

EVALUATION DEPARTMENT

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Civil society under pressure Synthesis study of evaluations of Civil Society Organisations' democratisation and human rights work in Southern and Eastern Africa

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This report is the product of its authors,
and responsibility for the accuracy of data included
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of the Evaluation Department.

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Cover photo: Gay Pride parade in
Entebbe, Uganda, on August 8, 2015.
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Foreword

Civil society meets many challenges, and this is particularly true for organisations that seek to drive democratisation and strengthen human rights. Moreover, conflicting views on values, goals and measures to reach them are natural parts of modern society.

Yet the global drive towards inclusive democracy and realising human rights has met with increasing resistance in recent years – “pushback” – from governments, businesses and others bent on upholding the status quo. Civil society organisations’ ability to operate has been curtailed by legal and administrative restrictions, strict financial regulations and threats of violence. Far from passively accepting their plight, civil society actors are seeking ways to respond.

This synthesis study builds on evidence from evaluations and other reports to lay down some of the key challenges faced by civil society actors in five countries in Eastern and Southern Africa, and to discuss civil society’s response. The purpose is to utilise such evaluative knowledge to inform strategies and efforts in the field about CSOs’ democracy and human rights work in the global south. The synthesis study seeks to reflect a southern perspective on this work.

The work has been carried out by the Norwegian Institute for Urban and Regional Research (NIBR) at Oslo and Akershus University College of Applied Sciences (OsloMet). We extend our warm thanks to Einar Braathen and his team for their work on the report.

Oslo, June 2018



Per Øyvind Bastøe
Director, Evaluation Department

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The Norwegian Institute for Urban and Regional Research (NIBR) at Oslo Metropolitan University (OsloMet) was in November 2017 commissioned by the Evaluation Department of Norad to carry out a Synthesis study of evaluations of Civil Society Organisations' democratisation and human rights work in Southern and Eastern Africa.

The synthesis study has been carried out by:

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- › Camilla Houeland, independent consultant
- › Berit Aasen, NIBR-OsloMet

All three team members were involved in the literature search. Aasen was responsible for the search in the OECD/DAC and Norad evaluation data bases. Houeland was in charge of the annotated bibliography (Annex 3). Team members shared responsibility for the analysis of the selected countries. Braathen was responsible for Malawi and Mozambique, Houeland for Uganda and Zambia, and Aasen for Ethiopia.

Quality assurance has been provided by Marit Haug, NIBR-OsloMet, and Geir Heierstad, NIBR-OsloMet.

Executive Summary

Over the last 20 years, civil society organisations (CSOs) promoting democracy and human rights have experienced an increasingly restrictive operating environment across the globe, varying from legal restrictions and physical violence to subtler forms of intimidation. Civil society is under pressure.

This synthesis study presents findings regarding how CSOs in Southern and Eastern Africa, notably in Ethiopia, Uganda, Malawi, Mozambique, and Zambia, perceive and respond to these changes.

The purpose of the study is to utilise knowledge from existing evaluations to inform Norwegian policies, strategies and efforts in the field about CSO's democracy and human rights work in the global south. The synthesis study intends to reflect a Southern perspective on this work.

The study has sought to collect and systematically present findings from evaluations and other documents on the work of CSOs.

The study has identified:

- › **the main challenges** – notably in the form of shrinking operating space – facing local and regional CSOs advocating for democracy and human rights;
- › **how the CSOs adapt** and respond to these challenges; and
- › **the relevance and effectiveness** of their work.

The report is based on the reading of nearly 100 evaluations and other documents, almost all of them published since 2012. In order to include a Southern perspective, the team has selected from three categories of publications, depending on their sources and funding:

1. Evaluations from the Global North.
2. Relevant reports and analyses from the Global South.
3. Relevant reports and analyses from international organisations and individuals

often with mixed Global North/South authorship.

An annotated bibliography (see annex 3) contains more information about evaluations and documents presented very briefly in this report.

CHALLENGES FACING CSOS ADVOCATING FOR DEMOCRACY AND HUMAN RIGHTS

While most countries in the world saw big improvements regarding human rights and democratic governance after 1990, the last decade has seen a more mixed development in this regard. The global wave of protests after the financial crisis of 2007/08 and the Arab Spring of 2011 also affected the African continent. The political contestations that followed were met by increased repression in many countries, including in Eastern and Southern Africa. Among the five countries focused upon in this report, the situation is worst in Ethiopia. Uganda has seen serious setbacks in many areas, and the development in Zambia is disputed. Malawi and Mozambique have enjoyed progress on most indices of human rights and governance, although many aspects are sources of concern.

CSOs working for democracy and human rights in the five countries share the following challenges to their operating space:

- › **Restrictions in rights.** The rights to association, assembly and expression are undermined by changes in the law and/or by the practice of government officials in all countries. The legal protection of human rights activists tends to be weak, and there are widespread reports of harassment and even violence against activists. In Zambia and Uganda, subtle threats and rumours are used to intimidate the media and activists.
- › **Constrained socio-political and cultural environment.** Politicians tend to exploit social and cultural conservatism in society with regard to certain issues such as LGBTI rights, in order to delegitimize CSOs' advocacy work on democracy and human rights in general.
- › **Limited access to policy dialogue.** In all countries there is limited access to policy makers and policy processes, and dialogue usually takes place only by invitation of selected parties by the government. Such access is often restricted for CSOs dedicated to advocacy work on democratic governance and human rights. Furthermore, 'dialogue' settings are often characterised

by manipulation and co-optation, or are exercises in window dressing with little if any impact.

- › **Shrinking funding opportunities.** While international funding is restricted by law in Ethiopia only, shifting priorities of donor agencies combined with limited domestic opportunities for fund-raising put a heavy financial strain on CSOs committed to democracy and human rights work.

It is important to note that the governments tend to tolerate or welcome the work of CSOs when they deliver services, support development projects and engage in social welfare and charitable activities. Moreover, advocacy work related to socio-economic rights sees progress in all the selected countries. Governments become more hostile when CSOs seek to advance civil and political rights, more democratic governance and more accountability.

CIVIL SOCIETY ORGANISATIONS' RESPONSES TO SHRINKING OPERATIONAL SPACE

In spite of narrowing operational space, CSOs in all national settings are vigorously reacting to the changes. In so doing, they are forging both reactive and pro-active response strategies, and they act individually or jointly with allied organisations.

Responding to restrictions in rights: closing down, mobilisation and/or litigation. The most reactive-individual response is to close down the organisation or the activities targeted by new government restrictions. Shifting activity towards more service delivery, often in combination with shifting operations to the local level, is a more flexible response typically seen in Ethiopia. Self-censorship, where one avoids too politically sensitive issues, is a subtle response while waiting for a liberal environment to re-emerge. A more pro-active and coordinated response is to mobilise people and organisations, through public demonstrations or petitions, against the restrictive legal measures. If the parliamentary and judicial systems retain their autonomy, lobbying the law makers or suing the government (litigation) might be potential responses.

Addressing constrained socio-political and cultural environment: awareness, education and alliances. Some CSOs seek alliances across the political spectrum. Some even engage with religious and traditional structures, and build local constituencies or enhance educational grassroots campaigns. To weaken prejudices against them, some CSOs enhance the transparency and accountability of their own organisations.

Unlocking policy dialogue: claiming space and shifting level of operation.

The space for policy dialogue is often controlled by the government. Its 'invited spaces' are therefore frequently challenged by 'claimed spaces' of civil society organisations. In their claimed spaces the CSOs can define the agenda and initiate a policy reform inspired by their advocacy work. The 'claiming space' strategy starts typically with street demonstrations. Shifting the level of operation and empowering local communities is also a way of claiming space, to foster policy change from below. Influence on policy making is enhanced when CSOs back their arguments with research-based evidence and collaborate with mass media.

Opening new funding opportunities: alternative financial sources.

A typical response is to utilise properties and human resources possessed by a CSO to sell services and create own revenues. A more political-organisational strategy is to build constituencies and raise membership fees. A coordinated response is to lobby for changes in domestic tax regulations to facilitate donations, and to bring about national, regional or international funding mechanisms.

In sum, the most widespread responses seem to involve increased emphasis on:

- › strengthening local constituencies, often combined with empowering community-based organisations. This response can usefully build constituency support and provide an opportunity to re-engage at the national level;
- › refocusing or adjusting activities, for example by linking rights work to service delivery, a strategy that tends to expand the scope for policy dialogue;
- › alliance building and networking with other CSOs and social movements in the country;
- › networking, alliance building and use of instruments at the regional and international levels;
- › using evidence-based research to build support and leverage;
- › creating arenas and orchestrating activities to influence public opinion and policy making ('claiming space').

