# OPEN SPACE

## HOW DO YOU EXPAND CIVIC SPACE DURING DEMOCRATIC TRANSFORMATION?

**Rights CoLAB**

**Deborah Doane**
*Partner, Rights CoLab*

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## Acknowledgements

## About the Author

Deborah Doane is a partner of Rights CoLab and a writer and consultant working on civil society, social justice, and human rights. She works with a range of clients in philanthropy and civil society as well as being a regular contributor to Guardian Development on civil society issues.

She was previously Director of the Funders' Initiative for Civil Society (FICS) and has worked with a range of civil society organizations over 25 years. Other roles have included Director of the World Development Movement and Founder and Director of the Corporate Responsibility (CORE) Coalition in the UK.

## About Rights CoLab

Rights CoLab advances human rights by fostering collaboration among experts across the fields of civil society, technology, business, and finance. Together we build new ways of organizing civic engagement and leveraging markets to improve the impact, resilience, and sustainability of human rights initiatives.

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# A Proposed Framework

# Open Space:

## How do you expand civic space during democratic transformation?

## A proposed framework

### Context

**While the trend towards "closing civil society space" continues to capture more and more countries in its net, there is also a counter trend, whereby some countries are seeing civil society and indeed democratic space opening.**

We've seen some positive transitions in the past few years where fairly closed environments were suddenly or gradually becoming more open. In many of these cases, perpetual open space, however, isn't a forgone conclusion, and it's clear that a careful monitoring and support for civil society will be required for the foreseeable future.

When civil society space opens, it can be rapid, inspired by political upheavals or demands for increased democratic participation. Social movements, trade unions or informal networks may be at the heart of such upheavals, enabled by social media. But what happens after those changes take place, and the enabling environment for civil society is positive and potentially expansive? How do we turn short-won gains into longer-term opportunities that will be less likely to see space shrink again, strengthening the role of civil society in transition and beyond?

## Method

A combination of desktop analysis and a series of semi-structured one-to-one interviews with 37 stakeholders across six countries (Armenia, Ethiopia, Malaysia, North Macedonia, Romania, Tunisia) that have experienced an opening of civic space, during which key elements for how to hold the line have been identified. Some of the factors, below, are viewed in hindsight by those countries who transitioned earlier, such as Tunisia. Others are reflecting on what was done that was successful, alongside new priorities going forward.

The framework highlights those elements that were commonly identified across four or more of the countries reviewed and by most interviewees of that country. More detailed analysis of the findings can be found in the country by country report that accompanies this document.

## About the framework and how to use it

The framework is presented as an assessment tool to enable funders or civil society groups to prioritize investment in opening up civic space in contexts where there is seen to be a positive democratic transition that is more favorable to the work of civil society as a whole. In these instances, funding will be required across many areas, however the resources will never be finite. The framework is therefore presented in three key stages, though these will not necessarily be fixed:

**Stage 1** Representing the early days of a transition, in the immediate days and months after a transformation and where there are perceived political opportunities to invest in the space for civil society.

**Stage 2** The medium term, roughly years 1–3 of a transition, where things may still be precarious, however, key elements of the operating environment have now been secured.
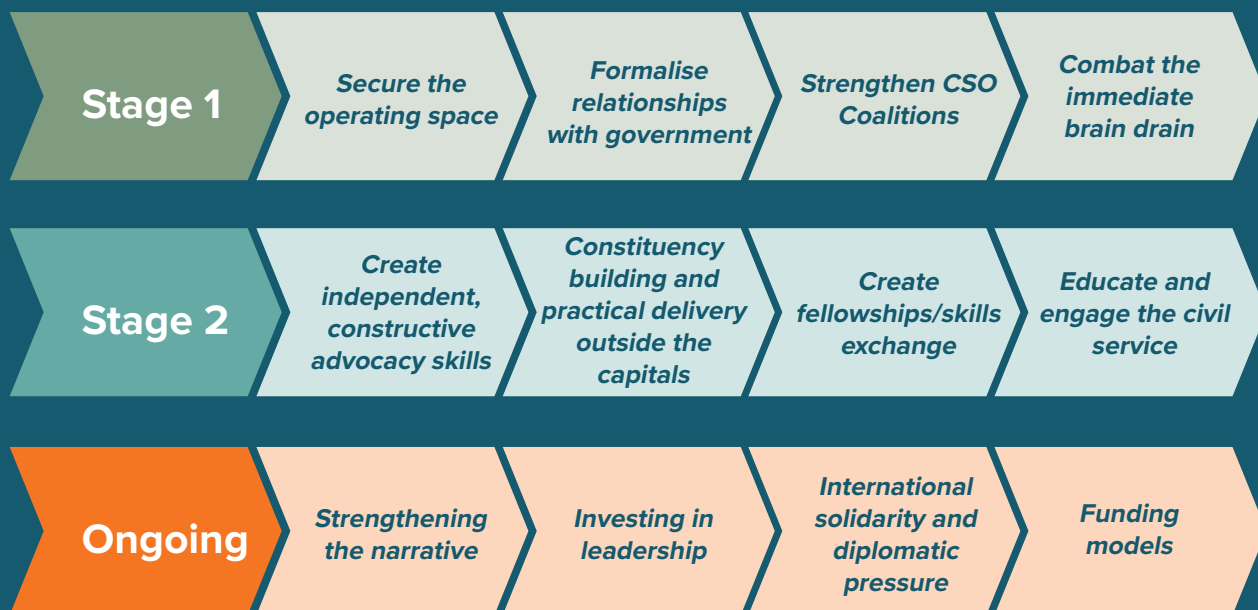
**Ongoing** Those elements that should be invested in throughout the transition period and beyond in order to ensure a more secure environment for civil society for the long-term.

We have also identified some important pre-conditions that have enabled these countries to secure their ability to function post transition. These elements will also be relevant for those countries where space is closed or closing, or where one perceives an opportunity on the horizon for space to open.

As a process, it is recommended that the framework be used in collaboration with a cross-section of civil society and funders through a facilitated discussion to agree strategies. For example, questions that could be asked include:

1. What vision of civil society do we share? Is it different to what existed before?

2. Have we anticipated and prepared for a backlash during the transition support?

3. Are these the key priorities (during a particular stage) to mitigate any backlash and expand the space over time?

4. Who has the capacity to work on these issues? Who is working on them now and to what extent? How are they collaborating across civil society, including informal networks?

5. How do we best support these areas of work and for how long?

6. Are we getting prepared for the next stage as things progress? What is our strategy?

7. Can we evaluate how we have done in these areas?

# The Framework

| Stage 1 | Secure the operating space | Formalise relationships with government | Strengthen CSO Coalitions | Combat the immediate brain drain |
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| Stage 2 | Create independent, constructive advocacy skills | Constituency building and practical delivery outside the capitals | Create fellowships/skills exchange | Educate and engage the civil service |
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| Ongoing | Strengthening the narrative | Investing in leadership | International solidarity and diplomatic pressure | Funding models |
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## I.  Important Pre-Conditions

Even where it appeared that civil society was skeletal prior to a transition, including Ethiopia and Tunisia, there were some key components that helped civil society to strengthen its position during transition and beyond.

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| i | Functioning CSO Coalition and/or trade unions | For most of the countries studied, there was some coalition work happening between formal organizations before a political transition took place, and informal networks were generally working well across issues, at least for the purpose of the transition itself. This has enabled things to move more rapidly, for example the establishment of new enabling legislation, or opening relationships with the government. |
| ii | Engagement of civil society actors (as individuals) during political changes | Enables a feedback mechanism to more formal civil society who will play roles in the transition. |
| iii | International linkages | Provided solidarity when civil society was narrow or closed; brought international standards to discussion once space opened. |

# II. Priorities for investment

## Stage 1 – securing the space during a transition period

The first few months to two years of transition will likely involve immediate collaboration with a new government. The legal framework was considered a critical dimension of this.

There will be a period of high expectations which will take time to be met, more likely beyond the initial year, so this stage is primarily about securing the space to engage with government and demonstrate the value of civil society in enabling a transition.

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| **i Secure the legal framework** | The legal framework ensures that any activity going forward can be done using the "rule of law," providing key protections for civil society both formal and informal. This will also require constant vigilance. Securing the legal framework involves several elements, including removing restrictions imposed when space was closed, especially any restrictive foreign funding rules as well as strengthening administrative procedures (or reducing restrictions) to register CSOs or freedom of assembly and expression (for further information, see Annex) |
| **ii Formalize relationships with government** | CSO engagement in formalized working groups in the early days of transition gives credibility to the role of civil society and helps to prioritize key issues around the enabling environment and human rights. Civil society will also need to ensure it is not just seen as an instrument of government in these early stages as it could create a backlash and can do so by being inclusive of different perspectives, marginalized actors and voices. |
| **iii Strengthen CSO Coalitions** | CSO coalitions — working across a range of issues (e.g., human rights, environment, democracy, LGBTI, youth, etc.) who can focus on the enabling environment itself, including legal reform or civil society engagement processes, are a key to keeping space open, and to help improve the narrative in public spaces. It's important to include both formal and informal civil society groups (e.g., social movements) in coalition-building work. |
| **iv Combat the immediate brain drain/strengthen capacity (also relevant in Stage 2 and beyond).** | Leading actors from civil society will either have moved into the government or civil society, A severe lack of capacity within civil society groups will hamper the ability to engage in the myriad consultations and meetings with government. A lack of leadership was identified as a primary challenge across several countries. |

## Stage 2 – From transition to a secure footing (years 1–3)

Beyond securing the enabling environment, civil society will play a critical role in acting as a watchdog to government and holding new regimes to account. But new governments themselves will be on a fragile footing, often in still-divided communities

