co-operation in Europe (OSCE), the Association of Southeast Asian Nations (ASEAN), and the African Commission on Human and People's Rights (ACHPR).

CSI provided advocacy support to help defeat regressive reforms to the Inter-American Commission on Human Rights (IACHR), reforms which were designed to weaken the Commission and its Special Rapporteurs. The IACHR and the Inter-American Court of Human Rights have raised inter-American standards for the protection of the right to freedom of association through their case-law, and so it is important that activists in the Americas can continue to make reference to and use of this mechanism to support their work.

Funders must be aware though of the danger of international and regional institutions, that have been set up to protect and promote civil society, becoming hijacked and captured by authoritarian governments. Research is required on what can be done to prevent this. A useful case study for discussing this particular element of the lever is the failure of the Council of Europe and the European Union to contest human rights violations in Azerbaijan, including torture and the jailing of political prisoners.

"There has been real recognition that the politics of shame is simply not effective in these cases; for example the EU has continued to fund prison reform in Azerbaijan, whilst there have been high-profile political prisoners there – why then should these countries feel the weight of any criticism? There has to be public campaigning which engages with these institutions and the popular perception of them"

International Funder

Case Study: Azerbaijan

- Azerbaijan has made a concerted effort to co-opt the Council of Europe and remains a member, despite frequently imprisoning journalists and human rights advocates. One reason is that there is often a lack of interest in the minutiae of proceedings from democratic members and a lot of interest from autocratic members. No country representative has spoken out against Azerbaijan's actions. The Commissioner for Human Rights has raised the issue, but no one has acted in response.
- The European Union remains the largest foreign donor to the Azerbaijani government and civil society, despite Azerbaijan's many human rights violations. "The European Union's continued funding to Azerbaijan is proof to the government of the country that shaming strategies by human rights organisations are irrelevant and that no-one cares about the political prisoners". – *Gerald Knaus, European Stability Initiative.*
- The European Union says that it is favouring quiet diplomacy, but this is yielding limited results.

Practical Action for Funders

- Support research into what makes institutions vulnerable to hijacking
- Support work to tie bilateral and multi-lateral loans and grants to the cessation of violations
- Prioritise monitoring international and regional institutions
- Understand which regional institutions can make binding rulings
- Help raise the alarm quickly when things go wrong
- Recognise that the politics of shame is not effective

Lever 5

Counter-narratives

In order to make use of this lever it is vital to understand the context in which civil society is being curtailed, and to understand the deep drivers of political, economic and social power, including shadow power.

Narrative attacks are rarely based on one element and are often multi-pronged and universal in the stigmatisation of civil society actors, who are characterised as terrorists, living off others, obstacles to growth and security, or anti-religious. Women in particular are framed as prostitutes and bad mothers, whilst LGBTI activists are framed as 'foreign agents' or 'promoters of Western values'. Within these frames the justifications for legislating against civil society are cited as: protecting national security, sovereignty, or religious and political ideology.

These are powerful drivers that lead to a negative discourse, and then action to silence activists and other members of civil society, ultimately breaking their links with the outside world. The measures tend to have broad societal support at this stage and include crackdowns on political dissent, manipulation and abuse of laws to punish civil society, police crackdown on protest, media monopolisation and impunity for criminal attacks including the killing of activists.

Countering prevailing narratives:

a. **What this is:** alternative strategies and discourses to strengthen respect for, and the understanding of, the value of civil society. **What this is not:** positive labels better communicated, it is much more than that. We need grassroots and community level support for this work – too often activists and marginalised populations exist in another realm and get successfully 'othered' by governments.

b. We must think about successful narratives and frames – even if we dislike them in relation to our own principles or logic. How do governments succeed in isolating and legislating against civil society? We can learn from how the climate change movement has effectively confronted the deniers.

c. While it is helpful to let less controversial NGOs be the public face of civil society, we must be sure not to feed into 'good' vs. 'bad' NGO classifications.

d. A successful response is **sustained, multi-pronged, cross-sectoral and understands that local context really matters.**

e. We will never match the scale of resources invested in anti-activist or civil society campaigns but our counter-narratives need to be community driven to be effective.