LESSONS LEARNT

Based on the available material, the following lessons can be drawn about the relevance and effectiveness of the work of CSOs:

- › Response strategies work best when they are based on a careful analysis of the particular country context, including the actors involved, power relations, strengths and opportunities for alliances/networks of CSOs.
- › Available response strategies depend on the particular issues at hand – including socio-culturally sensitive issues such as LGBTI, or politically sensitive issues such as corruption – and how the issues are seen and addressed in the specific political, social and cultural structure of the country. How the issue connects with conservative forces in the political and socio-cultural environment is a factor that can influence the implementation of response strategies.
- › The most effective strategies combine a wide range of responses and actions, and employ a varied set of resources and methods at different levels and at separate stages of the law making process or investment project cycle.
- › In particularly repressive contexts, a useful strategy can be to combine a stronger emphasis on service delivery, while keeping up advocacy work through evidence-based lobbying.
- › Shrinking financial opportunities, caused by a decline in external international funding of CSOs, are unlikely to be compensated in the foreseeable future by fund-raising in the countries in question.

1. Introduction

1.1. THE OBJECTIVES OF THE STUDY

Over the last 20 years, civil society organisations (CSOs) promoting democracy and human rights have experienced increasingly restrictive operating environments across the globe, varying from legal restrictions and physical violence to subtler forms of intimidation.¹ These trends are also found in Africa.²

The objectives of this report have been to collect and systematically present, in the form of a synthesis study, findings from existing evaluations and other analyses of CSOs and their work for democracy and human rights. The study has focused on five selected countries in Southern and Eastern Africa: Ethiopia, Uganda, Malawi, Mozambique, and Zambia.³

The report identifies:

- › the main challenges – notably in the form of shrinking operating space – facing local and regional CSOs advocating for democracy and human rights;
- › how the CSOs adapt to and respond to these challenges; and
- › the relevance and effectiveness of their work along with lessons learnt.

The objects of the study have primarily been national and regional CSOs and CSO networks, secondarily international NGOs and community-based organisations, working to promote democratisation and human rights, often combined with service delivery, in the individual countries and in the region. We have examined evaluations and other documents, looking in particular at CSO activities related to:

- advocacy for democracy and human rights reforms. This includes efforts to promote good governance, socioeconomic rights and access to resources;
- reporting on the state of human rights and governance;
- holding governments and commercial actors accountable.

As far as possible, our study has tried to reflect a Southern perspective on this work.

Findings are synthesised and discussed in this study. Annex 3 lists and summarises the underlying reports.

1.2. METHODOLOGY, SOURCES AND ANALYTICAL APPROACH

The study is based on evaluations and other analyses published mainly from 2012 up to 2017. However, references are made to developments before 2012 when these have been emphasized in the assessed material.

¹ See Carothers and Brechenmacher 2014; CIVICUS and ICNL 2017; Unmüßig 2016, ICNL 2016a.

² See Claessen and de Lange 2016; Forum Syd 2017, Moyo 2011; WDF 2017.

³ See Annex 1 – Terms of Reference.

Annex 3 consists of an annotated bibliography of the final sample of the most relevant literature. It consists of 13 evaluations, five reviews and 32 other documents, from academic articles to conference reports, selected from nearly 100 documents consulted. The criteria for the final selection have been the relevance to the topics of the study; the quality of the data, methods and analysis; and an attempt to cover each of the five selected countries equally. The final selection consists of three categories of publications, depending on sources and funding:

1. Evaluations from the Global North.
2. Relevant reports and analyses from the Global South.
3. Relevant reports and analyses from international organisations and individuals often with mixed Global North/South authorship.

We faced some challenges in finding relevant publications, particularly evaluations that addressed the topic of the study or were written from a South perspective. These methodological issues, as well as a more detailed description of the criteria we applied in selecting the documents and an assessment of our sources of information, are presented in greater detail in an Annex 2: Methodology and sources of information.

The reading of publications: analytical approach

A key analytical focus of several publications we have studied is “the operational space” of CSOs, which refers to their “capacity to function as an organisation and to perform the key tasks of the organisation, in accordance with the principles protecting civil society that are embedded in international law” (van der Borgh and Terwindt 2012:1068). Operational space is neither static nor given but the product of interactions between CSOs and other actors in specific thematic and geographical contexts. To analyse operational space, van der Borgh and Terwindt (2012) offer an analytical framework that combines the political context, the specific mix of policies and actions that restrict operational space for CSOs, and the characteristics and response strategies of CSOs. We found this framework useful and have structured the report accordingly:

(i) Political context

To analyse the relevance and effectiveness of CSOs responses to shrinking operational space, it is essential to understand the specific contexts and driving forces (Sida 2013a; Sida 2016; Terwindt and Schliermann 2017). The complexity of contextual factors “preclude simplistic transfer of best practices from one context to another (even within countries)” (Sida 2013a). The relevant context is not

limited to the specific country environment (Sida 2013a; INTRAC 2015), but also concerns thematic working areas. For example, CSOs who advocate LGBTI rights and challenge cultural sensitivities (ICNL 2016b) require different strategies from those challenging business interests in natural resource management (Sida 2013b; Terwindt and Schliermann 2017). Furthermore, understanding the actors, powers and political economy relations is crucial (Sida 2013a), particularly in “complex and politically charged contexts” (INTRAC 2015).

In this report, chapter 2 discusses the challenges facing CSOs advocating for democracy and human rights. The first part of chapter 2 addresses the changes in the political contexts.

(ii) Policies and actions resulting in restricted operational space for CSOs

The operational space for CSOs depends on four sets of factors, shaped by public policies and actions by political leaders and CSOs (Sida 2013a; van der Borgh and Terwindt 2012):

1. the legal and political environment for the protection of civil-political rights (freedom of association, assembly and expression);
2. the socio-political and cultural environment;

3. the access to policy makers and policy processes (scope for policy dialogue);
4. the financial opportunities and capacities of CSOs.

The second part of chapter 2 presents the findings of the underlying material pertaining to government actions and additional factors resulting in restricted operational space.

(iii) Response strategies of CSOs

CSOs are not passive victims of their environment. They possess agency, and “they develop (implicit or explicit) strategies to avoid or to address restrictions, and in that very process they can create or reclaim operational space” (van der Borgh and Terwindt 2012:1072-73). There is a wide range of CSO’ responses to the experienced restrictions, on the one hand are individual vs. coordinated responses, on the other hand reactive vs. proactive responses (van der Borgh and Terwindt 2012). In responding to shrinking operational space, a key question is how CSOs can (re-)claim space of operation, especially by getting new or improved access to policy dialogue.

Chapter 3 in this report presents the findings in the underlying material regarding CSOs’ response strategies related to the mentioned legal and political environment, socio-political and cultural environment, scope for policy dialogue and financial opportunities and capacities.

Chapter 4 offers a summary of key findings and lessons learnt.

2. Challenges facing CSOs advocating for democracy and human rights

In this chapter, we present the challenges related to changing or shrinking operating space and the implications thereof for CSOs advocating for democracy and human rights.

The first subchapter discusses changes in the political context. We draw on international surveys to provide an overview of the situation of democracy and human rights in the five selected countries.

These sources document that there are serious challenges in all countries, but that the development in recent years has not been equally bad regarding the many dimensions of democracy and human rights. The subchapter then proceeds to country-specific sources to analyse the context in each of the five countries. Increased political contestation is identified as a key driver behind reduced scope for action for CSOs.

The second subchapter looks into the specific policies, actions and mechanisms that lead to shrinking operational space in the individual countries – in terms of changes in the legal

environment, the socio-cultural environment, the access to policy dialogue and the funding opportunities.

2.1. CHANGES IN THE POLITICAL CONTEXT: SIMILARITIES AND DIFFERENCES BETWEEN COUNTRIES

2.1.1. The state of democracy and human rights

The State of Democracy database (IDEA 2017) breaks down developments from 1975 to 2015 in the five selected countries. We examined five of the indices relevant for this study: clean elections, civil liberties, media integrity, civil society participation, and social rights and equality.

While there were big improvements after 1990, there has been little overall change since 2000 on most of these indices. Given the efforts by international development cooperation actors to support human right and democracy in the South, this ‘standstill’ since 2000 is not a good sign for CSOs engaged in democracy and human rights. However, there has been some progress on all five indices in Malawi

and Mozambique. They have caught up with Zambia and Uganda, which ranked better on the five indices in 2000.

For Uganda, Zambia and Ethiopia, development has been mixed, and more negative. While the three countries have seen improvements in social rights and equality, there have been setbacks in civil liberties, media integrity and civil society participation. For Uganda, the backsliding regarding clean elections is quite spectacular. These setbacks are more noteworthy for Ethiopia, since it started – relative to the other countries – with the lowest score on all five indices in 2000. By 2015, this was still the situation – although Ethiopia shares the lowest score regarding clean elections with Uganda (IDEA 2017).