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| **i** | **Create independent, constructive advocacy skills** | Civil society should demonstrate that it is independent of government. Many will have their "friends" now working in a new regime and rely on personal relationships. Professionalizing and de-personalizing relationships at this stage, is important. It is also important (for some) to move from being "oppositional" to being constructive. Understanding how to balance the "watchdog" role of civil society, while engaging in more internal advocacy is necessary. Monitoring and accountability frameworks will also be helpful. |
| **ii** | **Constituency building and practical delivery outside the capitals** | Civil society during a transition will often have maintained a position in the capital cities in order to achieve influence. However, this can lead to a distancing with the local population and a renewed concern about the "elite" nature of civil society. Though maintaining a presence in the capital will be important, success can be demonstrated by ensuring bottom-up work at the grassroots level that is relevant to people's daily lives, not solely focused on remote policy influencing. Constituency building should also include building stronger working relationships with the private sector and faith-based groups, amongst others. |
| **iii** | **Create fellowships/ skills exchange** | Strengthening the capacity and learning of civil society through fellowships and skills exchanges are an immediate way to bring in much-needed expertise in the early part of securing a transition and strengthening civil society's role. These should ideally be in-country, rather than taking actors outside the country. |
| **iv** | **Educate and engage the civil service** | The political level may have changed, the civil service — especially at the local level — will have most likely remained. Often, they will be on the defensive (owing to corruption or political favor) and work against the principles of transition. Mechanisms to work with and educate the civil service should be identified. |

**Ongoing – throughout**

Strengthening civil society is a continual process. In order to secure the space over the long-term, a range of actions are required:

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| i | **Strengthening the narrative** | There will have been years of negative messaging and reporting about civil society. While a transition may have provided more positive stories about civil society, old impressions will remain. Positive stories about the role of civil society in the media will be required. |
| ii | **Investing in leadership** | Integrating youth into civil society; investing in the education system; and other systems to ensure the next generation of leaders is in place. |
| iii | **Funding models** | Localized funding models, core funding, crowd funding and other means to ensure sustainable finance for civil society will be required. Receiving government funding, even if independent, does include risks, and needs to be considered carefully. |
| iv | **International solidarity and diplomatic pressure** | International pressure has been critical as a source of solidarity for civil society actors. When governments show signs of shrinking, the role of international actors in helping to hold up the rule of law and values around civic space is a useful back stop. Thus, relationships with regional actors both within civil society and politically should be encouraged. |

## III.   Key Recommendations for Funders

In the countries studied, all said that there was limited funding available from local sources and, where local funding was available, the preference was simply to support traditional charitable activities. It was also suggested that most official donors generally waited to immediately support civil society in case the transition was very temporary. Thus, key actions that private funders can take include:

**I** Be prepared to take risks, and rapidly in the early stages, and fund the priority areas as above.

**II** Be cautious about how resources are distributed; there will be strong competition between local CSOs. Finding ways to enable broad support to a number of groups could be helpful if feasible.

**III** Work in collaboration with other funders and civil society. Respondents to this survey talked about the fact that existing donors cross-cut each other, by focusing on the same issues and with similar funding constraints. This often gave no room for new ideas to emerge and resulted in civil society doing the same overlapping work, and responding to calls rather than being needs based. Collaboration could also help to ensure that a broader group of actors can be supported (as above). Funders could also help to reduce their risks by working in this way.

**IV** Offer match funding where it may be needed, for example in EU funds.

**V** Funding needs to be continuous and longer term: change doesn't happen overnight. Even with success in policy change, funding is needed to invest in implementation once to sustain any momentum.

**VI** Consider creating an endowment to embed funding long-term. This can also be a means to reduce dependency on foreign funding.

This could be created jointly with those who had fled their countries during authoritarian years and wish to support civil society and democracy going forward. Though recognizing that diaspora may be divided, often the diaspora will have been active in keeping civil society going from afar and should be engaged.

**VII** Invest in building local philanthropy, especially micro-philanthropy and crowd-funding to reinforce opportunities for building local constituencies. This will make organizations more agile and not solely reliant on grants.

**VIII** Create local funding opportunities outside of capital cities.

**IX** Ensure flexibility and continuity of funding, either by offering core support or with some security beyond a year. Project funding for fixed periods leaves civil society groups insecure. Administrative burdens for funding (e.g., reporting requirements) should also be as light as possible.

**X** Fund opportunities to convene and learn or provide spaces for civil society to work.

**XI** Engage in some level of advocacy with bilateral donors on opportunities. This could also include developing joint private/public funding opportunities.

# Funder Do's and Don'ts

## Do

- Offer flexible funding for more than a year
- Collaborate with other funders
- Get out of the capital
- Be prepared to take risks in the early years
- Support long-term sustainability by investing in domestic fundraising capacity or new organizational models. Work on a plan with grantees.
- Partner grantees with those in other countries with a longer period of transition from which they can learn.

## Don't

- Use project funding that doesn't give security to the CSO
- Duplicate funding calls
- Keep funding to national groups only
- Require odious administration or outcome targets for young and emerging groups. Initial work will be experimental.
- Rely on domestic potential to support organizations simply because a country has transitioned. This will take some time to emerge.
- Assume sufficient knowledge exists locally.

# Annex: Further discussion on the key elements

## 1. Pre-conditions

The pre-conditions have not been fully assessed and more detailed analysis would be required. The elements presented here were commonly identified by interviewees. Although space was very narrow, as in Tunisia or Ethiopia, there was, nonetheless, at least a limited degree of civil society activity taking place even if much of that was underground.

These "pre-conditions" can be considered in determining how the funder can make a difference if a change is perceived to be on the horizon. All countries had a strong degree of civil society (mainly informal) engagement that enabled the transition to take place. Directly funding in these instances may be inappropriate, however observing how this is emerging would be critical. Several actors interviewed helped to provide formal support during these processes, while others became more formal leaders in civil society following the transition, leading organizations or advocating with the government on reform processes.

In all countries identified, the international dimension — connecting to others by some civil society actors, outside the country — was ongoing.

## 2. Priorities for Investment

### Stage 1

**i** **Legal Environment.** This will differ from country to country. In some cases, it will mean removing restrictions, such as those on foreign funding. In others will it require more enabling legislation to strengthen freedom of assembly and freedom of speech and freedom of association. Armenia, Romania, and North Macedonia have solid legal frameworks in place that eventually helped to build the environment for CSOs to operate and strengthen, as well as push back against attacks.

In general, we heard that the top two priorities were: removing foreign funding restrictions; and strengthening the registration processes with government to help CSOs register, which also included improving the administration process in the civil service, ideally a dedicated unit and registry.

Other elements that were identified included:
- Ensuring transparency and reporting requirements were not overly burdensome
- Ensuring there is access to information legislation to help civil society engage with government
- Creating legal safety for CSOs from intimidation by national/ local government
- Having clear and practical legal right for CSOs to challenge any decisions against them
- The legal environment for a free and independent media
- Protecting freedom of speech and assembly

**ii** **Formalize relationships with government.** Because civil society leaders often moved into government, informal relationships were generally relied on — as informal as Facebook relationships, for example. Many people suggested that while this is constructive, it could be perceived in a negative way by the general public or excluded members of civil society, and that it wasn't sustainable in the long-run. It was also open to abuse and contributed to self-silencing in some cases, where people were afraid to be critical of the government. "Formalizing the role of CSOs in government consultation during creation of legislation" is important, said one respondent. It is also recommended that informal movements be included in this as they will represent important issues and marginalized voices that formal civil society does not.

**iii** **Strengthening civil society coalitions.** There was often insufficient support provided to keep coalition work going. Competition for funds and lack of trust between civil society groups — both formal and informal — was also considered to be a factor. Thus, investment in trust building between CSOs may also be required as part of this. Trust building is also important between formal and informal civil society, such as social movements. It was indicated that many informal groups joined in transition protests, but were again marginalized after transition took place.

In general (though not always) issue-based coalitions were often stronger, such as those working on LGBTI rights. Cross-civil society collaboration, however, differed across the countries studied. "Coalitions that help to bridge divides between identity groups. Authoritarian regimes are often in power because they effectively address some deep fears — caused by external threat or internal division — that most society members share. Democratic transition inevitably breaks up the old social coalition and may drive some

segments feeling despair. If civil society actors are oblivious of such popular sentiment, they may demand reforms without preparing the ground for reforms to be accepted."

Practically speaking, CSO coalitions, when functioning well, play a role in coordinating responses to immediate consultations and can also highlight the role of CSOs in democratic transformation to the wider public. Some joint work, for example, was taking place with coalitions on the civil society narrative in some countries. Having a coalition vs. a singular organization responding to any immediate legal reforms can itself help to build trust amongst civil society actors.

Trade union involvement in CSO coalitions can also help in certain political contexts where they have been a trustworthy actor in the transition process.

**iv**  **Combatting the immediate brain drain.** Civil society leaders in all countries reviewed have moved into taking up roles in the government, either as political appointees or elected officials themselves. This has led to a lack of new leaders in civil society. There is no quick fix for this, however several suggestions were made about how to combat the brain the drain in the short-term. First, providing incentives for new leaders to emerge, such as secure salaries or training opportunities; reviewing the salaries where they are particularly low compared to other sectors; or establishing an awards scheme for civil society.

## Stage 2

**i**  **Create independent, constructive advocacy skills.** It was suggested that in these countries civil society will have been acting in an oppositional way to government and that campaigning or fighting against something was the general modus operandi. Furthermore, understanding formal means of advocacy (such as writing letters or responding to consultations formally) was not something that CSOs were always familiar with. Training civil society in formal advocacy methods and understanding the different potential roles that an independent civil society can take could be helpful. Cross-mentoring between different countries of a similar nature who have moved from closed to more open may also be useful here. One respondent said bluntly: "Civil society actors in countries-in-transition should acquire political skills — how to frame discourse, how to persuade, how to negotiate — as politicians do... Instead of taking a holier-

than-thou position, civil society actors must place themselves as political entrepreneurs without a political career in mind."

Several people referred to the loss of "watchdog" when the transition happened as they were afraid to critique the government for fear of playing into the hands of the old regime. Thus, understanding how to hold governments to account when a transition was still fragile is a necessary skill and activity for civil society. More learning is required about how best to do this.

**ii** **Constituency building and practical delivery outside of the capitals.** Almost all respondents talked about getting out of their urban bubbles, but few had the capacity to do so. It was considered an either/or based on resources. But there was widespread acknowledgement that civil society needed to be more rooted in local communities. This is a common issue for resisting closing space more generally. Forms of constituency building included delivering relevant services directly (for example a mobile legal clinic was being undertaken by one organization); or creating local membership organizations with voting rights, rooted in communities. Other forms include community organizing at the local level, or building the capacity to fundraise locally.

