

SPACE for Civil Society

# STRATEGIC PARTNERSHIP APPROACH TO CREATING A CONDUCTIVE ENVIRONMENT

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AN OWN-INITIATIVE CONCEPT NOTE BY THE  
EUROPEAN PARTNERSHIP FOR DEMOCRACY

## INTRODUCTION

Crucially for any democracy, civil society needs space - not just to survive, but to pro-actively play its democratic role as watchdog of government action, partner in political and policy reform and provider of certain services to local populations. A vibrant civil society is also crucial for democratic innovation, something that is needed more than ever given the growing disillusionment of citizens with present forms of representative democracy, both in Europe and abroad.

Civil society does, however, not exist in isolation, being an integral part of democratic systems and societies. Therefore, **current efforts by governments around the world to 'shrink' the space for civil society - or to keep that space at a very minimal level - need to be understood as part of a wider trend towards 'electoral authoritarianism' or 'political backsliding'** - a trend that is affecting democracy as a whole, not only civil society. To be effective in countering this trend, supporters of democracy must adopt an approach that is sensitive to local power relations, i.e. an approach that targets all relevant domestic stakeholders, not least political decision makers, as it is those actors who define and delineate civil society space as well as democratic space more broadly.

**This concept note has been developed by the European Partnership for Democracy (EPD) as a basis for discussion with EU Delegations and EU member states** with a view to jointly designing programmes and projects that contribute to creating space for civil society. It presents a Strategic Partnership Approach for a Conducive Environment for civil society in EU partner countries (SPACE), mobilising the unique mix of skills and expertise of 15 European organisations that support democracy in more than 100 countries worldwide.

In doing so, SPACE responds to the European Parliament's resolution of 3 October 2017 on addressing shrinking civil society space in developing countries, which calls on the EU to

"acknowledge the need to provide guidance to governments, political parties, parliaments and administrations in beneficiary countries on developing strategies for establishing the appropriate legal, administrative and political environment to enable the efficient work of CSOs". At the same time, EPD clearly sees the need to go beyond Civil Society Organisations (CSOs), which is why SPACE addresses the whole range of civil society actors, organised and spontaneous, traditional and non-traditional. This also includes opposition parties, who hold very different view of what constitutes civic or democratic space from ruling parties, and who often suffer from prosecution and repression as much as civil society activists.

SPACE addresses the three overarching objectives contained in the **EU Country Roadmaps for Engagement with Civil Society** (Civil Society Roadmaps), which form the common framework for EU and EU member states action in support of civil society in non-EU countries: 1) contributing to a conducive environment for civil society, 2) supporting civil society participation in policy making, and 3) building capacities of individual CSOs. To do so effectively, SPACE identifies and addresses, in a single integrated framework, the incentive structures and capacity gaps of democratic institutions that prevent them from playing a more positive role with regards to civil society space. Based on these insights, SPACE supports domestic coalitions for change consisting of those individuals and institutions (in government, in parliament, in political parties) that have the power to take the decisions at the political level that are required to create a more conducive environment for civil society.

Chapter 1 of the concept note highlights the important role of civil society in democracies and argues for a more proactive approach by the international community to supporting civil society actors that have increasingly come under threat around the world. Chapter 2 presents the main tenets of EPD's proposed response to this attack

on civil society, the SPACE approach - first outlining its structure and main features; then explaining why EPD is in a unique position to work

with all of the relevant stakeholders and at all levels; and finally, presenting how SPACE works in practice.

## 1. RE-FRAMING THE SHRINKING SPACE PHENOMENON

The European Union, in its 2012 European Commission Communication on “The roots of democracy and sustainable development: Europe’s engagement with Civil Society in external relations”, highlighted the **importance of a vibrant civil society for the quality of democracy**. Consequently, contributing to an ‘enabling’ or ‘conducive’ environment for civil society is often among the objectives of EU interventions in partner countries, as can be seen in country-specific Civil Society Roadmaps, Human Rights and Democracy Country Strategies, and in the way EU Delegations make use of financial instruments such as the Development Cooperation Instrument’s Civil Society Organisations and Local Authorities programme (CSO-LA) and the European Instrument for Democracy and Human Rights (EIDHR).

### Civic space and the Sustainable Development Goals

The Sustainable Development Goals accord a central role to civil society. As part of Goal 16, governments and other development actors commit to building “responsive, inclusive, participatory and representative decision-making at all levels” and promise to “ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.” In addition, under Goal 17 one target is to “encourage and promote effective public, public-private and civil society partnerships.” The closure of civic space puts progress towards these goals at risk by preventing a meaningful participation of civil society in decision making.

If such an enabling environment exists, civil society can play different roles in a democracy that are referred to under various categorisations but can be broadly defined as falling within three main camps, i) **watchdog** ii) **partner** (for instance in policy making), and iii) **service provider**.<sup>1</sup> Regardless of its main purpose, civil society can take various organisational forms, such as business associations, trade unions, Civil Society Organisations (CSOs), Community-Based Organisations (CBOs), grass-roots movements, opposition political parties and newly forming political movements, non-conventional civic groups or movements (e.g. religious groups), human rights defenders and organisations,

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<sup>1</sup> Another useful typology attributes three main roles to civil society: social, economic and political (M. Edwards: *Civil society*. London: Polity. 2004). The political role of civil society actors can be specified further by dividing it into four categories: educational, communicative, representational and cooperative (Jelmer Kamstra, *Dialogue and Dissent Theory of Change 2.0. Supporting civil society’s political role*, Ministry of Foreign Affairs of the Netherlands, Social Development Department. Civil society unit (DSO/MO). June 2017).

international NGOs, associations of professionals, legal activists or organisations filing court cases, etc.