Other recent surveys from leading international think tanks and organisations in the area of human rights support the picture provided by IDEA:

- › Regarding the status of political and civic rights, Malawi, Mozambique and Zambia are considered ‘partly free’, while Ethiopia and Uganda are ‘not free’ (Freedom House 2017).
- › With regards to freedom of expression, as measured through the World Press Freedom Index, the situation is ‘problematic’ in Malawi and Mozambique and ‘bad’ in Ethiopia, Uganda and Zambia (Reporters Without Borders 2017).
- › Regarding labour rights, the situation is somewhat better in Malawi and Mozambique (“repeated violations of rights”) than in the other three countries, where there are “systematic violations of rights” (ITUC 2017).
- › Regarding freedom of assembly, ‘notification’ is required in Malawi and Mozambique, while a more severe procedure of ‘police approval’ is required in Uganda and Zambia (HRW 2017). In Ethiopia organisations need to register with the National Agency for Societies and Charities, and in 2016 many organisations were deregistered by the authorities (TEDC 2017).

The reports analysing the operational conditions of CSOs confirm the picture of the human rights situation, although with some nuances:

- › Only in Mozambique are there no reports of restrictive trends in the legislation of NGOs/CSOs (ICNL 2017). The law imposes certain restrictions on activities in Ethiopia (activities for human rights and democracy restricted), Uganda and Malawi (HRW 2017)
- › Only Ethiopia has established restrictions on access to international financial resources (ICNL 2017). In spite of trouble with ‘financial viability’ in all countries, the years 2010 to 2015 saw some improvement in the overall ‘sustainability’ of CSOs in Malawi and Mozambique, while there was some deterioration in Ethiopia and Uganda. Still, sustainability is relatively good and ‘evolving’ in Uganda, Zambia and Mozambique, while it is ‘impeded’ in Ethiopia and Malawi (USAID 2016).
- › Registration is mandatory in all five countries. In addition, registration is ‘restrictive’ in Ethiopia and ‘burdensome’ in Uganda (and Mozambique) (ICNL 2017).

In sum, according to the mentioned sources the situation facing CSOs regarding democratic and human rights are challenging in all five countries. However, Malawi and Mozambique have enjoyed progress on most indices, and the outlook is not as bad as in the other three countries. The situation is worst in Ethiopia.

Uganda has seen serious setbacks in many areas, and the reports on Zambia are mixed.

2.1.2. Political contestation and social protests met by increased repression

In Africa in general “a context of intense political tension [...] contributed to a difficult operating environment for CSOs” (USAID 2016: vii). The global wave of protests after the financial crisis in 2008, and the Arab Spring in 2011 also swept over the African continent (Brandes and Engels 2011; Branch and Mampilly 2015). Protesters challenged the constraints on electoral or liberal democracies and the crisis of representation, as well as the failures of economic distribution. Democratic and rule-of-law institutions lacked the strength or were too flawed to prevent governments from undermining civic and political opposition by repressive means. This has also been observed in the countries selected for this study, with Malawi as a partial exception.

In *Ethiopia*, from around 2000, the operating space for CSOs advocating for human rights and political reforms became increasingly restricted. This development culminated in the NGO law of 2009, The Charities and Societies Proclamation No 621/2009. Further restrictions were seen before and after the elections in 2015. The ruling party, Ethiopian

People's Revolutionary Democratic Front (EPRDF), with its allies, won 500 of the 547 seats in parliament. There were protests against the management of the elections, as well as mobilisation against a change to the borders between the capital Addis Abeba and Oromo state, home of the Oromo people, the largest national group in Ethiopia. In response, the government ordered a State of Emergency in October 2016, which was lifted in 2017. The government frequently regards movements and organisations as part of the opposition; their leaders are harassed and imprisoned. Freedom of expression and the media, including social media, is increasingly narrowed (Human Right Watch 2017).

In *Uganda*, 2011 was marked by the electoral challenge to the National Resistance Movement (NRM) from the political opposition, as well as popular protests, such as "Walk to Work" (HRW 2012). The government responded by drafting a new NGO bill which it presented in anticipation of the 2016 elections (USAID 2016). There have been growing concerns with the deteriorating standards of the elections, and the 2016 elections were largely considered to have been flawed. There are reports of increased human rights violations, in particular connected to elections, with harassment and violations of freedom of assembly, expression,

and association. Security officials are accused of using excessive force. In practice, political and civil rights are restricted. Police and security officers act in the main with impunity (HRW 2017). The constitution guarantees freedom of expression and citizens' access to information, but these rights are undermined by several repressive laws introduced since 2000 (FES/MISA 2012).

In *Zambia* there has been an increasing criticism of CSOs alongside growing party political contestation. Kaliba (2014) considers the NGO Act of 2009 as an attempt by the then ruling party to hold on to power by limiting CSO space. The opposition party, Patriotic Front (PF), made it a campaign issue to improve state-CSO relations and oppose the NGO law. However, when PF came to power after the 2011 election, NGOs were called to register in 2013. The state uses excessive power (partly to silence opposing voices) and "underhand methods to reconquer the political arena and criminalize dissent" (Kaliba 2014). The police frequently violate laws prohibiting arbitrary arrests and detentions, according to the US Department of State. During the election campaign of 2016, there were arrests and a "wave of violence" against the media, and the year was marked by "uncharacteristically" high levels of threats, intimidation and violence. Journalists were

arrested, a paper was closed down, and two radio stations had their licences suspended (FES 2017).

In *Mozambique* political tensions intensified as the main opposition party, Renamo, reiterated its intention to take power in provinces where it claims to have won the last general elections in 2014 (USAID 2016: 138). Human rights violations in Mozambique increased in 2016 due to rising tension and armed clashes between government forces and Renamo. There have been politically motivated assassinations of high-profile Renamo figures, summary executions and unresolved killings of lower rank Renamo officials/members, and forced displacements in areas where there have been armed Renamo actions (HRW 2017). Apart from the government having a "practice of restricting information" and "an intimidating attitude towards critical voices" (Sida 2013c), it has yet to spawn policies and actions attacking the operating space of CSOs.

Also *Malawi* saw escalating political strife, but unlike the other countries examined, when CSOs took to the streets in 2011 in protest against the increasing authoritarianism of the democratically elected president, it did not lead to a wave of repressive measures. Although the new president elected in 2014

promised to get tough with CSOs criticising the government, the threats were not translated into immediate action. This can to some extent be explained by progress in the consolidation of a democratic state in the 2000s (Mwangonde and Mwakilama 2017:334).

2.2. ACTIONS RESULTING IN RESTRICTED OPERATIONAL SPACE FOR CSOS

This section details policies, actions and other mechanisms restricting operating space in each country. First we focus on trends in the legislation of NGOs. The most disabling cases are reported from Ethiopia, Uganda and Zambia, but also the other two countries display restrictive features. This is followed by country-wise overviews on pressure on policy dialogue, socio-cultural freedoms and funding opportunities. It is important to note that the governments in the five selected countries tend to tolerate or welcome the work of CSOs in delivering services, supporting development projects and engaging in social welfare and charitable activities. They become more hostile, however, when CSOs seek to advance civil and political rights, promote good governance and accountability, and engage in advocacy (CIVICUS 2017: 44).

2.2.1. Restricting rights

In *Ethiopia*, the Registration and Regulation of Charities and Societies Proclamation No 621, (the NGO Law of 2009) established new rules, limiting the opportunities for CSOs to work promoting human rights and democracy. The CS and donors agreed on the need for a better registration system of CSOs, and new legislation. CSOs were not, however, particularly involved in the drafting of the new framework for CS. The CSOs were consulted, and were able to persuade the government to remove some of the most severe restrictions. A new body, the State Agency for Charities and Societies, was established to manage the registration and annual reports from the CSOs. The agency is seen to have wide powers to deregister organisations and confiscate their properties when the CSOs are deregistered (TECS 2016).

In *Uganda*, the 2016 NGO Act included “troubling and vague special obligations” such as “not [to] engage in any act, which is prejudicial to the interests of Uganda and the dignity of the people of Uganda” (Human Rights Watch 2016). Registration applications must include a letter of recommendation from a government body, leaving broad scope for state interference (USAID 2016). This has led to cases of government officials asking CSOs to change their vision, mission and objectives.

The act does not recognise advocacy as a legitimate CSO aim (CIVICUS/ICNL 2017). Annual re-registration raises concerns of self-restriction by CSOs. The process of registration is often protracted and abused, and many groups prefer to register as not-for-profit companies, ensuring an easier and more predictable process (USAID 2016). Organisations that contest power relations and are concerned with sensitive issues (oil, forestry, corruption/accountability, good governance and LGBTI issues) have been threatened with de-registration (often on dubious legal grounds) or subjected to financial investigation and arbitrary detention.

In *Zambia*, a new NGO act from 2009 demanded mandatory registration of NGOs, and re-registration every five years. Organisations could be denied registration due to “public interest”, without any definition of what that entails, leaving it to the discretion of government officials. The act stipulated that the NGO Board, dominated by government officials, had the power to determine the area of operation, and could therefore control activities of NGOs (against fundamental freedom of expression, assembly and association). The board also had the power to provide policy guidelines to harmonise activities and advise on the strategies of NGOs, which thereby run the risk of co-optation. The act violated the constitution of Zambia (Kaliba 2014).

In *Malawi*, the government's NGO Board, established in 2012, became fully operational in 2015. It has publicly called on all CSOs to register and comply with all provisions of the NGO Act of 2000.