**iii** **Creating fellowships and exchanges.** Closely related to the "brain drain" in Stage 1, it was mentioned by several people that opportunities to strengthen leadership through fellowships or exchanges with CSO actors from other countries was a key to their success. Some argued, however, that taking people out of the country to do so could be counter-productive at a time when capacity is low. Exchanges would be bringing people into the country; or offering fellowships that ensure people bring any new skills back to the country. (Fellowships and exchanges are also useful prior to transformation.)

**iv** **Educate and engage the civil service.** Ways to build trust and new skills for the civil service — who will have been mired in old ways of doing things — should coincide with building capacity for civil society, as there was considered to be a tendency for the civil service to be on the defensive and try to stick to old, disenabling rules even if legislation had changed. As one person suggested, "The civil service should be persuaded that strong feedback from CSOs is useful to them, not a threat." Ways to do this might include partnering with bilateral or multilateral government funders (e.g., EU, DFID, UN) to establish training and mentoring opportunities for the civil service.

## Ongoing

**i**   **Strengthening the narrative.** This is an issue that arises across closing space environments as well. In this research, suggestions were made including such elements as:
- a. Providing stories to the general public about how CSOs have fought battles that have made ordinary people's lives better, for example air quality, or prevention of corruption.
- b. Building relationships with the media.
- c. Creating a joint campaign with CSOs to build a positive image overall, including on social media.
- d. A bottom up effort to strengthen common values, then building a narrative from there.

**ii**   **Investing in leadership.** A strong emphasis on engaging youth was discussed across the countries reviewed through universities, either as independent "clubs" or to influence the curriculum itself. More work would be required to identify clear strategies for this, depending on the country involved.

**iii**   **Funding models.** (see discussion in Framework on recommendations for funders).

**iv**   **International solidarity and diplomatic pressure.** A considerable amount of research on closing space shows that local solutions may be more useful than international ones to help open civic space. However, in the countries reviewed here, the international dimension was considered quite important. For example, the EU has been a useful means to compel broader engagement with civil society in Romania and North Macedonia. In Armenia, it was argued that they often felt isolated, thus collaborating with international colleagues helped to strengthen their ability to learn and act. In Tunisia, the immediate and strong presence of INGOs — though difficult at first — ultimately enabled them to build more local civil society groups and bring much needed resources. It has also placed Tunisia as an important beacon in the region (see cross-cutting issues, below).

## Cross-cutting issues:

Other issues arose that were identified by several respondents which seem important to highlight but that may not be as directly applicable to opening civic space.

**i**    **Finding Common Cause:** While there is probably an array of cross-cutting issues to strengthen the enabling environment, bringing civil society together across some issues was identified by several people as a way of uniting disparate groups. Ethnic divisions may exist in some transitioning countries. It was suggested that if this is an underlying condition then finding and strengthening common cause amongst divided communities would be important, such as anti-corruption movements (who were critical in most of the countries studied); environment, electoral reform, or tackling inequality, a longer-term endeavor that should cross ethnic boundaries. Civil society coalitions can be encouraged to help to identify what these might be and develop strategies to address them.

**ii**    **Taking up the role as Regional Leader:** Regional leadership roles can be used to position the government through working with civil society upholding international standards. Tunisia is considered a beacon for the MENA region and the government holds this badge with honor. Some respondents felt that Malaysia could act as a leader in Southeast Asia, while Romania might also do so for CEE, as a way of countering Hungary's role. Playing the regional leader will, however, only work to the extent that it can become a matter of national pride, otherwise it may not achieve its intended outcome. Civil society could consider advocacy or campaigning to help build a self-reinforcing mechanism that builds pride for the country in upholding civic values.

# Country by Country Review

# Introduction

A combination of desktop analysis and a series of semi-structured one-to-one interviews were conducted between July and November 2019, with 37 stakeholders across six countries (Armenia, Ethiopia, Malaysia, North Macedonia, Romania, Tunisia) that have experienced an opening of civic space. Key elements for how to keep civic space opening during transition periods and secure the enabling environment for civil society for the long-term, were discussed and identified. The suggested priorities for investment are reviewed here, as well as some critical pre-conditions in each context.

The summary of each country was reviewed by interviewees prior to publication. Some respondents chose to remain anonymous.

## Contents

# Armenia

## Summary

Armenia is undergoing a significant transition, following large-scale anti-government protests and elections in 2018, which forced out an entrenched political elite. The new government has pledged to deal with long-standing problems including the electoral system, systemic corruption, and weak rule of law. While the revolutionary government has achieved some progress in elections and combatting corruption, the pace of dealing with some issues, including judicial reforms, has not been satisfying, and citizens are still waiting for dramatic changes to take place.

Overall in Armenia, the legal framework for civil society is quite strong, a consequence of considerable CSO input, with practice, however, lagging. Priorities were considered in a range of areas having to deal with the issues of how to work differently in a democracy, and how to ensure the capacity of civil society — and its ability to hold the government to account — is strong. This, alongside strengthening relationships outside the region, both for solidarity and learning, and to ensure the pressure to maintain democratic practice is upheld.

## Context

Serzh Sargsyan won the disputed 2008 general elections amidst violent suppression of anti-government protests, which saw at least ten people killed. Robert Kocharyan, the former President, has since been charged with illegally

ordering security forces to use force against opposition supporters during that time.

After a decade in power and as his second presidential term came to end in 2018, Sargsyan prepared to switch to the new role of Prime Minister, a role which had been significantly strengthened by constitutional changes passed in 2015. Citizens saw this move as a backdoor route to a third presidential term, and this sparked a series of anti-government protests from April to May 2018. These protests involved both political and civil groups, led by MP Nikol Pashinyan, head of the Civil Contract Party, who declared it a "Velvet Revolution." Pashinyan went on to become the new Prime Minister.

During the decade under Sargsyan's rule, civic space was continuously restricted, with documented cases of violence against journalists, reports of police violence during protests and demonstrations, and an overly regulated environment for civil society organizations involving burdensome registration processes. The penal code was regularly misused to intimidate protestors and prevent protests deemed unfavorable to the government, and pro-democracy groups were hard hit by politically motivated arrests and detentions.

Since the transition of power, the new government has implemented some reforms relating to corruption, and to the judicial and security institutions. They have also opened investigations into the March 2008 protests and the deaths of protestors during clashes with the police.

The new Prime Minister, a former journalist, has promised to protect freedom of speech. Improvement in freedom of expression has been recorded by civil society actors; Armenia has improved its ranking by 19 positions in the World Press Freedom Index, although the index did highlight that the Armenian press is still following the interests of its own media outlet owners.

In 2019 the European Commission on Racism and Intolerance commended the country for its efforts to fight racism, hate speech and intolerance; however there has been a recent rise in hate speech leading to violence, particularly for members of the LGBTI community and non-traditional religious groups. The Commission highlighted that there are some legislative gaps in this area and a lack of progress on investigating and prosecuting reports of hate crimes.

The peaceful transition to a new government has made citizens feel more empowered in their ability to demand change. However, the situation is still complex. A change in political climate is no guarantee that progressive ideas will be reinforced. The new government has inherited the the old institutions and policies that have long served the interests of a narrow group of oligarchs, and they seem slow to instigate radical change for fear of risking their popularity and support. CSO engagement is critical during these times.

# Top Priorities

## 1. Strengthening advocacy and accountability

Several respondents expressed a concern about a new chilling effect on civil society: that because they had their "friends" in government, they were afraid to speak out and criticize them. As one person, a former civil society leader (now independent) said: "CSOs, very few of them, are actually speaking up. This is a big problem because for years, Armenia had organizations who were watchdogs and whistle blowers. Now, instead of keeping them accountable, they are helping the government." Another said, "I'm worried about the independence of civil society in Armenia. There is an incomprehensible deference to the government right now in terms of 'let's wait for what the PM says about x incident.' I think their job isn't to appease the PM. There is a softening of the nature of accountability or watchdogging that civil society does."

Rightly or wrongly, there is a fear of playing into the hands of the old regime:
"We still continue the watch dog position, there is no doubt, but I also feel myself that there is less criticism from us. But it has only been a year, there is so much criticism from the previous corrupt regime, that we don't want to contribute to this. It's a tricky position," noted Gohar Shahnazaryan, co-founder of the Women's Resource Center.

How do we overcome this? Mikayel Zolyan, a former civil society member who was one of those now in a senior role in government stated: Civil society has to find a way of talking to the new government... civil society needs to change the discourse — bit different here than how things are discussed in the West. Discussion is more issue-based, not black and white, but nuanced, logical, shades of grey. We need to development a more rational way of talking about issues.

Artur Sakunts from the Helsinki Citizens Assembly agreed with this, citing their own experience in rationally bringing suggestions to the government, "the thing is, we're basically criticizing not just for the sake of it, but we're suggesting changes that should be made. We're bringing recommendations and suggestions that are driven from our values, not just criticism for its own sake. We do understand partners that don't feel comfortable about it. I feel like we disagree on this aspect. Before you wouldn't have any access to the government, but now you can solve issues just by approaching the government. That's the tool we use. If you know change is possible, there are different ways to work."

Strengthening the capacity to understand how to advocate in a new, positive regime and discussing deliberate strategies to enable this is clearly needed. For years, civil society groups would have been bereft of any access to government — so outward facing advocacy would have been the order of the day. How do you translate your new-found access without losing your old ability to hold the government

to account? "A priority would be learning how to influence government in a democracy — formal advocacy. People have to learn how to do this. People don't know how to interact with a government in a democratic way, e.g., calling your MP, writing letters, etc. There is no culture of that," said Mikayel Zolyan.

## 2. Formalizing relationships with civil society

On balance, there was a positive feeling expressed about having access to the government. But this remains very much about personal, informal relationships.

"There is engagement and participation now, it's much more open. However, new government is coming to understand that their understanding of governing is changing. After the revolution, the PM is very afraid. Everything is centralized and depending on him to make decisions."

"There is more dialogue between civil society and the new government — just down to the fact that people in civil society and government are friends and know each other. Some are simply Facebook friends and a lot of things happen on Facebook. It's not institutional," noted Mikayel Zolyan.