**All three aforementioned camps (watchdog, partner, service provider) and their different organisational forms are important in a democracy.** However, another type of civil society has been gaining strength around the world in recent years, that often does not accept fundamental rights and the fight for the common good, and whose leaders are using nationalist, illiberal, extreme religious and exclusionary motives to defy democratic values.

These organisations mostly flourish in countries where the concept and values of democracy and fundamental rights are undermined by government. In recent times a growing number of governments have been trying to delegitimise “liberal” civil society - while supporting “**conservative” civil society**. This differentiation in governments’ approach to civil society can be observed in particular, but not only, with regards to LGBTI rights or gender equality.

Those civil society groups that act as watchdogs are increasingly labelled by governments as foreign agents (for instance in Russia<sup>2</sup> and Egypt<sup>3</sup>) whose agendas are, so the argument goes, donor driven.<sup>4</sup> Furthermore, cooperation between governments, parliaments, political parties and other important domestic decision-making bodies on the one side, and independent civil society on the other, has decreased drastically in recent years (the ‘partner’ function of civil society), often with detrimental consequences for the quality of representative democracy and the policy-making process. This trend can be observed in many countries, including in highly polarised environments such as Turkey or Bolivia. As a result of these trends, the civil society that is left to operate legally and publicly in such contexts is usually **concerned first and foremost with service provision**.

Accordingly, in the past few years, discussions among EU officials, donors, policy-makers and activists have been focusing increasingly on efforts by governments to ‘shrink’ the space that civil society needs to fulfil its aforementioned democratic roles. Several European governments and the European Union have committed themselves to fighting this challenge.<sup>5</sup> While there is a clear need for a vibrant civil society, **the response by the donor community to the “shrinking space” phenomenon has been too reactive**, prioritising protecting civil society actors from harm over addressing the root causes and incentives that make state actors seek to shrink civil society space in the first place.<sup>6</sup>

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<sup>2</sup> <https://www.amnesty.org/en/latest/news/2016/11/russia-four-years-of-putins-foreign-agents-law-to-shackle-and-silence-ngos/>; <https://www.article19.org/wp-content/uploads/2017/10/Russia-UPR-Short-Briefing-09042018-FINAL.pdf>

<sup>3</sup> <http://www.icnl.org/research/monitor/egypt.html>

<sup>4</sup> The following paper analyses the issue of shrinking space for civil society and provides counter-arguments to the argument used by governments and sometimes non-state actors to impose restrictions on civic space: The counter-narratives have two objectives: Shrinking Space - some counter-narratives, Partos and BMO, November 2017: <https://docs.google.com/document/d/1S2ZtnkFiIk1BGieL1FoE34J1qO7oBwcr1mPpP-dyk/edit#>

<sup>5</sup> The institutions of the EU have referenced attacks on civil society on numerous occasions in statements and official policy documents. See for instance: European Parliament resolution of 3 October 2017 on addressing shrinking civil society space in developing countries (2016/2324(INI)) / the Fundamental Rights Agency, Challenges facing civil society organisations working on human rights in the EU, 2018 / The Human Rights and Democracy Action Plan 2015-2019 / Global Strategy

<sup>6</sup> While the EU has established an effective mechanism for channelling and coordinating emergency support to human rights defenders that are “at risk” (something that is of course needed), it has had less success at identifying ways to pre-empt attempts to restrict civil society. Some experts have called for more forceful and coherent diplomatic responses to

Likewise, research has tended to focus on how governments go about shrinking civil society space while also looking at the response of activists and the international community.

**Little research has, however, looked at examples of successful challenges to government attempts to close space**, with notable exceptions.<sup>7</sup> Similarly, there has been little reflection of the impact that civil society space - or a lack of it - has on other elements of the political system. Is the phenomenon an example of authoritarian pushback? Authoritarian learning? Shrinking democratic space?

By its very nature, a reactive response to shrinking space places civil society at a disadvantage, often scrambling to combat a legislative proposal or government edict on its own. It also tends to focus more on the civil society community itself rather than the relationship civil society actors have with other elements of a political system.<sup>8</sup> As currently construed, **support for civil society tends to be guilty of the classic silo system in donor support** and therefore misses connections to grassroots communities or the political sphere.<sup>9</sup>

There are many elements of a political system that have an impact on civic space that are deserving of greater attention. **Placing civil society space within the wider sphere of 'democratic space'** allows for a better analysis of regime tendencies and broadens the dichotomy of government vs civil society. A shrinking democratic space affects citizens, civil society and (opposing) political groups and parties alike.<sup>10</sup>

This means support to civil society - in the broad definition - needs to be holistic and comprehensive, involve a range of different domestic actors, and operate at different levels of society. In order to do so effectively, donors and democracy supporters have to know these actors - their political and economic interests, their attitudes towards democracy and the role of civil society within the political system, and their incentives for change. Only if they understand and act upon the **'political economy of civil society space'** will their efforts to enhance that space yield sustainable change rather than short-lived victories.