The NGO Board publicly singled out many 'noisy' CSOs (...) with largely unsubstantiated claims that they were unregistered and threats of court action if they did not register promptly. The NGO Board also publicly threatened without legal basis to close [certain CSOs] because of their advocacy on behalf of lesbian, gay, bisexual, and transgender (LGBT) people (...) Despite these threats, no CSO was actually deregistered in 2015 and no court action was taken against any CSO. (USAID 2016:122)

Mozambique seems a positive exception: the national laws for civil society are relatively enabling. However, the legal and regulatory environment at the sub-national level is inadequate, characterised by gaps, inconsistencies and high levels of discretionary powers for local officials (CIVICUS 2017:6). "A general problem especially among small locally-based CSOs" is "the lack of access to information and knowledge on rights, legislation and procedures with regard to associations". Even more serious is the fact that a "dysfunctional judicial system (...) provides

little or no protection for citizens who have been excluded through accusations of belonging to the Opposition" (Sida 2013c).

2.2.2. Constraining socio-political and cultural environment

Labelling, stigmatising and even criminalising of CSOs have been used by many African leaders to delegitimise CSOs (Terwindt and Schliermann 2017). Human rights or democracy activists are often labelled as anti-patriotic and foreign, and detrimental to local culture and values. As such, the socio-cultural environment can be limiting, especially concerning questions of LGBTI, but also of gender. This is typically demonstrated in *Uganda*, where many hold that the government takes advantage of a conservative and patriarchal culture and society, and uses the "the alleged threat of homosexuality as a facile populist strategy to gain support" and to divert attention from government actions (Human Rights Watch 2012). Governments know they have much support when they accuse NGOs/CSOs of being agents seeking to spread foreign and 'non-African' values. The media are reluctant to report on human rights abuses against the LGBTI community too (FES 2012). Social conservatism and patriarchy are a hindrance for gender equality progress (Sida 2013). On the other hand, human rights work on gender justice and children's rights seems

to fare better, and has managed to involve government authorities, despite negative popular attitudes and constraining socio-cultural perceptions.

2.2.3. Limiting the policy dialogue

In *Ethiopia*, the CSOs are allowed to work on politically non-sensitive issues, such as women's and children's rights, and on combating Harmful Traditional Practices (HTP) (Norad 2013, SC-Norway 2013). The evaluations point not only to the lack of an enabling environment for policy dialogue, but also to weak competence and capacity among CSOs as barriers to effective policy dialogue. Lack of long-term funding and rapid changes of staff contribute to this.

In *Mozambique*, policy dialogue is permeated by the paternalistic approach of the government (USAID 2016: ix). Engagement in government-invited space is associated with co-optation and ineffectiveness. One example is district planning and budget monitoring through Local Consultative Councils (Sida 2013c). The operational and policy space for independent CSOs in rural areas is very restricted (Braathen 2016).

In *Zambia*, civil society has had an impact on social issues and public expenditure

management, but policy influence is limited (CIVICUS 2014). Organisations working locally on service delivery have strong partnerships with the government, but CSOs' monitoring role is constrained by the lack of access to information (USAID 2016). On the one hand, social dialogue between trade unions, employers and government is considered "strong and well established" in Zambia (Norad 2011a). On the other hand, privatisation and liberalisation have led to a shrinking of the formal sector in the 1990s and a weakening of unions, resulting in reduced effectiveness of social dialogue.

In *Uganda*, although the government has not been committed to inviting CSOs to policy dialogue, and in spite of hostile initiatives taken by the government against CSOs in general and against the freedom of association, CSOs have managed to utilise existing constitutional freedoms of expression and assembly. This was evidenced by their campaign against the NGO Act. Moreover, they have regular access to hearings in the Parliament (USAID 2016; HRW 2017).

In *Malawi*, the trend seems to be more positive. The trade union movement reports that "[t]he support for Social Dialogue under the Ministry of Labour produced impressive results" (LO 2014: vi). Moreover, the government tries to create an enabling environment for CSOs at

the district level and in service delivery. The government has usually sought to recognise CSOs through networking platforms at the district level (USAID 2016:126).

2.2.4. Shrinking funding opportunities

In *Ethiopia* the Charities and Societies Proclamation (the NGO law of 2009) set conditions that limited international funding for advocacy work, thereby restricting both the financial and the legal space for civil society. CSOs involved in advocacy and human rights work were only allowed to receive 10 per cent of total funding from abroad (Dupuy et al. 2015). Consequently, many donors have stopped the direct financing of human rights organisations from headquarters or embassies, preferring to support a joint Civil Society Support Programme, where decisions to allocate the funds to CS will be decided jointly by the EU and Ethiopian government (ECSSP 2016). This has contributed to the closure of several CSOs advocating for democracy and human rights.

In *Zambia*, there has been no mention of legal restrictions to foreign funding. However, funding of Zambian CSO is slowing, and there is a relative lack of local opportunity. At the same time, membership-based organisations are finding that members are increasingly unable to pay membership fees (USAID 2016).

In *Malawi*, according to some reports, a large number of organisations have been scaling down staff and operations, and total funding levels for CSOs declined in 2015. For example, a multi-donor funding facility, the Tilitonse Fund, supporting more accountable governance, stopped handing out grants for a while, but restored the practice in 2018. The "context for CSO work in Malawi has shifted and donors now seem mainly interested in funding work on issues such as climate change, disaster preparedness, and emergency relief" (USAID 2016:124). Malawian NGOs find it difficult to raise domestic funding, and a combination of floods and drought hit an already weak economy in 2014-15.

In *Uganda*, Northern donors (Sida 2012) and Southern NGOs (CIVICUS/ICNL 2017) have noted that the funding regimes, with donor harmonisation, may be important and supportive to some CSOs and may open some space, but smaller organisations or organisations working on issues that might be important, but are not prioritised by donors, have limited access to funds.

Mozambique is a positive exception: it has a high score, ranked as number seven among 30 African countries on 'financial viability'. There is, e.g., the Civil Society Support

Mechanism (MASC) Foundation, which supports projects in democratisation and social justice. (USAID 2016: ix). Nonetheless, “[b]ecause of their dependency on [or access to generous] foreign donors, CSOs in Mozambique do little to promote local philanthropy” (USAID 2016:141). Very few CSOs had reportedly gained access to local development funds controlled by the government (USAID 2016: 139).

2.3. SUMMARY: THE MAIN CHALLENGES FACING CSOS

International surveys and reports show that the situation facing CSOs regarding democratic and human rights is quite challenging in all five countries. However, the development in recent years has not been equally bad regarding the many dimensions of democracy and human rights. Malawi and Mozambique have progressed on most indices, and the outlook appears not as dim as in the other three countries. Uganda has seen serious setbacks in many areas, and the reports on Zambia are mixed. The situation is worst in Ethiopia.

An analysis of the political context reveals a surge of popular protests and political opposition after the financial crisis in 2008 and the Arab Spring in 2011 in all five countries. The political contestations that followed were met by increased repression, except in

Malawi. The governments introduced measures that resulted in restricted rights and a more ‘disabling’ legal environment for CSOs, except in Mozambique.

There have also been shrinking funding opportunities for the CSOs that advocate for democracy and human rights, although only Ethiopia provides evidence that this is a result of government restrictions. Donor fatigue and reduced supply of foreign funding seems to be at least equally important.

Governments under pressure tend to exploit social conservatism, when they accuse CSOs of spreading ‘non-African values’ and being ‘foreign agents’. In Uganda this has led to stigmatising and even criminalising of CSOs defending LGBTI rights.

Although the scope for policy dialogue is limited, advocacy work related to socio-economic rights sees progress in all the selected countries. Governments tend to tolerate and welcome the work of CSOs in delivering services, supporting development projects and engaging in social welfare and charitable activities; they become more hostile, however, when CSOs seek to advance civil and political rights, promote good governance and accountability, and engage in advocacy.