This has some serious drawbacks. One of the most striking phrases heard in this research was from the director of an environmental organization who stated, "It's not better now. The transition period is very hard. Who is your friend, who is your enemy? Before the revolution, it was clearer. Now, it's hard and complex."

There would seem to be a need to quickly establish formal relationships with civil society, that will take them away from the realm of relationships and personalities — effectively to de-politicize the work of civil society.

The government does seem to be making efforts in this direction for some issues, such as women's rights: "Platforms that the government is creating is a way to give us space to articulate our needs. This is a way to secure and enable our government," said Gohar Shahnazaryan.

Artur Sakunts said, "We're part of the working group in the national assembly working with members of Parliament directly on the changes that should be done in the law regarding electoral reforms. There is the anti-corruption group that is working with the council. We're also working with the National Security Council."

## 3. Combatting the brain drain and improving capacity

In Armenia, it was pointed out that at least a quarter to a third of MPs have come from civil society, and that senior leaders have also been drawn largely from civil society. This has some strong advantages of course; having knowledge of the issues and civil society is important to improve the enabling environment for civil society. But it is also a red flag, and leads to some of the advocacy concerns, noted earlier, and with political leaders

themselves lacking the ability and understanding of how to govern in a mature way, not as an activist. Other countries in the region have experienced this and lessons can be learned: "Georgia was in this exact place in 2003, when the Rose Revolution happened. There was the brain drain, the mass exodus into government and civil society collapsed in Georgia and they still haven't recovered from that," said Alex Sardar a former donor and Head of Innovation at Civicus.

He went on to say that this is both a short-term issue and a long-term concern. For the long-term strength of civil society the focus needs to be on youth: "I think there has to be a loud, explicit conversation about succession and youth leadership in civil society. When you look at every kind of technology, faces, voices of digital activism, people are well into their 40s and 50s. We're not seeing those youth voices come about. If we're not building that pipeline, we'll see an implicit brain drain."

But there also needs to be a focus on the immediate concerns. "Big organizations are trying to grow a new generation of civil society actors (e.g., OSI) but they are mostly speaking about the university level."

The immediate capacity issues are key to "holding the line": "There are a lot of examples from other countries about what the policies should look like and best practice, and there is a need to do more research on what is done in other countries and implement these,

and bring these here. If we don't have volunteers or capacity to do this, we will re-invent the bicycle" (Armenian expression for re-inventing the wheel).

Thus, combatting the immediate brain drain of capacity in civil society is important. Ideas were suggested including the obvious need for core funding in organizations; but also fellowships and exchange programs, most interesting of which was the expressed need to bring people to the country to add expertise and capacity.

## 4. Building International solidarity

Armenia has been fairly isolated, and thus it was pointed out that international solidarity is extremely important. An environmental activist noted that "when they only finance activity in Armenia it's not as good. It's important that our voice is heard inside and outside. That will help us. International pressure. It will be a stronger impact especially in the transition phase. Inside, they're used to our voice, we need help from outside the country. We need new instruments, more creative technology."

Alex Sardar suggested that "there has to be deep investment in building solidarity beyond Armenia's borders. Sick of the argument that we're different, we're unique. We have to build solidarity across borders; understand what is driving protest movements in Hong Kong. We're not going to sustain ourselves within this small land mass. From a funding perspective, we have to push Armenia to see itself and do work outside of its

pre-determined region of the South Caucasus."

The foreign policy pressure can help, too. "Bringing in international attention is important. The longer there is silence, the longer it's impossible to do anything about it.

## OTHER

As in most countries experiencing either closing or opening space, the usual proliferation of fake news attacking organizations is common. The narrative for civil society — working with the media, was considered important. "I think we will have a great impact if we can find common language to work with the media and change their attitudes."

Traditional values, especially related to the LGBTI community and the prevalence of the church was a top priority for almost all interviewees.

**"Civil society has to find a way of talking to the new government... civil society needs to change the discourse."**

## Important pre-conditions

Armenia didn't seem to have huge restrictions on the existence of civil society as compared to elsewhere. Voices could speak up, they just weren't listened to.

This meant that civil society had a strong base from which to jump forward: "Armenia wasn't as bad as Russia or Belarus, they weren't able to shut down civil society completely. We were in a hybrid situation — they couldn't shut us down, but couldn't allow us to function."

"The late 2000s and 2010s laid the groundwork for a sort of space for this new generation of civil society activists to come of age. And that was in the NGO sector. We're talking about people who have been in the sector for 20–25 years since independence. I think of them as the hosts of keeping this tent open for the space," said Alex Sardar.

This meant that, in at least some areas, there has been active coalition work already: "We always had our platforms. We had a lot of good, well functionable coalitions and networks (for violence against women). Though there is need for improvement working across issues, too."

# Ethiopia

## Summary

Ethiopia's democratic revolution in 2018 overturned 15 years of severe and almost complete shutdown of civil society in the country. The situation, while improved, remains precarious, with ongoing ethnic and regional conflicts, as well as referendums about independence in some regions. There continues to be at least two million internally displaced persons in the country. There is a forthcoming election in 2020.

Efforts are rapidly being made to open the space for civil society. New laws have been passed which enable civil society to operate relatively freely though fair implementation of the law requires further effort. Civil society groups are largely concentrated in the capital Addis and even then, are young, many starting from the beginning. The needs are thus huge, however strengthening independent relationships with the government, building capacity both within the capital and outside can help to build defense mechanisms against any renewed restrictions down the line.

## Context

Ethiopia's democratic revolution in 2018 overturned an almost 15-year complete shutdown of any rights-based civil society in the country. Informal self-help and community associations in Ethiopia were the mainstay of the country, until the entrance of international NGOs, which took root during the Ethiopian famines

of the '70s and '80s, and then grew substantially in the early '90s. During that time, formal civil society organizations also became more prominent overall.

Under the 2009 Charities and Civil Societies Proclamation Act, foreign funding was seriously curbed, stating that any NGOs receiving more than 10 percent of their financing from foreign forces couldn't engage in any human rights or advocacy activity. INGOS themselves were entirely relegated to working on development and humanitarian matters, and there was almost no active civil society working on human rights issues. These barriers have now been lifted, though there continues to be oversight by the government for any foreign funding received.

Since the revolution, civil society, lawyers, and academics have been drafted into the work of rebuilding a democracy, including the conditions under which civil society can function. The highly restrictive 2009 act has been replaced by the more progressive Organization of Civil Societies Proclamation. According to ICNL, the proclamation contains significant improvements. Freedom House reports that NGOs can now more freely organize public events, renew registration, and make public statements that are critical of the government without facing harassment or intimidation by authorities.

In 2018, the government lifted a ban on opposition groups, and there was a mass release of political prisoners, which included several journalists and civil society activists. This has led to a rise in more active human rights organizations operating in the country and an

expansion of civil society activity overall, with an estimated 800 organizations having registered by August 2019. Secondary legislation regarding implementation of the act remains a concern.

One of the issues to watch is the rise in foreign direct investment, which is rising rapidly as the government liberalizes the economy. As of April 2019, Ethiopia had attracted $13bn in foreign funding in the past year. This is potentially both good and bad for civil society. On the one hand, business and civil society are aligned on the need for the fair application of the rule of law. On the other hand, an opening of opportunities for foreign capital can also bring an increase in activism, as corporations will be looking for opportunities to invest in minerals, agriculture or dams, issues that often face conflicts with human rights. The Government could choose to enable these forms of accountability or, given the fragility of the investment, choose to suppress such activism and, like other countries, label it anti-development.

In November, a referendum on autonomy for the Sidama region was held — and monitored by CSOs — in which the population voted in favor of autonomy, potentially paving the way for further decentralization of the country, and hails a growing worry around ethnic based communalism in the country. Civil society, meanwhile, is largely centralized and situated in the capital.

There is also a forthcoming election in 2020, and the outcome of this is unclear. If the current government remains in power, the prospects for civil society are positive.

# Top Priorities

## 1. Institutionalizing working relationships with civil society – independent civil society

Maintaining both a healthy distance from, and a working relationship with, the government will be necessary (and indeed challenging) for the transition period. As with other countries, there are former CSO colleagues working with the government and the government also set up working groups with civil society to draft key reforms.

"As an organization we worked with government closely. State always does something wrong. The only way to prevent that from happening is by collaboration with the government. We have friends who are holding positions in the current administration. We really want to work with the government and work on prevention," said a human rights activist.

Kume Dagne, a human rights lawyer, said "for formal civil society, at least some of its leaders were instrumental in bringing about the legal reform. The PM established a legal affairs advisory council, and also established different working groups to reform laws. I was leading a civil society group that drafted the new laws. Other members of CSOs were also part of the working group."

Neutrality will be critical for CSOs. "Even CSOs should be able to refrain. They have to be neutral, otherwise they will oppose us for any problem. This is what happened in the 1997 election. There is a code of conduct which was already developed, and signing this should be mandatory for all CSOs," said Rahel Gebremariam from VSO.

## 2. Civil society capacity

Because of the highly restrictive laws that preceded the revolution, civil society in the country was almost absent, with many being forced to work outside the country, and the first priority is to rebuild their capacity.

There is a concerted effort to rebuild the capacity of CSOs. "Many are suffering because of being project based. Undertaking needs capacity assessment to attract competent experts to run them. Strategic planning, mobilizing communities," said Kume Dagne.

"There are civil societies but they're not vibrant right now. Still new now and very weak. Capacity should be built," said a human rights activist.

At the same time, perceptions (and indeed reality) in Ethiopia is that civil society jobs are well paid compared to other sectors and this can lead to resentment locally. Sensitivity to this needs to be considered, with longer-term commitments. Fisseha Tekle from Amnesty International, still based in Nairobi, suggested that "what is lost in Ethiopian civil society is expertise. You cannot acquire this over a short period of time. It's not only about money it's about expertise."

## 3. Legal NGO status – implementation

The enabling law for civil society was reformed in the immediate months after the revolution, as a key priority. However, implementation of the law lags far behind, and even faces resistance from the civil service.

Befekadu Hailu summarized what several interviewees remarked on: "The agency employs the same people as before, only two people have changed. Now they want to continue the same bureaucracy. There was also corruption. Even civil society members and NGOs got their license or papers renewed, they usually have to pay bribes. Now they're losing that economic interest and they're not happy. There is usually mistreatment.