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closing civic space. However, this can also be risky, as more forceful interventions can trigger a backlash by the government concerned, which could harm civil society even more. See also: Shrinking space for civil society: the EU response, DG EXPO, European Parliament

([http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO\\_STU\(2017\)578039\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf))

<sup>7</sup> Parliamentary approval of laws that seek to restrict or repress civil society is not automatic, as could be witnessed in Kyrgyzstan, where in 2016, the national parliament surprised many observers by rejecting the proposed 'Foreign Agents Law'. See also: Susan Dodsworth, Time to stop talking about 'closing space' for civil society? (<http://www.wfd.org/time-to-stop-talking-about-closing-space-for-civil-society/>), or ICNL, Effective Donor Responses to the Challenges of Closing Civic Space, May 2018 (<http://www.icnl.org/news/2018/Effective%20donor%20responses%20FINAL%201%20May%202018.pdf>)

<sup>8</sup> EU external financing instruments and the post-2020 architecture, European Parliamentary Research Service, PE 615.636, February 2018

<sup>9</sup> Ibid.

<sup>10</sup> Revisiting the Shrinking Democratic Space Discourse. A reflection from Political Parties Assistance Providers' Perspective., A. Magolowondo, NIMD, The Hague, 2017

## 2. A PROACTIVE APPROACH TO CREATING SPACE FOR CIVIL SOCIETY

### A. Logic of intervention

The **Strategic Partnership Approach to creating a Conducive Environment (SPACE)** aims to contribute to a conducive environment for civil society in a targeted country (Overall Objective). Its specific objectives will depend on the specific country context and the needs of local stakeholders while also taking into account the country priorities and operational limitations of EU Delegations or EU member states. They could include, for instance: enhancing the legitimacy of civil society in the eyes of local communities; increasing the levels of trust and cooperation between civil society, state actors and other relevant stakeholders; or strengthening the capacity of civil society and/or state actors to engage in multi-stakeholder dialogue.

Whatever the specific objective(s), SPACE seeks to enhance the links between civil society and other key actors in the political system, creating coalitions for change that strive to open up (or safeguard) democratic space rather than focusing solely on civil society space as a separate sphere in society. After all, efforts to shrink the space for civic engagement often go hand in hand or are the precursor to attacks on basic human rights and democratic freedoms in society at large, which is why the shrinking space phenomenon should not, and arguably cannot be addressed effectively, in isolation.

In order to facilitate and support effective multi-stakeholder coalitions, SPACE:

- i. engages a **range of different actors** that have a major impact on the space afforded to civil society, and;
- ii. operates at **different levels of society**, from the local to the international level.

The following diagram provides an overview of the four intervention levels and the different institutions and stakeholders that are addressed through SPACE.



The rationale for engaging with various types of institutions and stakeholders and the types of activities that SPACE proposes at the different intervention levels are as follows:

**Level 1: Citizens - more than just beneficiaries**

Citizens are not only the final beneficiaries of an open and vibrant civic space, but also its guardians and key promoters. Broadening participation in democracy means actively reaching out to all citizens, including underrepresented or marginalized voices. Consequently, SPACE's actions at the level of individual citizens aim, on the one hand, at raising awareness and capacitate the general public to take an active part in political life, where the fight for civic space is usually being fought. On the other hand, it serves to identify, empower and strengthen citizen champions of democracy and drivers of public debate and to connect those individuals with civil society and/or political actors that share their concerns, thereby facilitating constructive engagement within the political system.

**Level 2: Civil society - fostering a constructive engagement with state actors**

Civil society opens channels for citizen participation in public decision making and plays a crucial role in ensuring the accountability of democratic institutions, both through formal as well as informal mechanisms.<sup>11</sup> Actions at this level encourage and facilitate a constructive engagement of civil society with state actors, thereby contributing to home-grown solutions for creating a conducive environment for civil society. In order for civil society actors to do this effectively, they need to be connected to their constituencies (level 1). Furthermore, they need communication skills and strategies to communicate effectively with these constituencies as well as with democratic institutions (level 3), including with those actors that have the power to make and implement policies that address their concerns.

**Level 3: Democratic institutions - finding common ground for a conducive civil society environment**

The executive, judiciary, parliament, political parties, media and academia all play a vital role in setting-up and maintaining a conducive environment for civil society and in opening venues for citizen engagement in public affairs.<sup>12</sup> SPACE follows a dual track approach to engaging these democratic institutions, encouraging them to engage with citizens and civil society in structured

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<sup>11</sup> Take parliament as an example. There are multiple ways for civil society to participate in parliamentary business and the institutionalisation of this form of cooperation varies across different parliaments. The most common way for civil society to participate in parliamentary business is through providing oral evidence in public hearings and/or written evidence to a committee, where public problems are discussed and public input is being sought beyond constituency concerns and party politics. A parliamentary committee can request written or oral submissions through civil society organisations that have expert knowledge on an issue. Civil society may wish to participate in formal parliamentary business for a variety of reasons, including to amend or contribute to a piece of legislation, provide expert advice on a policy issue or raise awareness and provide the point of view of a certain group that is directly affected by the decision in question. In addition to these formal ways, there are also numerous informal ways for parliaments to engage civil society.