3. Civil Society Organisations’ responses to shrinking operational space

This chapter summarises and discusses findings on how different CSOs respond to the challenges related to democracy, human rights and their own operational space. While some CSOs have had to close down, most CSOs continue their work by adapting to new realities or resisting governments’ attempts to restrict their operations. We can distinguish between *reactive strategies* of dealing with the immediate challenges, adapting to restricted operational space and human rights abuses, and *pro-active strategies* aimed at expanding or reclaiming CSOs’ operational space. Another key dimension concerns if the CSOs work *individually* or in *coordination* with other actors. The findings in the underlying material are very much in line with those of Terwindt and Schliermann (2017), and we have borrowed from their table to summarise the findings regarding response strategies:

TABLE 1 // RESPONSE STRATEGIES

	Reactive <i>Dealing with immediate pressures or protecting against symptoms</i>	Proactive <i>(Re-)claiming space</i>
Individual	<ul style="list-style-type: none"> > Close down; > shift activity to the local level; > emphasise service delivery; > self-censor; > improve the transparency and accountability of own organisation 	<ul style="list-style-type: none"> > Build local constituencies, empower local communities; > build public awareness through evidence-based lobbying; > collaborate with the mass media; > generate revenue through domestic fund-raising, membership fees
Coordinated	<ul style="list-style-type: none"> > Seek alliances, protective networks at the national, regional or international level 	<ul style="list-style-type: none"> > Mobilise people and organisations through demonstrations or petitions; > Sue the government (litigate); > Lobby for new tax regulations that enhance donations and CSOs’ own revenue generation through national, regional or international funding mechanisms

The literature stresses the need for context and issue-specific understanding of available opportunities to discern possible and effective strategies for CSOs (see Sida 2013, Terwindt and Schliermann 2017). As shown in chapter 2, the operating space for CSOs in Ethiopia and Uganda is generally more limited than in Malawi and Mozambique, whereas Zambia is in a mixed position. Rights-based organisations working on service delivery generally have better conditions than advocacy-oriented human rights organisations. In practice, however, many responses blur the lines between ‘reactive’ and ‘pro-active’; most CSOs combine different types of responses, and the emphasis often shifts over time. Nevertheless, it is possible to identify certain trends in the reported cases across the countries.

3.1. TRENDS AND EXAMPLES

In chapter 1.2. (ii) we identified four key factors that shape operating space: the legal and political environment that protects civil-political rights (freedom of association, assembly and expression); socio-political and cultural environment; access to policy makers and policy processes; and financial opportunities and capacities. Chapter 2.3 discussed how policies, actions and other mechanisms restrict operating space in these different environments.

3.1.1. Responding to restrictions in rights: closing down, mobilisation and/or litigation

Confronted with restrictions to free association, assembly, or expression, some CSOs have had to close down, some have shifted the focus of their work, while others have actively resisted by mobilising supporters to fight legal reforms or challenge new laws or practices in court.

After the adoption of the Ethiopian NGO law, the number of CSOs declined from 2,275 to 1,701 between 2009 and 2011 (Dupuy et al. 2015). Along with small donor-dependent organisations working on voter education and election monitoring, most of the local CSOs involved in democracy and human rights promotion have closed down in Ethiopia. While it is reported that CSOs in Zambia and Uganda are targeted for de-registration (USAID 2016), we were unable to find numbers for organisations closing down in other countries.

Another reactive response is to refocus the activities. Many CSOs in Ethiopia, where the civic-political freedoms are most restricted, have shifted to more service delivery and livelihood improving programming (Norad 2012b; NPA 2017).

Many CSOs subject themselves to various forms of self-censorship to avoid legal

restrictions or harassment (Carothers and Brechenmacher 2014; Claessen and de Lange 2016; Odhiambo 2017). Without specific reference, HRW (2012) is concerned about self-censorship among Ugandan CSOs, and FES (2012; 2017) reports on self-censorship among media in Uganda and Zambia.

Some CSOs have resisted NGO laws by not following registration requirements, or more pragmatically by finding alternatives. In Zambia, many CSOs refused to register when the NGO law came into force, and in Uganda, organisations such as the Uganda Forestry Working Group (UFWG) have deliberately not registered to remain loose, flexible, and safe (Sida 2013b), while others have registered as not-for-profit companies, to avoid the burdensome CSO registration regime (USAID 2016).

In Uganda, trade unions are exempted from the Public Order Act (2013) that limits the right to assembly. An interesting example is how a 60,000-strong informal transport workers’ association engaged with the transport trade union (ATGWU) and was officially incorporated into it. This merger also increased the mobilising and strike capacity of the unions, extended negotiation capacity and access to power, and improved rights at work through collective agreements (Spooner and Mwanika 2017).

Lastly, CSOs have been able to halt restricting NGO laws or negative constitutional changes by mobilising popular support and challenging the legal processes politically or in court. In Zambia, there have been successful coordinated efforts against undemocratic constitutional reforms (CIVICUS 2014, Haapanen and Waller 2007; Norad 2016) and the NGO Act. Regarding the constitutional process, a grand coalition of CSOs “contributed to important changes, such as greater transparency in the reform process and the inclusion of democratic principles in the constitution” (Norad 2016: 56). In July 2014, a coalition of CSOs sued the government to prevent it from enforcing the 2009 NGO Act (which required NGOs to register and allowed government oversight of their operations) on the grounds that it was unconstitutional and violated the right of freedom of association. The government requested an out-of-court settlement, withdrew de-registration threats against NGOs, and engaged a legal consultant jointly with NGOs to identify contents of the act in conflict with the constitution and existing legislation. The NGO Act was suspended (US State Dept. Human rights report, Zambia 2015). In Uganda, CSOs have challenged the government and parliament through litigation, which has been successful in a context where the constitution is relatively liberal

and conducive, and given relative judicial independence. For example, the court was convinced that the proposed LGBTI law was unconstitutional (PACIN 2016).

3.1.2. Addressing a constrained socio-political and cultural environment: awareness, education and alliances

In a context of labelling and stigmatisation of CSOs (and political opposition), the discursive/normative struggles are where CSO can build and mobilise support by raising awareness and educating the public, supported by evidence-based research (Sida 2013). DFID (2015) concludes that the CSOs have been more effective in “changing discourses” than in “making policy impact”.

A case in point of how human rights activists are labelled as anti-patriotic and foreign, and detrimental to local culture and values, is the LGBTI activists in Uganda. There are many examples of CSOs succeeding in building local and national alliances to strengthen their social base and mobilisation capacity (Youngs 2015). Regarding gender and forest issues, CSOs have engaged in alliances with religious and traditional structures, thus building leverage (Norad 2016). However, LGBTI organisations’ main source of legitimacy is universal values and rights, and they depend on external support

to maintain voice and finance (Claessen and de Lange 2016).

Another common accusation by governments is that CSOs are in reality acting on behalf of the political opposition. Such accusations may prevent CSOs from gaining legitimacy in the public eye, and therefore from being effective. As in the above-mentioned case in Zambia, the Patriotic Front supported the CSOs against the NGO Act while in opposition, but implemented the Act when in government. In Uganda, some CSOs have successfully avoided politicisation of the subject of their work, and others have engaged with religious and traditional leaders to build popular support. Human Rights Network (HURINET) avoided association with the political opposition by concentrating on service delivery after the crackdown of 2011/2012 (Wamucii 2014). More pro-actively, the Mabira forest campaign avoided politicisation by seeking the support of actors in government.

Part of the strategy of labelling CSOs are claims that they lack a local constituency, and are themselves not transparent and accountable. This critique is supported by some academics as well as other CSOs. In Malawi, when in the wake of the ‘Cashgate’ scandal CSOs were found to have been involved in the embezzlement of huge sums of public

money, their public image deteriorated (USAID 2016:121). The NGO umbrella CONGOMA prescribed a code of conduct for CSOs, and the NGO Act provides for accountability and reporting mechanisms that are meant to ensure transparency and accountability in the sector. However, in practice, most CSOs struggle to adhere to their own principles (USAID 2016:127).

3.1.3. Unlocking policy dialogue: Claiming space and shifting the level of operation

The ability to engage in policy dialogue can be widened when the government formally recognises the role of CSOs and of the citizens' right to consultation and participation, and when it sets up corresponding institutions for engagement (van der Borgh and Terwindt 2012). Where the government is unwilling to engage in such *invited spaces*, CSOs seek to 'claim space' (Sida 2013a).

Protests and demonstrations are such *claimed spaces*. All countries in this study have seen several public demonstrations (Branch and Mampilly 2015). In Mozambique, Sida (2013c) identifies space claiming as the most effective counter-strategy in confronting the government's allegedly manipulative attempts to dominate the civil society. This is particularly true when the space is claimed (i) with the support of

research-based evidence, (ii) in collaboration with mass media, and (iii) where civil society coalitions take action on specific topics. One example is the legislation on domestic violence, a process of persuasion that started in 2000 and concluded with the adoption of a law in 2009 (Sida 2013c). This is also a way for CSOs to retain control and avoid pitfalls represented by manipulation or co-optation, both of which are features of 'invited space' (Sida 2013c). Terwindt and Schliermann (2017:134) urge CSOs to ask questions and strategically consider how to avoid consultations becoming hollow exercises to legitimise resource exploitation projects. Others believe that a cooperative strategy works better than confrontational approaches (Claessen and de Lange 2016). Especially in contested and conflictual environments, dialogue and compromise (also) *create space*, as in the example from Northern Uganda, where local communities and schools have engaged local power holders (INTRAC 2015).

Many CSOs combine space making with shifting or expanding their operations to a more local, sub-national and/or international level. By redirecting operations to local and sub-national levels, CSOs can escape government control at the national level and foster change 'from below'. The CSOs attempt

to influence policies from the bottom up by cultivating close relations with local community groups and local authorities. In Ethiopia, for example, there is often more space for dialogue with government at local levels. At the same time, many CSOs also participate in meetings with the government at the national level on socioeconomic rights and access to resources (Norad 2015). In Ethiopia, Save the Children International (SCI) continues to implement the Child Rights Governance Programme after the legal restrictions. SCI redesigned their programme and began working closely both with local partners and local authorities on children's rights, and with central government institutions, on specific children's issues. One challenge is to ensure that the programme has sufficient staff and competence to address the requests for knowledge and expertise from the ministries (SC-Norway 2013).