"Only thing you can do — give some sort of empowerment training to the staff members of the agency. They are civil servants. You can't just fire them. Reform must not be dependent on who you put on the hopes of the leadership. Everybody has to do something. It's not just one training. We have to be constructive of their concept of civil society. The biggest thing was revising the law. At least we have the law. But state actors must know their roles that they are there to serve the people's interests. They should give protection to civil society members. That's the issue now."

A new implementation law is being drafted which is considered very restrictive. There is a concern that the civil servants are trying to recapture the power they once had.

## 4. Constituency building

Ethiopia is a hugely diverse country, and communalism is an ongoing and growing concern going forward. "We are an ethnically divided society. Every political elite mobilizes against their ethnicity. If it is a member of another ethnic group whose rights are violated, nobody cares. We have to create some social movements in order to support human rights. Society must believe that these are natural to everyone, regardless of political, social or economic status," said Befekadu Hailu.

CSOs — especially human rights ones — have largely been absent at the local level, which raises ongoing risks. "Ninety percent of CSOs are established at the Federal level. Very few CSOs are established in the regions, because most are dependent on foreign funding. Limitation, as over-concentration of CSOS in the major cities," said Kume Dagne.

The legacy of the closed environment has also resulted in a tendency to focus on international issues. "There was a constituency in the country that was donor driven and it was easy for the government to eradicate them. They need to strengthen their local base and work on constituency building, instead of exclusively focusing on the international partners," suggested Fisseha Tekle.

Moving forward, for the longer-term sustainability of civil society in Ethiopia — both in terms of promoting positive values, but also in terms of leadership — an opportunity is opening to partner with universities.

Kume Dagne said that we should be "encouraging partnership between academic institutions and CSOs. Forty-four universities in the country; seven state law schools in those universities. Academic institutions are not strong, but they are asserting their independence. It's a very good resource in terms of capacity but also generating future leaders."

"There is a huge interest in human rights now. This is the case in the universities. Engage the youth, take them through a supporter journey to engage people in conversation in youth clubs. There is huge potential to mobilize the youth in Universities. The youth are still looking for initiatives to engage with, and that's a place to start," said Fisseha Tekle.

**Important Pre-Condition**s

Civil society should be considered young and nascent, almost at ground 0, with only INGOs in humanitarian space, or GONGOs having been allowed to function. "Only five organizations were registered as civil society just before the revision of the law. They were allowed to fund the civil society through a bilateral agreement, but mainly for government projects," said Befekadu Hailu.

Digital activism was strong and one of the only places where civil society could gather. Internet shut downs were routine, but young people, especially, continued to use this space.

Those who were functioning — mainly in the development and humanitarian space — took it upon themselves during the revolution to sow the seeds of reform. "When the revolution started, especially in the final stages, we were actively engaged in policy advocacy work because we knew change was coming. We were really aggressive, and as a result, the new PM took this as a matter of priority," said Rahel Gebremariam.

> **There is a huge interest in human rights now....Engage the youth, take them through a supporter journey.**

# Malaysia

## Summary

In 2018 the Barisan Nasional administration was ousted after 61 years in power. The election in May 2018 marked the first transition of the Federal Government of Malaysia, and civil society mobilization around electoral reform and democracy contributed to this transition. Although the change in administration initially indicated a significant shift in direction, progress on proposed reforms has been very slow and ultraconservative narratives have been growing in recent months. Reforms grounded in human rights and good governance have seemingly been de-prioritized, and instead the administration has backtracked and failed to deliver key reforms.

Progressive civil society has suffered an immediate "brain drain" into the new government's administration and suffers from being under-represented by the Malay population who are largely more conservative in nature. Thus, building diverse capacity in civil society rooted in the communities can help to strengthen civil society's legitimacy. Advocacy skills and formalizing relationships with civil society and government is also critical.

## Context

The new administration, the Pakatan Harapan, has delivered some positive developments since the transition in 2018; for example, dropping politically motivated charges against activists and opening investigations into corrupt officials.

Amendments have been made to the Peaceful Assembly Act 2012 that ease some restrictive elements of the law; for example, provisions have been removed that made street protests a crime, and the notification period to the police of a peaceful assembly or street protest has been shortened. However, these amendments still fall short of international laws and standards, and there was a lack of transparency and adequate consultation when revisions to the law were drafted.

Other positive developments include a constitutional amendment reducing the eligible voting age from 21 to 18 years old, the implementation of automatic voter registration, and a Bill on an Independent Police Complaints of Misconduct Commission. This last development is an important step towards accountability for abuses by police, however Human Rights Watch has reported that some of the bill's provisions raise concerns about the independence of any such commission.

Overall however, the new administration has not delivered on the commitments from its campaign manifesto; for example, by repealing or reviewing repressive legislation such as the Sedition Act 1948. Furthermore, legislative and institutional reform processes have lacked transparency; for example, the report of the Institutional Reform Committee was placed under the Official Secrets Act, thereby preventing its public release.

In recent months there has been continued use of defamation laws to arrest, prosecute, and uphold sentences, and the police intelligence unit has been linked to the enforced disappearance of two individuals.

Treaty ratifications have also been postponed following protests led by the Islamic Party of Malaysia and UNMO against the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

The new administration has upheld anti-LGBTI policies, focusing on rehabilitation and the prohibition of the "promotion of LGBT culture." Many activists have reported a spike in anti-LGBT hate speech online since the 2018 elections, as politicians adopt anti-LGBT positions in order to appeal to Malay Muslims.

The 2018 elections demonstrated the potential role of protests and electoral reform movements in bringing about change and influencing political discourse. Bersih 2.0 — the coalition on clean and fair elections which saw cooperation between civil society actors and political entities — was an important social force, influencing the attitude of citizens towards elections regardless of their political inclination.

However, civil society actors have not adjusted quickly to the new political landscape. They have not developed a standard operating style or coordinated way of working, and their structural weaknesses have held them back since the new government took power.

Forming associations continues to be highly restricted. The Societies Act of 1966 has not been updated; it has burdensome requirements for registration, which allow authorities to be selective and block the work of "unwelcome" associations.

# Top Priorities

## 1. Advocacy skills and formalizing relationships

Advocacy was noted to be one of the key successes in the immediate days of the new government, but this also led to expectations of quick delivery (as experienced in other countries) which were not immediately forthcoming. "We set up 100-day mark — first hundred-day goals; at the 100-day marker, not much happened, but we accept that there are things that need more time. We asked 'What is your game plan, what is your timeline?'" noted Sevan Doraisamy from Suaram.

Because many civil society activists are now in government (see below on "Brain Drain"), there is both an opportunity for better relations with government, but also the risk of capture. Chin-Huat Wong from Sunway University said, "Civil society actors face two challenges: first, how not to be captured by the state, becoming over-sympathetic to former comrades now in government? Second, how to build and maintain the middle ground to support reforms, when even the government fails?" An indigenous actor working on the environment in Sarawak also felt that advocacy was important as long as it wasn't compromised and outsider approaches were necessary too: "We have to spice things up occasionally. They seem to take action, weeks after we do something."

Impatience for change was a key factor from respondents, and this posed risks for civil society. A Human Rights lawyer noted: "After one year in power, there are many in Malaysia who felt that much-needed change did not happen as expected or hoped for."

Ben Suffian from Merkada suggested that understanding how to balance pressure with demands for change is critical: "Civil society is impatient for change, but finding that this government isn't moving fast enough, partly because of the bureaucracy; Civil society members need to understand that reform is a process. We need an election and transfer of power, but it's just an initial step towards transition… while they are campaigning on the issues, they also have to be pragmatic about what needs to be done."

Formalizing relationships with the government for civil society was a solution to some of this. "A lot of people within ministries are civil servants who are still loyal to the previous government. They're powerful and not living up to the mark. Priorities are finding ways to engage. Proper, regular stakeholder meetings, and you have to create a system to legitimize the outcome of these," urged Sevan Doraisamy.

## 2. Brain Drain and capacity

All interviewees noted a huge exodus from civil society into the government and the challenges that poses.

"There is a huge vacuum in civil society… naturally when government

forms a committee, needs engagement with civil society; there are many new committees; naturally senior members of civil society are absorbed into commissions. So we have a vacuum in seniority," said Sevan Dorsaimy. One person said the priority is to invest in much-needed human capital development across civil society.

Capacity in a place like Malaysia, especially if you leave the capital, was equally about logistical resources, however. "Main obstacle will always be on financing. Just to travel from one place to another, the travel time is eight hours on logging roads. You need to connect with communities using boats. We need funding to go and meet more people in the interior."

The dual nature of capacity shortages in civil society is also coupled with the capacity of government to act. "I have been shooting emails, following up by phone, but continuously giving us all these excuses that they're busy. Dialogue was a success but follow-up was a disappointment. Problem lies with the Federal government, they seem to lack the capacity to follow-up" (indigenous, environment, anon).

## 3. Conservative Civil Society

Malaysia is a country, where traditional conservative values continue to predominate, even with a more liberal regime in power.

A human rights lawyer stated, "The political scenario may have changed, but the threats to civil society are still prevalent. There is growing evidence that shows Malaysians are more vocal and visible in their attack of those CSOs that have progressive views especially on matters of race, religion, human rights, gender and constitutional freedoms."

"When the new government came in power, they kept their promise and didn't become more authoritarian. But society remained very conservative. LGBT is actually an intra-communal issue where Muslims are concerned. Advocacy for LGBT and objection to it are largely framed in civilization terms — liberalism, fundamentalism, Western influence. New government do not know how to respond to such challenges. Amongst Muslims in government, while many may be moderates or pragmatists, very few are committed liberals," said Chin Huat Wong.

This opens space for a more rapid rise of conservative civil society, argued Ben Suffian. "New civil society is people in the new opposition. They're more conservative."

The medium- to long-term solution was to invest in young people and the education system: "Young people are more Muslim, proportionally compared to the older generation. Social outlook is more conservative. That's a challenge. In order for civil society to be relevant, they need to reach out to young people and be composed of young people." He went on to say: "More public education, entering colleges and schools, more outreach programs to spread democratic and moderate values. If they don't go into that, the conservative forces will free that up; there is a huge opportunity to recruit new people, to reinvigorate to enlarge civil society, because schools are opened up."