> "The investment that goes into people remembering an activist's name and story is huge. Too much of what has been written is not written to be remembered. To remember, we need context – stories and faces – as well as opportunities for action."
>
> **Gerald Knaus, European Stability Initiative**

Practical Action for Funders

- Be prepared to speak up for your grantees
- Be ready and organised with a plan of action before attacks come
- Provide general support to develop indigenous voices
- Fund the creation of stronger alliances across sectors and between silos to link responses beyond 'problem populations'
- Develop and invest in security protocols to protect communication with grantees
- Think about alternative communications strategies such as film, music, comedy, or street art
- Fund alternative messengers – is there someone better placed to defend civil society?
- Commission and distribute research on why civil society is important to the health of nations

What should funders NOT do?

- Invest only in legal discourse – this might work, but only until the next legal attack
- Bring your agenda as a donor, instead of allowing groups to drive their own agendas
- Work only in poor countries.
- Often middle-income countries have greater resources to repress civil society
- Create an elite leadership that speaks your language but has no local connections

Lever 6

Diplomatic Response

> "We are in a crisis and we are not treating it as crisis. We are treating it as though we are back in the happy days of the 90's."
>
> **Maina Kiai, UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association**

This lever focuses on the power of advocacy to strengthen the diplomatic response to civil society pushback, including strengthening and supporting responses from states and international institutions. The following points are drawn from a discussion at a funders' workshop, attended by members of the US State Department, the Dutch Ministry of Foreign Affairs, the Directorate General for International Cooperation at the European Commission and the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association. These individuals tried to help inform ways in which private philanthropy and civil society could raise the alarm and engage more effectively with governments and state donors to challenge the trend of closing space.

The state representatives present said that their governments took the space for civil society seriously – there were several initiatives that they had helped to develop such as Lifeline – Embattled CSO Assistance Fund, which is supported by 17 governments and 2 foundations and offers emergency assistance, the proposed Civil Society Innovation Initiative, the European Instrument for Democracy and Human Rights Assistance Fund for human rights defenders and the work of the Community of Democracies on civic space. However, they recognised that although there had been a lot of positive rhetoric, there had been less action and there was a lot more that could be done. They also admitted that there were difficulties with one part of government encouraging civil society and another part - for example those responsible for counter-terrorism – working to shut it down. Do funders have a role here in pointing out the discrepancies?

It was agreed that at times there is incoherence and inconsistency between a state's focus on civil society, the environment, human rights or democracy on the one hand, and on the other, commercial issues such as trade or business interests.

Sometimes trade agreements, such as those of the EU, include clauses referring to civil society, environmental standards and the treatment of minorities, and these might offer enforcement opportunities. Deeper research and analysis is needed on the negotiation and implementation of trade and investment agreements.

A lot of what governments have offered thus far in response to the closing space phenomenon has been emergency funding, but civil society's ideas of resilience are not about evacuation, rescue or short-term support. Instead they are about multi-year core funding for recruiting skilled staff as opposed to volunteers – that is what creates resilience.

'Long term' for states and governments tends to be three to four years. They can commit on strategy for longer than that, but it is beyond their powers to commit funds for longer than that. Civil society needs to recognise that this will always be a limitation of public authorities. But apart from money, state leaders can offer political and moral support by speaking up about the importance of civic space, and even posing for photos with leading civil society members, creating publicity and legitimacy.

State representatives felt there was more that civil society actors and private donors could do to advocate, with evidence, about the benefits of civil society. The connection has to be made that this is not a narrow issue, but that it is linked with stability, security and development of a state or region as a whole, because without a vibrant civil society countries cannot have lasting peace.

How States Can Help Private Funders and Civil Society:

- Move beyond emergency funding into multi-year funding
- Strengthen local actors with core funding
- Ensure state leaders raise their voices and provide "more than money" support
- Provide a list of what help can be accessed where
- Support the creation of better narratives
- Keep communications open with funders and civil society

How Private Funders Can Help States:

- Take risks that governments can't
- Work directly with southern NGOs, rather than through northern NGOs - governments find this hard to do
- Remember that by nature governments are cautious creatures – they want good relations with other governments
- Don't push governments into a corner from which they can't retreat – work with them instead
- Help governments make connections
- Keep communications open
- Prompt them to consider setting minimum standards on a free civil society as a condition of access to funds - especially in shared or pooled funds

Lever 7

Developing Resilience

> "Bringing people together is important – the feeling of not being alone in that situation is fundamental."
>
> **International funder**

Funders who took part in a survey on these levers felt that this was one of the most important levers available, but also thought that it should be split into two parts, namely short-term and long-term resilience.