Importantly, by strengthening local level activities, CSOs facilitate the empowerment of citizens and community-based organisations to play a key role in policy engagement, such as lobbying, demonstrating or acting as policy watchdogs. This shift in approach in CS strategy is seen as vital in ensuring long-term outcomes. For example, the halting of the destruction of the Mabira Forest in Uganda is attributed to organised mass protests and community-based

engagement. This is in line with the principle of “empowering those directly affected by a policy” (Sida 2013b). The approach also draws on local motivation and commitment to change, and it builds capacity to ensure compliance when new laws and policies are made (Sida 2013a: 22). Furthermore, it should be seen as an element in the building of a constituency and of public legitimacy.

Many also build networks and strategic alliances. CSOs harness the range of skills needed for effective policy dialogue and create a critical mass for change through broad alliances (INTRAC 2015). “The range of possible alliances includes research bodies, lawyers, media as well as diversity of CSOs including unconventional partners” (Sida 2013a). In 2015 in Mozambique, many CSOs collaborated in the public discussions about *Pro-Savanna*, a large agriculture investment project in the northern provinces of Mozambique. They coordinated the local resistance against the project, and the project was eventually stopped (USAID 2016:143). The above-mentioned Mabira case is another example.

The effect of human rights arguments is minimal when governments generally abdicate human rights in favour of other interests. Economic interests, for instance, often trump

human rights in the natural resource arena. Given these limitations, it would be advisable to combine human rights advocacy with efforts to create structural change (Terwindt and Schliermann 2017). CSOs can make use of local or international law, and devise and employ specific strategies to push business to live up to its promises and (inter)national standards (Terwindt and Schliermann 2017).

Some CSOs have also channelled more energy to the international arena in order to induce reforms. As Sida (2013a) writes, international cooperation can enhance effectiveness. Transnational networks are particularly relevant in natural resource management and in questions involving foreign investments. Local and international CSOs achieved a provisional shut-down in oil production near Africa’s oldest national park, through advocacy on multiple levels, and engaging with many actors and using a range of tactics, from media training, awareness raising and film (Norad 2016). In cases of foreign direct investments, there are specific international instruments for business. In addition, mobilising transnational companies in their home countries can be effective (Terwindt and Schliermann 2017).

In times of donor fatigue, waning support for human rights and democracy advocacy groups,

increasing irrelevance of the United Nations in this field⁴ and governments’ labelling of CSOs as agents of “non-African” and “Western” values or interests, regional and Pan-African networks and organisations may grow in importance, and African institutions provide strategic opportunities. CSO reports from the South emphasise South–South cooperation in relation to regional instruments, such as in the East African Community (Odhiambo 2017, WDF 2017) and African Union (AU) (ICNL 2016a, PACIN 2012). The AU and regional bodies such as the East African Court of Justice are regarded as promising associates in efforts to challenge the trend of shrinking space (PACIN 2016). The African Charter for Human and People’s Rights and its commission (ACHPR) stand out as an instrument to defend CS groups, human rights and democracy. A challenge is the limited knowledge among CSOs in African societies about these regional instruments and how to benefit from them (Mangu 2012).

⁴ This was something the Commissioner of the United Nations (UN) for Human Rights, Zeid Ra’ad al-Hussein of Jordan, noted when he resigned in December 2017, referring to the ‘appalling climate’ for human rights work.

3.1.4. Opening new funding opportunities: alternative financial sources

In a situation where access to international resources is diminishing, either due to legal restrictions or shifting donor priorities, some CSOs build sources of income of their own or mobilise resources domestically (WDF 2017). As CIVICUS and ICNL 2017 point out, domestic laws currently do not facilitate an opportunity to source domestic donations, and there is a need to develop taxation and other enabling policies.

CSOs seek revenue by delivering training, consultancy and conference services to the domestic market. In Malawi, CSOs are facing a general funding challenge (USAID 2016). The National Organisation of Nurses and Midwives of Malawi (NONM) has successfully developed its own income-generating infrastructure, and engages in fund-raising exercises driven by local branches. While the infrastructure is supported by partners (mainly the Norwegian Nurses Association), membership constitutes 20 per cent of total income (LO 2014: 30). In Mozambique, in a novel approach to raise funds from members, the National Farmers Union (UNAC) requires that provincial delegations collect membership fees from district delegates if they want to participate in UNAC's annual meeting (USAID 2016: 142; Braathen 2016). However, in a context of mass poverty, it

is necessary to acknowledge the limits to the revenue it is possible to source from membership fees.

3.2. RELEVANCE AND EFFECTIVENESS

To examine the issue of relevance and effectiveness, the team asked: do the CSOs keep up activities and outputs of their programmes consistent with their overall goals (relevance), and do the CSOs attain their objectives (effectiveness), in spite of an increasingly disabling environment? In other words, do they succeed in their adaptation and response strategies?

Few of the evaluations focus on strategies and actions taken by CSOs to mitigate and respond to changing situations. Generally, the relevance of CSOs and their strategies are assumed, rather than explicitly discussed. In this subsection, we provide first an example of good practice that illustrates important individual strategies, but also the importance of combining tools (the Mabira Forest Crusade, Uganda). The second part refers to strategies that have been mentioned as particularly effective in the literature.

3.2.1. Combining strategies: an illustrative case

In practice, most CSOs make use of a variety of tools and strategies, which need to be flexible and capable of changing over time (Terwindt

and Schliermann 2017). The Mabira Forest campaign in Uganda is used as a good example of a particularly effective and successful intervention (Devlin-Foltz 2012; Sida 2013b). Its success was based on the effective use of a wide range of tactics and strategies, at both local and international levels.

The early stages of the Save Mabira Crusade took place in a climate of increased threats to CSO space, as exemplified by the 2006 NGO Act and distrust in government institutions. (Odhiambo 2017, Sida 2013b, European Commission 2014, Human Rights Watch 2016, FES 2012). The campaign, concerning rights to consultation, to land and environmental protection, used a variety of networks and tactics, succeeding eventually in getting the government to reverse its decision to allocate protected land in the Mabira forest to an Asian company for sugar cane production. The campaign claimed space, through a variety of tactics, from building a constituency to demonstrations, which contributed to the opening of more formal or invited space.

The campaign enhanced local as well as international level, and built multiple networks and alliances. Mobilising broad strategic alliances was key. They mobilised in local communities. They built links to national policy

levels and global networks. The campaign identified key constituencies to mobilise and engage directly with politicians from sugar workers, major churches, consumers, taxi drivers, foreign diplomats, while in parallel, international environmental organisations worked at the international level. The campaign brought together activists, parliamentarians, churches and traditional chiefs, engaging in policy dialogues with key Members of Parliament and of cabinet, as well as with government technical staff.

The campaign also avoided politicisation by engaging actors in both opposition and position. When opposition politicians spoke out in its support, the campaign was able to offset partisan allegations by cultivating support of representatives of government bodies, such as the National Environmental Management Authority and the National Forest Authority. Furthermore, evidence-based research was key in relations with government actors while the media functioned as interlocutors. The campaign engaged researchers and international specialists to document the consequences of the planned interventions. Lastly, the Advocates Coalition for Development and Environment (ACODE) used public interest litigations to redress the plans. They filed a case on behalf of 300 community members

against permits given to the sugar company – and won (Sida 2013b; Devlin-Foltz 2012).

3.2.2. Effective responses

Only three (related) evaluations (Sida 2013 a, b, c) and a study based on evaluations (Claessen and de Lange 2016), actually discuss the effectiveness of responses to shrinking space. Although one can identify lessons learnt, Sida (2013a) issues a warning against classifying ‘best practices’: they should be understood not only within a global pattern, but be based on a necessary contextual analysis of the individual country, the specific power relations and the actors involved. The effectiveness of strategies varies according to topic, time – such as project phases in natural resource management – and specific actors involved (Terwindt and Schliermann 2017). Natural resource management often challenges private and foreign business interests (Terwindt and Schliermann 2017; Sida 2013 b), while LGBTI rights pose more of a challenge to popular and cultural identities (ICNL 2016b).

Building networks and alliances is important to gain leverage and open opportunities for influence. Two issues are of vital importance, Claessen and de Lange (2016) suggest: civic engagement, and cooperation between civil society organisations. Sida (2013 a) similarly

holds that alliance building is key to achieving effectiveness. Cooperation and network building are emphasised also as a suggested (but not evaluated) strategy by DANIDA (2009), Braathen (2016), Holm-Hansen and Braathen (2014) and many CSO reports (for example CIVICUS 2014; CCP-AU et.al 2011; Mangu 2012; SAT 2011). The European Commission (2014) notes the considerable competition between CSOs for funding, causing fragmentation within civil society and hindering cooperation. Shifts in donor approaches, such as funding CSO networking and umbrella organisations (Sida 2017), may change this. Sida (2013b) notes that donor coordination has enabled some CSOs, while running the risk of leaving certain – possibly important – organisations without funding opportunities. Networking and coalition building are resource hungry activities, especially when building organisational and formal forms of cooperation, although it is the actual networking – that often takes more informal forms – that remains the key factor (Sida 2013a). In discussing coordination and networking, one should also consider the variety of ideologies and interests within civil society itself (Brandes and Engels 2011).