<sup>12</sup> The role of government and parliament can't be stressed enough in this context, as they are in charge of preparing and adopting laws and decrees that restrict civic space, as well as any proposed laws that might have this effect. Three types of laws are relevant here: Laws that are expressly about civil society, such as NGO registration laws; laws that are expressly about political activities, such as laws that regulate protests or the media; and laws that are more general, but which may be selectively enforced so as to constrain civic space, for example taxation or defamation laws.

dialogue on policy issues and providing them with technical support that enables them to do so effectively. Civil society space can be, but does not have to be, the main topic of these kinds of multi-stakeholder dialogue processes. Another option is to support the aforementioned stakeholders in (jointly) addressing other issues of common concern in order to generate mutual trust, a precondition for further cooperation and dialogue. In turn, these trust dynamics can eventually lay the ground for addressing thornier issues that are more closely related to the role and legitimacy of civil society. In doing so, SPACE does not just respond to problems, but aims at pre-empting them - protecting existing civic space from new restrictions as well as helping local stakeholders to create an enabling environment for civil society, inspired by context-appropriate examples of good practice.

#### **Level 4: Regional and international fora - Mutual learning, support and joint advocacy**

Civic space seldom survives isolated from external influence and locked into national borders. Accordingly, international bodies like the UN have included this issue on their agenda.<sup>13</sup> SPACE facilitates networking and exchange among likeminded civil society actors and representatives of democratic institutions from the same region, promoting mutual learning and the cross-fertilisation of initiatives that are addressing common challenges to civil society space. Furthermore, SPACE provides a platform for joint advocacy initiatives by coalitions for change at the level of regional and international fora, capitalising on the experience and insight of EPD members, many of whom have a long track record of policy advocacy targeting the EU, UN and other intergovernmental organisations.

### B. Added value: mobilising the EPD community of practice

The European Partnership for Democracy (EPD) was established in 2008 with the goal of contributing to, and reinforcing, European endeavours in the field of democracy assistance. A Belgian non-profit association (ASBL) based in Brussels, EPD brings together 15 members<sup>14</sup> from 11 countries from across Europe, specialising in different sectors of democracy assistance. Its membership is **active in over 100 countries and has implemented over 200 projects** in the field of democracy support (often funded by EU Member States and the EU institutions). Through innovative and collaborative methodologies based on the development of effective partnerships with civil society organisations

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<sup>13</sup> In July 2016, the United Nations Human Rights Council (UNHRC) passed a resolution that urges states “to create and maintain, in law and in practice, a safe and enabling environment in which civil society can operate free from hindrance and insecurity.” This resolution calls for states to: Ensure that civil society actors can seek, secure and use resources; maintain accessible domestic procedures for the establishment or registration of organisations; ensure that civil society can give input into potential implications of legislation when it is being developed, debated, implemented or reviewed; adopt clear laws and policies providing for effective disclosure of information; and ensure access to justice, accountability and an end to impunity for human rights violations and abuses against civil society actors. ([http://www.un.org/ga/search/view\\_doc.asp?symbol=A/HRC/32/L.29](http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/32/L.29))

<sup>14</sup> European Association for Local Democracy (ALDA), CFI, World Leadership Alliance - Club de Madrid, Political Parties of Finland for Democracy (Demo Finland), European Centre for Electoral Support (ECES), Eastern Europe Studies Centre (EESC), elbarlament - cultures of democracy, Netherlands Helsinki Council (NHC), Netherlands Institute for Multiparty Democracy (NIMD), OneWorld, The Oslo Center, People in Need, Universidade Católica Portuguesa (UCP), Westminster Foundation for Democracy (WFD)



and democratic stakeholders, EPD facilitates the exchange of knowledge and good practices around the world.

SPACE builds on the unique position of EPD within the democracy support community, bringing together, under the same institutional roof, organisations that have extensive **experience working with the most relevant stakeholders in the democratic process**, namely: citizens (level 1), civil society (level 2), local and national governments and parliaments, political parties, academia and the media (level 3). EPD members work with those institutions and stakeholders at different levels, from individual activists (including those working for the most vulnerable communities such as LGBTI and



people with disabilities), journalists and CSO staff to state officials and elected representatives; from the grassroots to national political leadership and international fora. Moreover, EPD members work with intra-governmental, regional and international organisations that monitor democracy, human rights and rule of law (level 4). The network also has extensive experience in facilitating civil society participation in policy dialogue with government as well as in building the capacities of civil society.

### C. Creating SPACE in three steps

**EPD acts as a direct interlocutor for interested EU Delegations or member states throughout project implementation.** Before the start of a SPACE project, EPD will discuss specific priorities related to civic space with the EU Delegation or member state. Such a discussion would look at which domestic actors within the political system protect, hinder or support the development of a conducive space for civil society. This may be the central government and/or local authorities, parliament, political parties, academic institutions or expert communities, and sometimes the media and civil society organisations themselves.