This is a lesson learned about what they wished would have happened previously: "We need young activists. We thought if after all government changes, we needed more young people to talk about the reform agenda 2–3 years back," said Sevan Doraisamy.

In the short-term, while it may not be possible to stem the rise of conservative civil society, uniting frames around the enabling environment were thought to cut across. Young people, for instance with conservative values or otherwise are believed to value progress on adherence to "rule of law" alongside "freedom of speech." Working on ensuring these areas are solidified could at least ensure a long-term voice to more progressive civil society groups and their issues.

## 4. Communalism (and constituency building)

Malaysia is divided along communal lines, which presented large challenges for civil society. Ben Suffian summed it up well: "Many who were vocal in the past were largely non-Muslim. That has given the government more people working on issues that were important to civil society then, but potentially alienated the Muslim majority population of the country."

Chin-Huat Wong warned: "Communal tension and yearning for authoritarianism are slowly making a comeback... If the Malay opposition comes back in power, they'll want to resurrect the old system to use authoritarianism as a vehicle for their communal agenda. Democracy has not been embraced by Malay-Muslim nationalism."

Sevan Dorsaimy suggested that "Every move by the new government always gets lurched back by Malay Muslims... the previous government still owns their own newspapers... taking that advantage of race and religion as their political weapon."

Support for civil society to tackle communalism could take many forms. Chin-Huat Wong asked: "How do we make democracy work by nurturing a healthy and productive fault line that's not based on religion or ethnicity? NGOs need more training on that ground."

Constituency building on the ground and diversifying civil society itself was the obvious starting point stated by several people: "The majority population isn't well represented in civil society. Civil society is an urban, middle class phenomenon; if they are keen, they can Malaysianize themselves and become more reflective of the population of the country, and reach out to the majority."

Environmental actors in Sarawak said this was the root of their success, and the reason they have a stronger operating environment regionally regardless of the political leadership. The region was currently being ruled by the more conservative former ruling party. "Communities are behind us. We're making efforts on the ground level. The local district officer... they know what we're doing, they're even willing to share some advice."

Cooperation with regional civil society groups in the region was highlighted as being important — to ideally position Malaysia as a rights beacon — and this seems to be gaining some ground, for example, in the protection of journalists in the region. Sevan Doraisamy suggested that "Malaysia is the catalyst Civil society needs to look beyond the Malaysian context. We need an ASEAN NGO. We've already met with the Foreign minister to discuss the idea. We need to get our government to be the champion. We have bloggers from Bangladesh or Pakistan using Malaysia, who have somehow settled here."

While not highlighted by many, it was suggested that the legal environment for civil society needed further strengthening, especially considering the potential to "hold the line" across conservative and progressive actors alike, noted earlier. "Working on freedom of association. The enabling environment isn't just about registering, but proposing the government set up a foundation law," said Sevan. Ben Suffian also highlighted the fact that many NGOs would be not be registered as such, and therefore were at risk. "A lot of NGOs are registered as societies but instead are businesses. Need mechanisms to protect them from political prosecution."

## Important Pre-Conditions

The anti-corruption movement was one of the main catalysts to help overturn the Barisan Nasional party. Civil society played a major role in this.

Chin-Huat Wong said that "Anti-corruption movements provides a legitimacy. It's hard to find a way to justify corruption."

The environment was also considered to be an element that helped to strengthen the legitimacy of civil society activism: "Environmental and heritage issues were one of the main themes in civil society. They were very pertinent in legitimizing activism in UMNO's last years," said Chin-Huat Wong.

> **The enabling environment isn't just about registering, but proposing the government set up a foundation law.**

# North Macedonia

## Summary

North Macedonia's civic space became less restricted in 2017 when a left-leaning government took power. This change in power was triggered in part by allegations that emerged in 2015 of a government-sponsored wiretapping and surveillance program, prompting a crisis that paralyzed normal political activity. Although Macedonia has made significant progress since then in building democratic institutions and strengthening civil society, there are still many obstacles to achieving an inclusive democracy. The country continues to struggle with corruption, and while the media and civil society are active, journalists and activists face pressure and intimidation.

The legal framework for civil society has been largely shored up, while strong coalition work by civil society in the run-up towards political change in 2017 has helped to strengthen its position in society ever since. Priorities to hold the line would include formalizing the relationships between civil society and the government to de-politicize the nature of these relationships, as well as strengthening the capacity of both civil society and government (civil service) actors. Creating a culture of local giving is nascent and important but would likely require significant investment.

## Context

Prior to 2017 the environment for civic actors was hostile, with legal uncertainty and smear campaigns used to undermine the legitimacy of civil society

organizations. In 2016–2017 the right-wing ruling party VMRO-DPMNE launched a so-called "de-Soroization" investigation, targeting local CSOs associated with George Soros and OSF. Multiple state institutions were used to put pressure on CSOs and these attacks created a chill effect amongst other civil society actors and donors. Meanwhile, the legal framework in place made it easy for pro-government and para-political structures, who defended and promoted the ruling party, to register as CSOs.

Civil society pushed back through networking and initiatives, public events, and petitions, and played a crucial role in opening civic space. They conducted monitoring and oversight of local and central government, advocated to participate in policy changes, pushed for transparency, and fought undemocratic legal solutions.

In 2015 allegations arose of widespread wiretapping and monitoring of citizens, journalists, politicians, and religious leaders by the VMRO-DPMNE government, and these allegations helped to bring about the government's eventual downfall. The new left-wing government who took power in 2017 has since taken steps to reform the security services; for example, in December 2018 parliament passed a law that removed the secret police from overseeing surveillance.

The new government is committed to EU integration, freeing captured state institutions, rebuilding trust among citizens and dealing with corruption and the wiretapping scandal.

In March 2018 the Minister of Internal Affairs announced that the previous government investigations of CSOs ("de-Soroization") had been completed, and that the suspicions around them had been unfounded.

A 2018 Enabling Environment Report (CIVICA mobilitas) stated that the country had shown improvements for the first time in six years in relation to basic legal freedoms, the financial sustainability of CSOs and the relationship between the government and CSOs. Key changes had been made in the Profit Tax Law, and the creation of a Government–Civil Society Council as well as the adoption of the Strategy of the Government of the Republic of Macedonia for Cooperation with and Development of the Civil Sector 2018–2020, were underlined as positive steps forward for the relationship between government and CSOs.

However, the report did also include recommendations related to necessary changes in the Criminal Code, putting the current Lobbying Law out of force, and simplifying procedures for registering projects exempt from VAT.

There are still issues to overcome; for example the European Federation of Journalists raised the alarm in 2019 over cases of threats to and harassment of journalists, and the Helsinki Committee for Human Rights has highlighted that the legal framework for hate speech does not provide adequate protections for minority communities.

## 1. Capacity of the state and civil society alike

A lack of capacity at the state level has two key problems: the first is the inability of government to see through any political promises that can strengthen public support; the second is the burden this places on civil society to fill in the gaps.

Irena Cvetkovik from Margini noted that "the declarative support is very strong. The problem is when it comes to implementation. You need a system full of people who can implement — but our entire public sector, 80 percent of them don't know why they're there. Civil society can push the government, but the problem is that a lot of state jobs are a way of ensuring your voters."

An environmental leader was even more scathing: "Their capacity is extremely low. It was really devastating to learn that when the Government changed, their capacities were so low and they needed so much help," said Ana Colovic Lesoska from Eko-svest.

The capacity lacking in the government, has led to some organizations taking a closer role in helping the government. "Some of the NGOs started to work more closely as a service to the government. Important and useful because there is a lot of expertise in civil society and government can benefit from that, because our government doesn't have the capacities to cope with the current

or forthcoming challenges," said Bardhyl Jashari from Metamorphasis. "We were engaged for more than a year in intensive process of writing documents — national strategies, action plans, you name it. Everything was more or less conducted by CSOs, pro bono work. We were exhausted. We were small organizations, very motivated. But after one year of really hard work, we were frustrated," stated Irena Cvetkovik. But this has also helped to progress agendas: "Most of the things taken on board, though, are going forward."

There are two options going forward: investing in supporting the capacity of the civil service, which comes with political challenges (though could be encouraged through partnership with government) or in the short and medium term, to invest in the capacity of civil society to play this role in the early days of a transition government.

"One of the things we don't do in Macedonia is that we don't build capacities. We tend to focus on one or two leaders in an organization and all the things that go around them, without investing in other people who can take over when people move on. Not many organizations invested in creating teams and pools of experts and people," offered Victor Mitevski.

## 2.	Funding

Unsurprisingly, funding was raised as a key priority by every interviewee. There is a severe lack of funding for

North Macedonia and no developed local philanthropy, or community organizing infrastructure as there is in other countries in this study, such as Romania. People cited Croatia as a cautionary tale, where donors disappeared once EU accession happened, leaving civil society in the lurch.

As there hasn't been obvious investment in developing local philanthropy, implementing a local giving culture will remain a challenge for the foreseeable future. More people saw opportunities for corporate giving: "Living in a country where 30 percent of citizens are still poor, you can't expect local giving, but you could expect companies and the state to contribute," said one civil society actor.

Creating a government fund was offered by some, but there was a mixed view of whether or not this was a good idea. "I don't think it's a good idea, because it's a small country and it will self-censor some of the work of CSOs. It compromises your independence," noted Bardhyl Jashari. "As this is currently being discussed at the government level, civil society could help to influence the principles around government funding beforehand — to ensure that there are no gagging clauses, for example, or to see that such funding could be independently governed outside of political whims."

One obvious opportunity to support CSOS is in co-financing EU funded projects. This is a large hurdle for organizations. "In these 15 years, EC has been financing projects here. You need to provide co-financing for these projects, and the possibility for co-financing is smaller and smaller. No national foundations. In the environment sector, there is nothing in our country being financed. It stretches our capacity to be able to fundraise to cover these costs. If you have half a million Euros, you still need to find 50K, which is not small for us. In 2020, we should have a government fund which we've been pushing for since 2014, like in Croatia or Slovenia: if you get EC funding, you automatically get government funding," said Ana Colovic Lesoska.