Cooperating with governments generally works better than confrontation, Claessen and de Lange (2016) maintain. However, in some

cases, cooperation – or invited space – is simply not possible because governments are unwilling to engage formally. In such contexts, claiming space is more effective (Sida 2013a). Claiming space in the form of demonstrations, lobbying or media engagement is also effective in cases when there is little public attention. Lastly, in many cases invited space makes CSOs vulnerable to co-optation or manipulation, while claimed space can be used, on the other hand, to retain control and avoid such pitfalls (Sida 2013a). Thus, before using invited space one should consider the availability of claimed space. The two are interrelated and build on each other. In situations where the invited space is limited, restricted or ineffective (where policy makers may converse with, but not consider input from, CSOs), confrontation may open space for dialogue. It should be acknowledged, however, that in certain cases, and in repressive regimes, confrontation poses a considerable risk to the health and even life of activists.

Considering strategies to shift the level of operation, Sida (2013a, 2013b) emphasises the importance and effectiveness of building and empowering local constituencies by actively involving citizens and community based organisations. This is not only more effective, but it builds legitimacy and local agency by ensuring active participation of those affected.

By shifting the framing of operations in repressive contexts, human rights work becomes easier under sectoral approaches (such as education, health or access for marginalised groups). Refocusing work on service delivery organisations may further organisations’ “behind the scene” influence on policies (Claessen and de Lange 2016). Again, this must be considered according to the context and topic at hand, as in ICNL’s (2016b) suggestion that messaging is key, and that in the case of LGBTI the message will be more effective when it is framed as part of a democracy campaign or realisation of human rights/equal rights.

Evidence-based research is crucial and effective as an entry-point for CSOs to build sound strategies. It is useful in ensuring legitimacy and in building a support base to secure long-term influence on power and policies (Claessen and de Lange 2016; Sida 2013a, b, c). In Ethiopia, as a result of changes to NGO legislation, CSOs working on rights-based issues and advocacy are focusing less on organising the ‘rights holders’ and more on providing evidence-based knowledge and international expertise, to document and report on the state and enjoyment of rights (Norad 2015, SC-Norway 2013, NPA 2017). The Mabira forestry case used evidence-based research to

build support, both at local community level and among relevant actors in government structures (Sida 2013b).

3.3. SUMMARY AND DISCUSSION

As we have seen, CSO responses to changes in the operational space can be categorised as either individual or coordinated, and as either reactive or proactive.

Some CSOs have closed down. This has been reported particularly in the case of Ethiopia, but has also been noted in other countries. In other cases, organisations have shifted the focus of their work, or exerted self-censorship to avoid harassment. Reactive and individual responses seem to be more about surviving as activists, journalists or organisations, than an elaborate response strategy as such. This should be considered in light of the contextual opportunities for alternative strategies. It seems that reactive strategies are more prevalent in the most repressive regimes and contexts. Importantly, some refocusing strategies should also be considered pro-active, such as Ethiopian CSOs shifting activities to a local level and framing their work as service delivery.

CSOs pursuing individual-reactive responses do not seem to be able to keep up activities and outputs of their programmes consistent

with their overall goals. In other words, the *relevance* of these response strategies are questionable, although they might seem effective. Pro-active response strategies tend to be of high relevance for the overall goals of the involved CSOs, but the jury is out regarding the effectiveness of these strategies.

CSOs are generally adapting to new realities and shifting strategies of both their individual and coordinated pro-active response strategies. CSOs often maintain a capacity for advocacy work as indicated by international surveys (USAID 2016). CSOs claim space in the defence of natural resources by spanning local, national and transnational level of action (Uganda, Mozambique). CSOs have sued governments where there is a relatively independent judiciary (Uganda, Zambia). CSOs have transcended restricted financial opportunities by creating new revenue raising activities and improving the collection of membership fees (Malawi, Mozambique). However, CSOs working on political and civic rights seem to meet harder restrictions, especially in Ethiopia, where many CSOs working specifically on human rights have had to close or scale down.

Despite limits in the literature, reports indicate that certain CSO strategies are particularly

effective. They are building alliances and local constituencies. They are “claiming space” for policy influence. They are shifting the level of operation – in particular to local and community levels but also into transnational networks. And they are supporting policies and are building legitimacy with evidence-based research. However, as mentioned in the introduction and elaborated in Annex 2, there are important gaps in the literature.

Gaps in the literature

There is a lack of analysis of the relevance and effectiveness of shifting level of activities to regional and international levels. This despite the fact that shrinking space is identified across countries and at a global level; and that regional CSO networks identify the African Union and regional inter-state bodies as relevant arenas.

There are also gaps in the general understanding of the issues and relations at hand. Although most reports state the relevance and importance of civil society to democracy and human rights, there is little information “available about the contribution to strengthen civil society to support systematic social change” (IOB 2017). A theory of change on political economy is indispensable, according to Claessen and de Lange (2016),

in formulating effective strategies, and CIVICUS (2016) notes the need for further research on the relationship between protests and democracy. IOB (2017) finds that few evaluations elaborate and consider the available opportunities, and there is also a need for a systematic and operationalised understanding of system change. Another gap in the literature is the assessment of how governments actually think when justifying policies and actions which, according to CSOs, shrink their operating space.

Given the importance of, and emphasis on, the need for contextual understanding and for theories of change, we also note that few evaluations consider the contextual changes and shifts in operational space when assessing CSOs work. Working to promote human rights and democracy is a long-term endeavour, and IOB (2017) suggests that short-term goals and reporting regimes actually hinder efforts to achieve longer-term impact. In order to ensure better contextual analyses, evaluations need to have larger budgets, spend more time in the field, and make more use of Southern nationals and consultants.

4. Summary of key findings and lessons learnt

SUMMARY OF KEY FINDINGS

While most countries in the world show big improvements regarding human rights and democratic governance after 1990, the last decade has seen a more mixed development in this regard. The global wave of protests after the financial crisis of 2007/08 and the Arab Spring of 2011 also affected the African continent. The political contestations that followed were met by increased repression in many countries, including in Eastern and Southern Africa. Among the five countries focused upon in this report, the situation is worst in Ethiopia. Uganda has seen serious setbacks in many areas, and the development in Zambia is questionable. However, Malawi and Mozambique have enjoyed progress on most indices of human rights and governance, although many aspects even in those countries may raise concern.

CSOs working for democracy and human rights in the five countries share the following challenges to their operating space:

- › **Restrictions in rights.** The rights to association, assembly and expression are either undermined by changes in the law – in Zambia, Uganda and Ethiopia through new NGO laws – or by the practice of government officials in all countries. The legal protection of human rights activists tends to be weak, and there are widespread reports of harassment and even violence against activists. In Zambia and Uganda, subtle threats and rumours are used to intimidate the media and activists.
- › **Constrained socio-political and cultural environment.** Politicians tend to exploit social and cultural conservatism in society with regard to issues such as LGBTI rights as well as patriotism, in order to delegitimise CSOs' advocacy work on democracy and human rights in general.
- › **Limited access to policy dialogue.** In all countries there is limited access to policy makers and policy processes, and dialogue usually takes place only by invitation of selected parties by the government. Such access is often restricted for CSOs and their advocacy work on democratic governance and human rights. Furthermore, 'dialogue' settings are often characterised by manipulation and co-optation, or simply as exercises in window dressing with little if any impact.
- › **Shrinking funding opportunities.** While international funding is restricted by law in Ethiopia only, shifting priorities of donor agencies combined with limited domestic opportunities for fund-raising put a heavy financial strain on CSOs committed to democracy and human rights work.

In spite of narrowing operational space, CSOs in all national settings are vigorously adapting to the changes. In so doing, they are forging both reactive and pro-active response strategies. Some widespread responses involve increased emphasis on:

- › Strengthening local constituencies, often combined with empowering community-based organisations. This builds constituency support and provides an opportunity to re-engage at the national level;
- › refocusing or adjusting activities, for example by relating rights work to service delivery, a strategy that tends to expand the scope for policy dialogue;
- › alliance building and networking with other CSOs and social movements in the country;
- › networking, alliance building and use of instruments at the regional and international levels;
- › using evidence-based research to build support and leverage;
- › creating arenas and orchestrating activities to influence public opinion and policy making ('claiming space').