EPD will provide advice to the EU Delegation or member state as to which types of actors SPACE should or should not target (for example, it may be wise in some contexts to not work with political parties or with the judiciary). This advice will be based on knowledge of the country context and consultations with local civil society actors. However, the final choice in this regard falls to the donor(s), as it depends to a large extent on official policy documents (Civil Society Roadmaps,

Human Rights and Democracy Strategies, etc.) or issues identified in previous planning, formulation or programming exercises. Once the initial decision about the target groups has been taken, EPD will start implementing the project, following a three-step approach. It is important to note that the second of these steps is vital in order to achieve local ownership, something that is crucial for a successful and sustainable programme. The three-steps are as follows:

i. A politically-informed assessment of civil society space

The factors that prevent a conducive civil society environment from materialising vary greatly across countries. Some countries are characterised by high levels of societal and political polarisation and a political system in which power holders prevent civil society actors from playing their role. In other countries, the same governance system that prevents a conducive civil society environment from materialising might also be instrumental in outmanoeuvring the political opposition and preventing healthy political debate. In yet other contexts, governments or parliamentarians may have created GONGOS in reaction to existing CSOs' critical and activist stance, thereby deliberately creating confusion as to who is part of civil society and who isn't. Any meaningful intervention should therefore be based on a **sound analysis of the local stakeholders and their relations with each other**.

SPACE starts out with a highly context-specific assessment of how democratic institutions (level 3 stakeholders) drive or hinder the development of a conducive environment for civil society in a given country. The existing academic literature on civil society space<sup>15</sup> provides the general framework for this **Democratic Institutions for a Conducive Environment (DICE)** assessment. At the same time, DICE is tailored to the local context, as it uses tools for stakeholder mapping and Political Economy Analysis (PEA) to identify opportunities for influencing positive change, an approach that has been tested successfully by EPD within the EU's Media4Democracy facility.<sup>16</sup>

#### Political Economy Analysis (PEA) in Action

EPD members Westminster Foundation for Democracy (WFD) and Netherlands Institute for Multiparty Democracy (NIMD) have developed methods and tools for integrating PEA into their programmes and trained their staff on how to apply them in the field. The organisations are active in a wide range of countries in Sub-Saharan Africa, MENA, Latin America, Eastern Europe, the Balkans, as well as Central, South and South-East Asia. Whenever their local track record allows for it, WFD and/or NIMD are in charge of adapting the DICE method to the local context and conducting the assessment.

<sup>15</sup> See for instance: *Shrinking space for civil society: the EU response*, DG EXPO, European Parliament, 2017 ([http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO\\_STU\(2017\)578039\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf))

<sup>16</sup> <https://media4democracy.eu/>

**DICE identifies country-specific issues of concern.** These could be, for instance: an inadequate policy or legal framework regulating civil society<sup>17</sup>; the co-optation of civil society by political parties or movements; a lack of accountability of CSOs and other civil society actors and the resulting lack of support from their supposed constituencies; or an overreliance of CSOs and activists on external funding. Moreover, **DICE provides an analysis of the relevant institutions and stakeholders** - where they stand with regards to these issues - and what could be done to support actual or potential champions of reform.

The analyst conducting the assessment is provided from within the EPD Community of Practice based on his/her knowledge of the political system and stakeholders in the country. He/she works together with an expert with extensive knowledge of civil society in the country in question. Both experts will be trained on this method by the EPD Secretariat before beginning the in-country research.

## ii. Identification of potential solutions and capacity needs of local stakeholders

The lead expert documents his/her findings in the form of a concise report and presents this to the EU Delegation or EU member state staff working on civil society support and democracy assistance in the target country. Based on this analysis, SPACE organises and facilitates a series of **workshops bringing together civil society representatives with representatives of democratic institutions** in order to discuss the issues identified through the DICE assessment. These workshops provide safe spaces where participants can engage in an open dialogue, going beyond mere consultation or other forms of “limited” participation.<sup>18</sup> It is important to note that the role of civil society is not the focus of these workshops - it is a by-product of discussions on specific topics. Such an approach is vital, particularly in countries where the role of civil society has already ‘shrunk’.

The workshops thus serve to **build bridges** between civil society activists and civil society on the one hand, and the government, politicians and (professional) journalists / the media on the other hand, thereby nurturing the trust that is a precondition for these, often confronted, actors to jointly identify workable solutions for increasing civil society space. As with the DICE assessment, SPACE utilises the expertise of the EPD community of practitioners, selecting experienced dialogue facilitators that know about the particularities of working with civil society, political parties, parliaments, local authorities, the media, etc.

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<sup>17</sup> In particular, the DICE assessment will identify laws and decrees restricting civic space, as well as any proposed laws that might have this effect. Three types of laws will be relevant here: 1) Laws that are expressly about civil society, such as NGO registration laws; 2) laws that are expressly about political activities, such as laws that regulate protests or the media; and 3) laws that are more general, but which may be selectively enforced so as to constrain civic space, for example taxation or defamation laws. Particular attention will be paid to laws that include very broad and/or unclear definitions, giving implementation agencies considerable discretion for enforcement; laws that restrict the receipt and use of foreign funding (without necessarily taking the form of a complete ban); and laws that are extremely complex or contradictory, creating (potentially deliberately) an environment of uncertainty about what civil society is, and is not, allowed to do.