## 3.    Narrative/Trust

The image of civil society has improved to a degree in recent years, but needs to be shored up, especially as there is an ongoing perception of corruption in civil society. A recent scandal was cited, which would have an immediate and negative impact on the views of all CSOs.

"The image of civil society now is improved. But after ten years people being told we have high salaries, we're money laundering, we're some kind of elite. It's hard to break this image in two years. There was one scandal and it's influencing the image of civil society generally," said Irena Cvetkovik.

"A lot of people believe that CSOs are the money-laundering machines. When I speak to them, they say 'oh ya, but you're different'... In general people who are not in these circles would say that NGO are money laundering, they don't do anything — which is not that wrong. There are many groups that get funding [from municipalities, from government] and don't do anything with it," said Ana Colovic-Lesoska.

"We need public relations, public outreach. How to make civil society more visible to everybody and amplify their messages. Not only social media, but all channels possible," concluded Bardhyl Jashari.

## 4.    Formal and independent relationships with civil society

There have been some efforts to secure more formal, de-personalized relationships with civil society, alongside creating a strategy, and this has been seen as important. According to Victor Mitevski from Startup Academy: "In 2015, the previous government established a council inside the government for strengthening the collaboration between government and civil society. But that council never became operational... until the new government came. One of the key issues of collaboration between government and civil society happened in that council. A new strategy was introduced and then there's an open dialogue. I think a lot of things have been done to improve the state of civil society in the country."

But more remains to be done if these relationships are to transcend any current change in the political environment. "Now, if I want something done, I call a friend in the Ministry. But this isn't how you create institutional memory. All the reforms we made are very easily erased if a new government comes," according to Irena Cvetkovik from Margini, an organization working with the LGBTI community. She goes on to say that "as civil society, we should be more focused on

de-partisanship of the institutions. We need to create independent institutions, because political parties own the system."

Blazen Malezki from Reactor agrees: "The current threat is that civil society can't only be based on political will of one political party. We still have to manage the experience of ministries to actually build in this idea that civil society is a big part of what is happening in the country. I think that's a threat towards civil society space. Tomorrow, the government could change and we're back to 2011. Real threat is not institutionalizing the partnership between institutions and civil society."

Having formal relationships will not be sufficient on their own — there needs to be a parallel commitment from government to invest in these relationships through concerted effort, such as ensuring independent appointments to government as well.

## OTHER

The role of foreign policy from other actors — in particularly the EU — is very important for North Macedonia. They changed their name as an important measure to help them join the union, so the continuing influence of the EU and upholding certain policies in order to join will be important. "The biggest weapon that civil society holds is EU, State Department etc. They're very influenced by the international community. More political will to satisfy the international political will than people in the country. So we

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use this resource as a way to hold the government responsible," said Irena Cvetkovik. It will be important, however, to learn the lessons of Hungary and how to avoid a situation whereby the country applies EU policies but then once joining, quickly discards these.

Ongoing advocacy, transparency and independence was also cited. Most felt that this has been a strong factor in enabling their space over the past two or more years. "The main thing is to reinforce the watchdog role that we have as CSOs but also to communicate to the government in a credible manner with facts, not making skeletal statements about something being bad. Fact based work, based on data. We must make sure that the government perceives us as a partner and we are doing this in order to help them," stated Bardhyl Jashari.

**Important Pre-conditions**

Strong CSO coalitions were a contributing factor in helping to hold the line over the past two years.

Victor Mitevski from Startup Academy said, "Citizens' platforms — more than 150 NGOs got together, signed a declaration that they're going to fight together against the circumstances... A lot of statements, projects, with initiatives all over the country. There were local activities, raising awareness, heavy social media campaign on citizens values, freedom of speech. It was very energizing."

Collaboration also helps the transition to governing on a more democratic basis: "This level of collaboration enabled some civil society members to join the government: people who joined the movement, joined the government. I think it's a natural for the process of opening to happen, because the people that are now in power were civically active," said Victor.

> " **The main thing is to reinforce the watchdog role that we have as CSOs but also to communicate to the government in a credible manner.** "

# Romania

## Summary

Since the end of its communist dictatorship in 1989, Romania has struggled with corruption and "revolving door" governments. The most recent political turmoil has brought down yet another government, leading to a no confidence vote and a transition of power. For several years those in power have pushed back against civic movements campaigning on issues of corruption, putting civil liberties under increasing pressure. Although civic freedoms are guaranteed in law, actors who are critical of the government have been targeted with smear campaigns. Discrimination against minorities is an ongoing issue, as is control of key media outlets by those with political interests.

The focus for civil society strengthening should be on improving advocacy skills that are independent of politics, strengthening coalition work and constant vigilance around the legal status of NGOs as well as implementation processes. Trust in the region had also continued to be low and therefore narrative work and constituency building should be a priority.

## Context

The Social Democratic Party was elected to power in 2016. Then-party leader Liviu Dragnea was convicted that same year of trying to fix a referendum. He was blocked from becoming Prime Minister, but allegedly still led from behind, instructing ministers to undermine anti-corruption efforts and enact laws to protect him and others.

In 2017 these attempts to decriminalize corruption (via abuse of emergency decrees) triggered the biggest protests the country had seen since its days under communist rule. There were clashes between police and protestors, with documented instances of excessive use of force. At the peak of the protests 600,000 people took to the streets. However, the government proposals passed in July 2018.

Throughout this period CSOs have been targeted by restrictive legislation and smear campaigns. For example, in June 2017 a draft Bill was proposed that would ensure the forced closure of any CSO that failed to report revenue and expenses, and name all donors, twice a year. Further amendments to the NGO Law (Government Ordinance No. 26/2000) were proposed in March 2018, related to anti-money laundering and counter-terrorism. These amendments would entail burdensome reporting requirements including divulging the names of all beneficiaries.

Government attempts at legislative restrictions are ongoing, however civil society continues to advocate against these restrictive changes. Romania has a strong anti-corruption movement, and civic networks, CSOs and Romanian diaspora organizations have been very effective in organizing large-scale mobilizations. There are also several newly formed activist-led political parties now in existence. Although these parties performed well in the European Parliament elections, it is as yet unclear how much power or influence they will hold moving forwards.

In terms of the current context for civil liberties, in May 2019 Reports Without Borders urged Romanian authorities to "combat the impunity and climate of violence against the media." In the same year the Venice Commission published an Opinion, criticizing amendments to the Law of Justice: "Fundamental rules of the functioning of key State institutions are changed too quickly and too often, without preparation and consultations, which raises legitimate questions about the soundness of the outcomes and of the real motives behind some of those changes."

The latest ex-Prime Minister Viorica Dancila had started to try and reverse the controversial policies previously pushed for by the SDP; a shift that was welcomed by the EU and international communities. However, when Dancila announced her plans to run for President in the November 2019 elections, a coalition partner removed his party from her government and she lost her parliamentary majority. Subsequently, in November 2019, the Social Democrats lost a vote of confidence.

As of 4 November 2019, the centrist National Liberal Party Leader Ludovic Orban is the new Prime Minister. He has been described as a "fiscal hardliner and a 'convinced Christian.'" Research was undertaken prior to the election.

## 1. Advocacy

Strengthening the ability to do advocacy in a way that is neutral and respectful, with government, was raised by several people. Georgiana Gheorghe from APADOR-CH, the association for the Defence of Human Rights, said, "We need to keep building relationships with stakeholders and government, regardless of who is in power. We need to be able to speak to everybody and promote our advocacy. In the last years, on the background of a divided society, one of the mistakes that civil society has been doing is that it has antagonized the government so much. At some point, there was no possibility of communicating with each other. We need to invest in better communication and strategizing with both politicians and civil servants. Civil servants don't change, but politicians do, so you have to keep at it."

This view was widely held. "We need better advocacy and proactive advocacy rather than reactive. Need to try to communicate better one-on-one with members of Parliament. There is a lot of opposition in the ruling party, we need to find individuals who are more open and we can discuss with them. We need to make allies in the Parliament with all the parties. It's very easy to ignore us," agreed Oana Preda from the Resource Centre for Public Participation.

The overall perspective is that civil society is likely to be stronger if it has good links with civil servants, more than the politicians. Indeed, Elena Calistru from Funky Citizens pointed out the role of whistle blowers in public institutions when egregious legislative changes were happening. They were aligned with civil society.

## 2. CSO Coalitions

There appears to be a current lack of collaboration and intersectional working in civil society, which will be a key factor going forward. Without collaboration across issues (or even within issues) it is easier for government to divide and conquer.

"I don't imagine that civil society is so united. A lot of people formed CSOs that were silent and complicit, not saying anything," warned Elena Calistru.

The challenges are obvious: from competition to resource scarcity. "It's difficult to work in coalition — people have few resources, it's hard to put time in, especially as we cannot provide resources for everyone to be involved. Quite difficult to keep everybody involved; or giving feedback on documents," said Oana Preda.

It can leave groups feeling isolated: "Women's movement involvement in democratic space, in recent years was related to fighting corruption. But also, the women's movement in Romania is still quite isolated. People looking at feminists as 'weirdos,'" said one person.

An environmental respondent also agreed that the local civil society needed to be better at collaboration: "The civil society platform feels apart. Nobody is invested in it. We started to do loose networking with some of the environmental NGOs who were more open than civil society working on food and agriculture. WWF, Greenpeace, we found a way to communicate better with them. But there are no resources coming from the INGOs, they're just relational. They can't lobby alone."

## 3. Legal NGO status

The fragility of the legal NGO status, funding and demands for transparency were noted.
"There was quite a lot of debate in media, social networks etc. [last year]; some of the provisions were changed, but there is a tendency to make the life of NGOs more difficult," highlighted a person working on gender equality.

Georgiana Gheorghe said that the "procedure of registering CSOs is still considered to be lengthy and implies complex bureaucratic procedures. In August 2018, new tax policies entered into force that can negatively affect CSOs. According to a government ordinance, the state can verify the use of funds and goods received by CSOs through sponsorships. CSOs are concerned that this might be used as a political instrument."

In speaking to an anti-corruption investigative journalist, he pointed to the fact that as journalists, they face threats, and were subject to investigations by the anti-fraud office, which was proven to be false.