Short-term work is important, but there is a clear feeling among funders and activists that longer-term investment over time delivers most in terms of creating a robust and secure civil society

Short-term funder strategies

- Agree in advance on an emergency assistance plan for NGOs and activists under attack.
- Simplify procedures in an emergency.
- Support local civil society to write applications if they don't have the language skills.
- Fund legal costs (not a long-term strategy).
- Fund counseling and psychological support.
- Use links with governments and media to assist.
- Relocate activists within the region if possible.
- Don't duplicate policies and actions – collaborate with others.

Long-term funder strategies

- Provide core funding over long periods.
- Respect grantees' need for low visibility.
- Trust grantees to work out their own strategies.
- Train grantees on security and help them with risk assessments – are they realistic?
- Be flexible about what kinds of legal entities are funded.
- Continue funding those who move into exile and support them to stay in touch.
- Change funding methodology – can funders support ***fluid*** movements?
- Pay attention to security protocols when communicating with grantees.
- Help connect grantees.

Using the Levers

Donors and activists have reacted to this phenomenon in a variety of different ways. To circumnavigate restrictive legislation they have introduced flexible procedures for funding, sometimes channelling contributions through fiscal agents. Civic actors have also altered their methodologies and processes to incorporate better security and data management, and enhanced protection.

However these responses tend to be reactive, insufficient, and temporary. Seeking ways to deal with the latest manifestations of this trend, rather than addressing the main drivers behind it, is unlikely to bring about the reversal of the shrinking of civic space. There is increasing recognition of this, by funders and activists. Here are some of the ways in which they are beginning to collaborate by using the broad levers outlined in this report.

Lever 1:

Launched at a Clinton Global Initiative in 2015, Open For Business is a coalition of global companies making the case that inclusive, diverse societies are better for business and better for economic growth. It is a response by these leading global businesses to the spread of anti-LGBT sentiment in many parts of the world. The group has produced a report, which it will use as the basis for outreach programmes in countries with anti-LGBT sentiment, conducting training and roundtables to raise awareness of the business case for inclusion, and creating allies and activists in the local business communities.

Lever 2:

The Transnational NPO Working Group on FATF came together to engage FATF and voice concerns about the negative effects of counterterrorism policies and laws on civil society space, and to look for better ways to balance security and openness. For example the coalition submitted comments on a draft 'Best Practices Paper' by the FATF on its Recommendation 8, which concerns combating the potential abuse of non-profit organisations for terrorist financing purposes. The comments led to improved FATF guidance to governments and an agreement to enter into an annual FATF consultation with representatives of the not-for-profit sector.

Lever 3:

CIVICUS, an international alliance that aims to strengthen citizen action and civil society globally, has developed the Enabling Environment National Assessments, a research tool designed to assess the legal, regulatory and policy environment for civil society. The organisation is now planning to use this tool to focus on progress achieved by countries on the Sustainable Development Goal targets, in particular Goal 16 and 17, which relate to inclusive and participatory decision making, fundamental freedoms and civil society partnerships.

Lever 4:

The Civic Space Initiative seeks to ensure that international norms become the reality on the ground by protesting, questioning or preventing restrictive regulatory proposals and by promoting enabling environments. The CSI has provided technical and advocacy assistance in at least 34 countries, spanning every continent. CSI partners provided substantial technical and financial assistance to the African Commission on Human and Peoples' Rights in the drafting of a report to respond to the recent crackdown on the freedom of association and assembly. The report compiles international laws and norms and lists recommendations, including calls for states to refrain from excessive use of force against civilians and for the repeal of laws restricting sources of funding for African NGOs.

Lever 5:

Charity Bank, a UK-based 'ethical bank' entirely owned by charitable foundations, trusts and social purpose organisations, has launched a campaign to challenge negative perceptions and counter negative narratives concerning charity. The #Charityis campaign aims to highlight the important work carried out by charities. As a Non-Executive Director of Charity Bank underlines "Charities and the rest of civil society have a proud and long tradition of speaking out. It's not just a right, it's a responsibility. We don't just walk by on the other side of the road, not even to set up food banks, useful though they are. In a modern democracy, charities have every right, within the law, to pursue their charitable purposes by sometimes making a fuss. Attempts to curb this right will backfire by shutting down debate and stopping the 'bubbling up' of new solutions to our major social problems. #Charityis… inventive."