<sup>18</sup> Arnstein, Sherry R. "A Ladder of Citizen Participation," JAIP, Vol. 35, No. 4, July 1969, pp. 216-224

When inviting civil society representatives to take part in the dialogue workshop series, **SPACE goes beyond the usual suspects**, i.e. big and well-known CSOs and civil society networks that are based in the capital. This approach is justified by the focus of the workshops on specific issues that impede civil society from playing an active and positive role within democracy - issues on which more specialised (and often smaller) civil society actors might be more knowledgeable and therefore represent more legitimate interlocutors in the eyes of the representatives from the democratic institutions than bigger, 'catch-all' networks or so-called 'donor darlings'.

Through the DICE assessment and dialogue workshops, **SPACE identifies the capacity needs of the participating stakeholders**, be they linked to a lack of funding (e.g. for CSOs and individual activists), a lack of professionalism when it comes to understanding and reporting on the role of civil society in democracy (academia and media), or a lack of technical knowledge on how to create a legal framework that is conducive to widening civil society space (mainly parties, parliament and government, but also CSOs that want to engage in policy dialogue).

The exact types and sequence of activities to be organised by SPACE in order to promote an enabling environment for civil society depend very much on the country context during the inception phase, but also later on. The political context might change and civic space reduced due to unforeseen developments. It is therefore important that the project follows a flexible and adaptive, responding to these unforeseen circumstances by updating the DICE Assessment and testing its findings in another round of dialogue workshops.

The main output of this phase is an **Action Plan for a Conducive Environment for civil society**, to be elaborated by SPACE based on the outcomes of the dialogue workshops and then reviewed and adopted by the aforementioned stakeholders to ensure that it is truly locally owned. The Action plan will take into account related past and on-going initiatives - for instance to strengthen civil society's capacities - in order not to duplicate efforts but rather to connect and collaborate with other national and international support organisations.

### iii. Provision of tailor-made support

SPACE offers a wide range of activities that EU Delegations and member states can deploy to implement the Action Plan for a Conducive Environment for civil society, covering all four intervention levels (citizens, civil society, democratic institutions and regional/international fora). An indicative list of activities can be found below. **All of these activity groups have already been implemented by EPD members under different projects around the world.**

Which of those activities form part of a specific SPACE project depends on the EU Delegation or member state's initial choice with regards to the types of domestic actors that the project should target, and the Action Plan for a Conducive Environment established at the end of phase ii. Naturally, SPACE capitalises on EPD's expertise in working directly with civil society actors, political leaders, (line) ministries, local authorities, parliaments at the local, regional and national levels, political parties, the media and academia.

Indicative list of activities:

Level 1 - citizens: **Building the capacity of individual civil society activists and citizens**, making use of the following tools:

- **Democracy schools**<sup>19</sup> and targeted capacity building programmes for high potential social activists and opinion leaders, including on social and online media use and engaging in the political process;

#### **Example: Democracy Schools in 11 countries**

The Democracy Schools supported by EPD partner Netherlands Institute for Multiparty Democracy (NIMD), often jointly with EPD member Demo Finland, prepare participants for a career in politics or civil society. They provide a safe space where participants from different social and educational backgrounds can come together to exchange ideas and become exposed to different opinions. By teaching future leaders skills such as how to speak, listen and debate with mutual respect, the schools empower the next generation to put their political values into practice in line with the needs of their country. There are currently Democracy Schools in 11 countries worldwide with the number of alumni reaching 7000.

- **Awareness-raising and development education** among youth groups (high-school programme - through Ministry of Education, slogan competition and other Development Education and Awareness Raising (DEAR) tools);
- **Media/social media training** for citizens, enabling them to interact with elected representatives in a constructive manner and to hold them accountable, and encouraging activists or bloggers to behave in a responsible manner on (social) media, in order to prevent slanderous accusations that can lead to tensions with politicians, and similar problems.

#### **Example: Giving youths in the Arab world a voice in the media**

Studies in the Arab world show that young people want to play a more active role in the media. To reach them and to allow their voices to be heard, it is important to know and make the best use of the channels through which they receive information. Nowadays, young people get a lot of information via citizen journalism, social and online media. In the framework of the D-Jil project, EPD member CFI provides young people in the Arab world with enhanced access to information and a broader understanding of the media, thereby increasing their active political involvement in society. D-Jil provides financial and technical support to initiatives led by and for young people, such as the creation of a web-TV that helps young people with their job search or the publication of caricatures created by young people.

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<sup>19</sup> For more information see: Democracy Schools. Fostering Democratic Culture through Education, NIMD 2018: <https://nimd.org/brochures/nimd-democracy-schools/>

**Level 2 - civil society: Sub-grants to civil society actors to pilot partnerships with democratic institutions**, capitalising on EPD's experience with this aid modality.<sup>20</sup> The sub-grants match supply from within civil society - of skills, knowledge, data - with demand for these assets on the side of the government and/or political power holders. When taking the decision to award any sub-grants, SPACE follows the do-no-harm principle.<sup>21</sup> Activities might fall in one of the following categories (non-exhaustive list):

- **Promoting inclusive policy dialogue** between civil society and other relevant stakeholders, aimed at creating a conducive environment for civic action. EPD will provide grantees falling within this category with training and advise based on its tested EU-funded INSPIRED method<sup>22</sup>;

**Example: INSPIRED - Opening spaces for civil society in policy dialogue around the world**

Starting in 2013, EPD has facilitated inclusive policy dialogue processes in 15 countries around the world, including through the EU-funded INSPIRED+ project, which is supported by EPD members Netherlands Institute for Multiparty Democracy (NIMD) and World Leadership Alliance - Club de Madrid. INSPIRED+ facilitates inclusive policy dialogue at national level in nine (former) beneficiary countries under the EU's Generalised Scheme of Preferences Plus (GSP+), a special incentive arrangement for sustainable Development and Good Governance that grants full removal of tariffs on over 66% of EU tariff lines.