## 4. Narrative and trust

As with others in the region, a specific focus on improving trust with civil society — through narrative building, better transparency, and strengthening local constituencies — was still needed, and should have been done for the past several years. "In hindsight we could have been talking more about the fact that as NGOs, we're not angels, we're just a legal formation. A lot of the narratives were built on the fact that many NGOs took money and never published anything," said Elena Calistru from Funky Citizens.

"There was a lot of propaganda stigmatizing NGOs and activism, and trying to delegitimize us. Our response was quite weak. In hindsight, should have put our resources together for better communications, but it was a matter of resources," stated Oana Preda.

Some work is now being done in this area, with a comms campaign focusing on the watchdog role of NGOs, as well as the "foreign funded" stigmatization. "Organizations are either Sorosist and foreign funded or people who aren't doing anything. There is a lack of awareness of what civil society does in Romania. We're building up a coalition to cover this aspect. We are aiming to have a good communication campaign, raising awareness among the public about what civil society does," said Georgiana Gheorghe.

Constituency building is also a critical part of trust building. "One of the things we found in creating community organizations, it's just trust. There is historic distrust in Romania," said Cristi Gherghiceanu from ADEPT.

Strong international and regional links were considered highly relevant — it enables groups to access training, and create strong solidarity networks, especially across CEE countries. Funding for meetings and staff time was needed to enable these. It also helps to have that external option for holding your government to account. Two respondents told stories of going to the European Parliament, DGs and the Commission to help their cases.

While Romania hasn't suffered the same hostility to foreign funding as Hungary, for example, a key lesson in helping to keep space open is to ensure ongoing funding for organizations even if things seem to have improved. Respondents noted how traditional funding was withdrawn since Romania joined the EU, and this led to an absence of work on democracy.

But it's important that this funding is both diversified and localized, and this has helped some organizations survive if at least part of their funds — and activities — were locally rooted.

**Important pre-conditions**

Between early '90s and joining the EU, relationships with state authorities and civil society had been strengthened. At the time there was an openness of the Parliament to adopt an access to information law, which was considered important.

There was also noted to be strong links between anti-corruption campaigners and journalists: "There was a constant campaign on anti-corruption and independence of judiciary, alongside attacks on civil society. Civil society has been very active in explaining all the changes, technicalities and helping to mobilize. A lot of media specialized and journalists that worked well with civil society, so able to inform the public in a swift manner about what these changes mean, even if it was very technical. One of the ingredients was helping people to care about it," said Elena Calistru.

"It's difficult to work in coalition — people have few resources, it's hard to put time in."

# Tunisia

## Summary

Tunisia saw an opening of civic space following the peaceful revolution in 2010/2011. It continues to have many setbacks, with anti-terrorism restrictions and others being placed on civil society groups in the intervening years. Nonetheless, civil society remains uniquely strong for the region and is an active partner in various policy areas, including hard-won gains in human rights.

Tunisia provides us with a longer view than our other sample countries of how to hold the line, as its seven years into its transition from being a closed environment. While Tunisia has some unique characteristics historically for the region, key to the success of holding the line in the early days were the collaboration between civil society and government, in defining new civil society and human rights legislation, as well as the strong solidarity links and support from the International community. Going forward, more work remains to be done on strengthening civil society's role with government and balancing the ability to be both watchdog and collaborator. There is also a strong need to build constituencies outside of the capital and engage the younger population in constructive civil society. There are ongoing threats to the legal enabling environment, particularly around anti-terrorism.

## Context

Prior to 2011, civil society had very few freedoms and had stagnated under the authoritarian presidency of Ben Ali, who had been in power since 1987.

According to ICNL, the governing law on associations, law 154 required organizations to be approved by the government, and only those who sided with the government were given a license to operate. They note that CSOs were rare when street vendor Mohamed Bouazizi set himself on fire and protests began in 2010.

Civil society, however, played a crucial role during the transition period by collaborating with government in drafting new pieces of legislation around human rights and democracy, including those that govern the enabling environment for civil society. Four CSOs were awarded the Nobel Peace Prize in 2015 for playing a role in arranging negotiations and forging compromises among opposing political forces.

Decree 88 was declared in the early days of the transition in 2011, which protects civil society, provides for the exercise of Freedom of Association and support for a free and independent civil society sector. Following this, the National Constituent Assembly of 2014 adopted a new constitution that further enshrines protection for freedom of association. There are few burdens on registering, and only a judicial decree can dissolve a CSO. Expression and assembly are also protected.

However, following the 2015 terrorist attacks, a state of emergency has been continuously extended, which undermines some of the freedoms allowed in the constitution, especially regarding freedom of assembly. Anti-terrorism efforts continue to be one of the main threats to the enabling environment for civil society. In 2017, the government dissolved 198 organizations on charges of "financing terrorism," referring almost 1000 more to the courts.

The government tabled a draft bill on the state of emergency in early 2019, which, at the time of writing, was still being debated. CSOs meanwhile, have been campaigning to protect Decree 88. They face some threats from the government's recently enacted amendments to Tunisia's Counterterrorism and Anti-Money-Laundering Law, which places prohibitions on funding over 500 Tunisian Dinars if they're paid through multiple associated transactions. Foreign funding is also restricted from countries where there are no diplomatic relations. Nonetheless, Tunisia was recently removed from the Financial Action Task Force (FATF) blacklist around money laundering, a key instrument in closing space generally as CSOs are often accused of enabling terrorist financing. Civil society was active in demonstrating that they did not pose a risk.

Civil society rallied in April 2019 and provided a response opposing government restrictions. Despite the freedoms allowed, there are ongoing attacks on the media, bloggers and LGBTI groups who "pose a threat to Muslim and Arabic identity." As of 2017, there were an estimated 21,000 registered CSOs in Tunisia.

In 2017, Tunisia received 775 million USD in ODA, with the EU being the largest donor by a significant margin. The economic pace has, arguably, not kept pace with the democratic transition. While unemployment stands at around 16 percent, youth unemployment amongst graduates is significantly higher at 28 percent.

### 1. Relationship between government and civil society

Tunisian civil society has been heavily involved in forging collaborative relations with the government since the transition in 2011. However, interviewees referred to challenges with the civil service around trust and collaboration as well as efficient administration by the civil service itself.

"We're now in the age of transition. The government is not welcoming to work as partners. They think civil society needs to be neutral, only protest when needed. One of the weaknesses, we're only criticizing, time to start cooperating and giving ideas, not just criticizing," said Ahlem Nasraoui from the Young Leaders Entrepreneurs NGO.

She felt there was no trust with national government. "Whenever they invite you as a young person, they just do it to polish their own image. At a meeting on gender, they controlled what I spoke about. Government needs to change its way to really work with civil society, whether we like it or not. We need to work as partners. To build the accountability."

Amine Ghaldi from Kadem reflected that more should have been done historically to enable a constructive relationship between civil society and the government. "We have a public administration in charge of CSOs — department of civil society. For the early years until 2015, it has been almost a registration box. Just deposit your file. We should have played a stronger role to make it a more efficient institution to follow with CSOs. All of the problems we have today of civil society, we can't say it's the problem of civil society if we had a stronger public administration."

Where civil society is being asked to collaborate, it needs to be accompanied by better knowledge and skills of how to do this, particularly beyond civil and political rights, such as education, housing, water, or health, suggested a leading human rights activist. This can be done through leadership training, developing advocacy skills, as well as building stronger expertise inside civil society.

### 2. Constituency building/local

Particularly for vulnerable groups, including the LGBTI community and youth, more efforts should be placed on getting outside the capital.

"Currently the civil society quality of work and impact and structure is better in big cities. Closer to funders and decision-makers. In the top, you find the English-educated people from Harvard, they know how to manage all the gains," said Ahlem Nasraoui, who moved her organization to the capital for this reason. But she also agreed with others that this could be a problem.

Amine Ghali from KADEM said that civil society should "take this fight outside

the capital. Need to work amongst ourselves to get this debate outside of Tunis." Ali Bousselmi also agreed: "We need to go into the regions. We need to occupy the public space."

### 3.  CSO Coalitions and movements

Coordination, especially across issues, is required to strengthen civil society here going forward. "Need more coordination and information sharing, both local and international. Should sit together and coordinate next steps about what should be done to push back against pending restrictions," said a human rights and democracy leader.

Ahlem Nasraoui from the Young Leaders Entrepreneurs NGO said, "speaking as a young Tunisian, we need a movement that would represent everyone or liaise or coordinate those efforts and dialogue. We had something like this, but it didn't work out. Even as civil society, to coordinate amongst each other, to have a focus on advocacy and lobbying."

"We need to work together. It's the time that we need to have a program that brings lives together across different groups. Doctor, parliamentarians, journalists, bloggers, how we can work together," suggested Ali Bousselmi.

Competition for funding and lack of capacity was the primary barrier given to better coalition work.

## OTHER

Engaging young people in a country where youth unemployment seems high

is helpful, and contributed to a positive environment in the early days, noted Ahlem Nasraoui:
"Young leaders' entrepreneurs, founded after revolution in 2012. We needed jobs, innovation and eliminating vulnerability messaging so young people aren't victims of terrorism or radicalization. We were supporting youth movements to go out and fight racism, gender-based violence in order to be more empowered. Through these programs, they're more empowered to engage in public life."

Maintaining the legal status has been an important protection for vulnerable groups. Over the years there have been attempts to restrict the legal status, including as recently as 2018, where a law was adopted requiring the leaders of CSOs to declare their conflicts of interests. This has led to people closing associations, according to one person.

### Important Preconditions:

The role of the international community before and during the revolution and early days contributed to the success here. "There was a big influx of international NGOs who came to Tunisia. Many were looking for local partners, or they created local partners. First to come were UNDP, Freedom House, etc. Overall, very positive; many of them remain in Tunisia today," said Amine Ghali. Another person noted that in the early days this was problematic, but they now have national partners and local associations they're working with and this has worked well.

International networks also played a useful role in publishing communiques

and doing international advocacy.

Labor unions and the Bar Association were amongst the few organizations before the revolution that had public support and was largely independent enjoying some freedom of association. They played an important part in the early days of the transition in helping to define new regulations and set the agenda for a transitional government.

> **"Civil society should take this fight outside the capital. Need to work amongst ourselves to get this debate outside of Tunis."**

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