Lever 6:

Through the EU comprehensive Human Rights Defenders Mechanism, the EU will provide human rights supporters at risk with short-term support, including physical protection, legal and medical support, trial and prison monitoring, and urgent advocacy and relocation, among other actions. The new mechanism is set to become one of Europe's key tools to assist civil society actors at high risk, including in remote areas.

Lever 7:

A mobile phone has become a powerful tool but also a weapon that is used against activists. As individuals who speak up continue to face reprisals for doing so, it is ever more important that they have access to fast and safe communications. That is why Amnesty International has developed Panic Button with the aim of turning an activist's mobile phone into a secret alarm that can help them get help fast in an emergency. The app encourages peer-to-peer security planning and response, and was tested by activists around the world, including indigenous women defending land rights in Central America. A participant from a civil society alliance in the Philippines said that "Indigenous People leaders under threat must use this in their everyday lives".

Funders' Initiative for Civil Society:

A number of organisations have committed funds to set up a new initiative to develop a coherent and strategic response to the closing space trend.

An analysis of needs led to the conclusion that it would be effective to create a project to help independent funders of all kinds align their efforts in this field, to provide information to civil society organisations about the different forms of support available, to begin to build cross-sector networks with humanitarian, environmental, indigenous rights, development, LGBTI rights, social change and human rights funders and to create better channels of communication with state actors and international institutions.

The project seeks to move funders beyond coping with this trend and finding practical ways to live with it to the more strategic role of being able to make the case with policy makers and other funders to recognise the importance of civil society, and to work to keep the space open to allow it to flourish.

For further information please see here.

Ariadne Portal Communities:

There are two online portal communities that enable funders and activists to maintain regular contact amongst a large group of donors and civil society actors globally. These are password protected and housed on the Ariadne portal.

Any organisation that works to protect civil society can join the first community: *Dealing with the Disabling Environment,* which is moderated jointly by funders, civil society actors and network staff.

Any funding member of the Ariadne, the European Foundation Centre or IHRFG, or private funder eligible to join these networks, can join the second community: *Donor Working Group on Cross Border Philanthropy.*

Please e-mail info@ariadne-network.eu if you are eligible to join either community.

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Poonam Joshi – Fund for Global Human Rights
Tim Parritt – Oak Foundation

Further resources

Thomas Carothers, Carnegie Endowment for International Peace: Closing Space: Democracy and Human Rights Support Under Fire

Thomas Carothers, Carnegie Endowment for International Peace: The Closing Space Challenge: How are Funders Responding? November 2015

Douglas Rutzen, ICNL: Aid Barriers and the Rise of Philanthropic Protectionism

April 2013 report of the UN Special Rapporteur on Freedoms of Peaceful Assembly and Association: Civil Society's Right to Funding and Resources (A/HRC/23/39)

Comparing States' Treatment of Business and Associations – Special Rapporteur's Report to the UN General Assembly, October 2015.

The online platform created by the Human Security Collective, Charity and Security Network, European Foundation Centre for Not for Profit Law and European has a number of useful resources including a guide to how the Financial Action Taskforce (FATF) works and all the submissions to date from the civil society coalition to FATF.

Donor Working Group on Cross-Border Philanthropy: Closing Space for Civil Society and Cross-Border Philanthropy (via the Ariadne portal)

June 2015 thematic report of the UN Special Rapporteur on Freedoms of Peaceful Assembly and Association Assembly and Association rights in the context of natural resource exploitation (A/HRC/29/25)

http://www.economist.com/news/international/21616969-more-and-more-autocrats-are-stifling-criticism-barring-non-governmental-organisations

The Global War Against NGOs, Washington Post, December 2015.

Kenneth Roth, Human Rights Watch: Twin Threats: How the Politics of Fear and the Crushing of Civil Society Imperil Global Rights

Environmental Advocacy: Challenges to Environmental Groups' Rights to Assemble, Associate and Express their Opinions - Global Trends in NGO Law, Volume 7, Issue 1

17th EU-NGO Human Rights Forum: Promoting & Protecting Civil Society Space, December 2015

Challenging the Closing Space for Civil Society – A practical starting point for funders

2016 Ariadne Forecast for European Social Change and Human Rights Funders