Another example of this kind of approach, albeit focused on the local level, is the EU-funded project INSPIRED Myanmar, which ended in December 2018. EPD member People in Need together with EPD followed a dual-track approach in supporting healthier relations between civil society and the newly elected government. Funded by the EU Delegation in Yangon, the INSPIRED Myanmar project has built the capacities of activists and CSOs from Mandalay region as well as Shan, Mon and Kayin States and facilitated policy dialogues between these groups and the regional/state level decision making bodies on land reform and drug policy.

- **Building civil society actors' capacities** that enable them to have a meaningful, policy focused dialogue with democratic institutions. Topics may include: networking and coalition building, policy analysis, including on the budget cycle, effective communication and evidence-based advocacy towards citizens, governments, parliaments and regional and international fora;
- **Peer exchanges** between EPD members and local democracy assistance CSOs so that they learn from each other how to address the root causes of limited civic space, improving local CSOs'

<sup>20</sup> In the framework of the Programme d'appui à la société civile (PASC), EPD supported CSOs in terms of their core capacities as well as their ability to engage in dialogue (including on specific policies) with national authorities. EPD has managed sub-grants in a variety of different projects around the world. Link to the project website: <http://pasc.tunisie.org>

<sup>21</sup> It is generally accepted that attention (financial or other) by donors and international organisations to organisations or causes, especially but not only in the midst of a crisis, can cause harm when it represents power and wealth. This can exacerbate the crisis when it is used by one side of the conflict to strengthen its position or weaken the other side.

<sup>22</sup> <http://epd.eu/inspired/>

capacities to analyse the situations they face from a different perspective, be creative and think outside the box.

- **Raising awareness about the role of civil society** in democracy vis-à-vis state officials, members of parliament, journalists and/or the general public;

#### **Example: Monitoring local authorities in Ukraine**

In 2016 EPD member People in Need (PIN) (within an EIDHR grant and the Czech MFA funds) established a network of watchdog centres in Ukraine operating in five regional cities with the goal to empower civil society to monitor local municipalities, especially how local governments respect and put in practice (new) laws, implement necessary reforms (especially in relation to anti-corruption measures) and manage public funds. Activities led by the centres include, for instance, dialogue with the local municipalities, public campaigns, engaging with consultants on particular topics in public administration, public meetings, roundtables and seminars with activists. PIN's main contribution - besides ongoing financial support for running the centres - has been intensive capacity building of their staff members.

- **Provide access for civil society to political decision makers**, including at the highest levels, thereby enhancing the chances that evidence gathered or created by civil society informs policy making.

#### **Example: improving civil society space in Paraguay**

In 2018, EPD Member World Leadership Alliance-Club de Madrid organised a high-level mission of former President Laura Chinchilla of Costa Rica to Paraguay in the framework of an EU-funded project. The mission ensured access to key institutional actors and generated an open exchange between those actors and civil society representatives. Concretely, the mission:

- boosted the *convening power* of civil society: The Club de Madrid member's participation in the National Conference hosted by the local partner organisation ensured the presence of the three authorities most relevant to the implementation of the law: the Minister for Women's Affairs, the Minister of Childhood and Adolescence, and the General Prosecutor, alongside other stakeholders.
- helped civil society to *set the agenda*, further widening the space for its participation in policy decisions: following a meeting with the Minister of the Presidency, the President's office offered to launch the inter-institutional coordination body from the Presidential Palace itself, thus echoing a policy priority advocated for by civil society.

- **Building stronger relations between CSOs and their constituencies**, thereby improving the accountability and legitimacy of CSOs;
- **Developing digital platforms** that facilitate dialogue between civil society, the media and local authorities, helping them to identify local needs, or tools that facilitate civic involvement through the use of technology (“CivicTech”).

**Example: Supporting human rights defenders in Eastern Europe, Central Asia and Russia**

From 2014 to 2018, EPD member the Netherlands Helsinki Committee (NHC) has implemented a project in support of human rights defenders in Eastern Europe and Central Asia and Russia. The project was funded by the Human Rights Fund of the Ministry of Foreign Affairs of the Netherlands and has achieved the following results:

- Online followers of partner NGOs doubled and, in some cases, recorded a sevenfold increase as a result of the project’s unprecedented high-reach high-impact awareness-raising campaigns via social-media;
- More than 18 million people viewed project campaign videos on Facebook, with 330.000+ actively engaged as campaign supporters;
- Communication (and to a certain degree) crowdfunding practices by human rights NGOs have professionalised resulting from capacities built and/ or resources provided as part of the project’s multifaceted approach;
- New messaging frameworks on human rights and human rights defenders have been tested, yielding promising results for communicating universal values in societies exposed to heavy anti-human rights propaganda;
- More than 20 mini-campaigns were selected and supported through a sub-granting process, including crowd-funding campaigns by various NGOs across the region; the support included funding as well as coaching, training and stimulating learning on the use of social media.

Level 3 - democratic institutions: **Identifying actors for change and building their capacities**, including through technical assistance following a peer-to-peer (P2P) approach. The EPD Community of Practice has extensive experience using the following tools for engaging with democratic institutions, building their capacities for cooperating with civil society and bridging the gap between both sides:

- **Technical assistance to parliamentary bodies**: Identifying laws and decrees restricting and/or promoting civic space; promoting the participation of civil society in parliamentary business; institutionalising civil society representation in parliamentary committees;
- **Political party support**: enhancing the capacities of political parties to prevent governments from controlling democratic space by working with them, building working relationships



between civil society and parties and governments, so that they appreciate each other's inputs rather than see each other as the enemy.

- **Promoting political dialogue** among key stakeholders in the political system, thereby opening or identifying windows of opportunity for pushing for a political agenda that promotes rather than hinders civil society activity.

#### **Examples: Multi-party and multi-stakeholder dialogue in Mozambique and Colombia**

EPD members NIMD and Demo Finland have a long track record of supporting political dialogue at the highest level, often going beyond political parties and bringing other relevant stakeholders to the dialogue table. For instance, in Mozambique, NIMD supports multi-stakeholder dialogue that brings together representatives of the electoral management body, political parties, experts and civil society to reflect on the electoral legislation and discuss possible reforms. Another example is NIMD's assistance, in its capacity as technical secretariat of the Special Electoral Mission (SEM), to the high-level expert commission in Colombia created by the Peace Agreement in drafting a policy proposal for the integral reform of the political and electoral systems in three areas: electoral institutional design, political financing and party

- **Engaging directly with high-level leadership** in order to support pro-civic space agendas or prevent attacks on civil society.
- **Supporting the media** so that it can act as a catalyst for civil society space and democracy, informing citizens, making public participation in the democratic process more meaningful and building consensus based on a fair representation of public opinion. Free and independent media can play an important role in scrutinizing government action, including where such action aims to reduce civic space.

#### **Example: Creating public support for judicial reform by engaging the media in Ukraine**

In response to public distrust of the justice system, the Ukrainian government has been engaged in a major reform of the judiciary since 2015. Launched in late 2017, the PRAVO-Justice project promotes justice sector reform, with EPD member CFI implementing the project's media component. Aimed at Ukrainian journalists as well as members of the country's judiciary, the ultimate goal of the project is to improve public understanding of judicial reforms through the media and to encourage a better appropriation of these reforms. With citizens' trust in the in the judicial system growing, justice reform is more likely to succeed.

- **Working with the judiciary**, which is a key player when it comes to protecting a legal framework that is amenable to civil society activity and that protects civic activists from prosecution.

- **Bridging the gap between local authorities and citizens:** Strong partnerships between local authorities and civil society create positive synergy, ensuring that civic action targets ‘real’ problems, which in turn makes for a stronger case for protecting and increasing civil society space.

Level 4 - regional and international fora: **Sharing best practice cases and success stories** in existing regional and international fora (with an eye on the conditions of replicability in other contexts) as well as with expert communities and decision makers. This also contributes to **regional and global advocacy** efforts.

- **Advocating for civil society space** through regional and international platforms and mechanisms.

#### **Examples: Advocacy in international fora**

EPD member People in Need (PIN) participates regularly and actively in international advocacy fora including the Oslo Freedom Forum, Frontline Defenders Dublin Platform, Forum 2000, International Civil Society Week, HDIM within the OSCE, the EU-Russia Civil Society Forum, Eastern Partnership Civil Society Forum. The organisation also brings together and connects human rights defenders (HRDs) from different countries to support them in their advocacy efforts as well as to support networking and mutual exchange of experience.

PIN also contributes with informed inputs and evidence about gross human rights violations in its target countries to international human rights mechanisms such as the UN UPR inter-governmental bodies such as OAS or OSCE, institutional donors and decision makers (EU, US, Czech Ministry of Foreign Affairs). A concrete example is PIN’s long-term systematic monitoring of human rights abuses in Cuba through the Eye on Cuba monitoring tool, while testifying on the evidence obtained this way within the UPR process.

- **Developing regional approaches** to counter the shrinking space phenomenon. This could entail, for instance, the establishment of a regional coalition of members of parliament and/party leaders that champion the defence of civic space.

#### **Example: Coalition of women MPs from Arab countries combatting violence against women**

The Coalition of women MPs from Arab countries to combat violence against women was established in January 2014 with support by EPD member Westminster Foundation for Democracy (WFD), and provides an example of a successful regional coalition of members of parliament. The Coalition unites women MPs from thirteen countries: Libya, Jordan, Sudan, Lebanon, Egypt, Bahrain, Tunisia, Morocco, Palestine, Iraq, Djibouti, Kuwait and Saudi Arabia. Calling for change at the national and regional level, the Coalition helps MPs share experience on what works and collaborate in order to achieve greater impact.