LESSONS LEARNT

Based on the available material, the following lessons can be drawn about the relevance and effectiveness of the work of CSOs:

- › Response strategies work best when they are based on careful analysis of the particular country context, including the actors involved, power relations, strengths and opportunities for alliances/networks of CSOs.
- › Available response strategies depend on the particular issues at hand – including socio-culturally sensitive issues such as LGBTI, or politically sensitive issues such as corruption – and how the issues are seen and addressed in the specific political, social and cultural structure of the country. How the issue connects with conservative forces in the political and socio-cultural environment is a factor that influences the implementation of response strategies.
- › The most effective strategies combine a wide range of responses and actions, and employ a varied set of resources and methods at different levels and at separate stages of the law-making process or investment project cycle.
- › In particularly repressive contexts, a useful strategy can be to combine a stronger

emphasis on service delivery, while keeping up advocacy work through evidence-based lobbying.

- › Shrinking financial opportunities, caused by a decline in external international funding of CSOs, are unlikely to be compensated in the foreseeable future by fund-raising in the countries in question.

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Annex 1: Terms of Reference

Synthesis study of evaluations of Civil Society Organisations' democratisation and human rights work in Southern and Eastern Africa

BACKGROUND AND RATIONALE

Civil Society Organisations (CSO)⁵ can play important roles advocating for democracy and human rights, holding governments and commercial actors accountable and delivering services in different sectors. Support to civil society in developing countries is important in Norwegian development policy, and aims to strengthen civil society's ability and capacity to contribute to democratisation, realising human rights and reducing poverty in developing countries.⁶

Over time, CSOs promoting democracy and human rights have been facing a more restrictive operating environment in many parts of the

world.⁷ CSOs engaged in democratisation and human rights activities have struggled to find ways to meet such restrictions, or “pushback”, against their efforts.⁸

This is also the case in Southern and Eastern Africa, where governments have been putting in place stricter CSO regulations, adopting legislation curtailing CSOs' ability to operate, or limiting their funding possibilities.⁹ The justifications for such measures include references to the fight against terrorism and other security concerns as well as the need to enhance CSOs' accountability and transparency, counter corruption and ensure results.¹⁰

These developments also have implications for Norway's support to CSOs' promoting democracy and human rights in these countries. It is assumed here that existing evaluations of CSOs contain relevant knowledge about how civil society actors operate and perform in different environments. While the context varies, challenges and opportunities faced by CSOs in these countries are often similar, creating a potential for mutual learning.

PURPOSE

Based on this, the purpose of this synthesis study is to utilise knowledge from existing evaluations to inform Norwegian development policies, strategies and efforts in the field about CSOs' democracy and human rights work in the global south. The synthesis study shall reflect a southern perspective on this work.

TARGET GROUPS

The main target group for the study includes the Norwegian Ministry of Foreign Affairs (MFA), Norad and Norwegian embassies in developing countries; Norwegian and international CSOs and their partners; as well as other civil society actors based in Southern and Eastern Africa.

⁵ Civil Society Organisations (CSOs) include, inter alia, formal non-governmental organisations (NGOs) including international NGOs (INGOs), local and regional CSOs and community-based organisations (CBOs) as well as local and regional civil society networks, consortia, trusts and umbrellas.

⁶ Annual budget proposition to the Storting, Prop. 1 S (2016-2017): p. 198

⁷ Protecting Democracy: Reclaiming Civil Society Space in Africa, Conference Paper, 21-23 Nov 2011. See also Unmüßig, Barbara, Civil society under pressure – shrinking – closing – no space, Heinrich Böll Foundation, May 2016.

⁸ See Carothers, Thomas and Brechenmacher, Saskia: Closing Space. Democracy and Human Rights Support under Fire, Carnegie Endowment for International Peace, 2014.

⁹ See Shrinking Space for Civil Society – Challenges in Implementing the 2030 Agenda, Forum Syd, 2017. See also Lessons for Supporting Policy Influencing in Restrictive Environments, Anique Claessen and Piet de Lange, in Development in Practice, 26:5, 544-554.

¹⁰ Claessen and de Lange: p. 546.

OBJECTIVES

The objectives of the study are to:

- › Collect, collate and systematically present, in the form of a synthesis study, findings from existing evaluations of CSOs' democracy and human rights work in selected countries in Southern and Eastern Africa;
- › Document good practices and lessons learnt from the evaluations.

SELECTION CRITERIA

The synthesis study shall be based on the following selection criteria:

- › Existing evaluations commissioned or conducted by independent evaluation functions of multilateral and bilateral agencies, academic institutions (particularly those based in the region), think tanks¹¹, development monitoring facilities¹² and CSOs. The evaluations shall adhere to the OECD-DAC Quality Standards for Development Evaluation, notably including the key principles of impartiality and independence;

¹¹ Such as the International Centre for Not-for-Profit Law (ICNPL): <http://www.icnl.org/>

¹² Such as the Global Partnership for Effective Development Cooperation (GPEDC).

- › Type of organisations studied: primarily local and regional CSOs and CSO networks; other civil society actors may be included where relevant;
- › Period of publication: from 2012 to the present; earlier publications of particular relevance to the study might be included;
- › Thematic area: democratisation and human rights;
- › Implementation area: Ethiopia, Uganda, Malawi, Mozambique and Zambia; regional issues may be included where relevant. These countries are long-standing and important in Norwegian development cooperation; poverty and inequality remain serious there; and they represent a range of challenges to civil society actors' democracy and human rights work.

QUESTIONS

The assignment shall be guided by – but not necessarily limited to – the following questions:

1. What are the *major findings* in the assessed material concerning CSOs' democracy and human rights work in the selected countries, including (a) the main challenges – notably in the form of shrinking operating space – facing local and regional CSOs advocating

for democracy and human rights in these countries; (b) how the CSOs adapt to and respond to those challenges and (c) the relevance and effectiveness of their work?

2. Which intended and, if any, unintended effects of the CSOs' work, positive and negative, direct or indirect, have been highlighted in the assessed material?

APPROACH

The team shall identify the key contextual features including political, social, economic and other factors characterising each case country, and how these contextual features affect CSOs' work. The synthesis study, which will be a desk study, shall emphasise a southern perspective on these issues, including the view of various southern actors¹³ on the CSO work in the selected countries. The selection of evaluations included in the report shall reflect this.

In the inception report, the evaluation team shall identify sources to be consulted, and shall draw a preliminary list of relevant evaluations specifying the source, type of report and thematic coverage of the identified material. The final sample shall include 40–50 evaluations/reports

¹³ Such as governments, think tanks, development monitoring facilities and civil society actors.

concerning CSOs' efforts in the selected countries. The selection shall take into account the quality of the material, notably considering such aspects as potential bias and an assessment of methodological rigour.

The detailed selection criteria to be applied by the team shall be specified in the inception report, including a description of the limitations of the chosen approach. The sample shall be finalised in consultation with the Evaluation Department (EVAL) during the inception phase. As far as possible, findings in individual studies shall be triangulated across the sample.

To the extent possible, the evaluation findings should be grouped per thematic area. Emphasis shall be put on presenting the information in an easily accessible and reader-friendly format, with key information up front and utilising relevant tools to enhance accessibility of the information.

POINTS TO NOTE

The report shall be written in clear, succinct language. The team is expected to allocate specific resources towards ensuring this, as part of its quality assurance.

The team shall compile a list of lessons learnt based on the findings of the study, and identify perceived gaps in the findings.

Photos constitute an important tool to enhance relevance and reader-friendliness. EVAL invites the team to suggest photos to illustrate the messages in the study.

The synthesis study shall be produced exclusively in an electronic format. EVAL is utilising a designer to ensure the best possible design of the final report.

ORGANISATION

Data collection is the responsibility of the evaluation team. Quality assurance shall be provided by the institution delivering the services prior to submission of all deliverables to EVAL.

The study will be managed by EVAL. The study team will report to EVAL through the team leader. The team leader shall be in charge of all deliveries and will report to EVAL on the team's progress, including any issues that may jeopardise the assignment as well as proposals for remedial measures.

A reference group will be established by and operate under the auspices of the Evaluation Department (EVAL) throughout the work on the study, and will provide inputs at strategic junctures. This will help ensure the relevance and quality of the final study, ultimately enhancing its utility to the stakeholders.

All decisions concerning these Terms of Reference, the inception report as well as draft and final reports are subject to approval by EVAL.

DELIVERABLES – REPORTING AND SEMINARS

- › Inception report¹⁴ not exceeding 35 000 signs including spaces (ca. 5000 words, ca. 10 pages), and outlining the key sources and material identified, in keeping with the Approach section above, shall be forwarded to EVAL for comments by stakeholders before approval by EVAL. The inception report shall be accompanied by a preliminary bibliography/reference list, to be completed later in the process;
- › A draft final report shall be forwarded for preliminary approval by EVAL and circulation to stakeholders for their comments. The report shall contain a table with an overview of the selected evaluation reports. The length of the study including text for tables, figures and references should not exceed 87 500 characters (including spaces) (ca. 12 500 words).¹⁵

¹⁴ All reports including inception report, draft and final reports are to adhere to Norad's Guidelines for the evaluation process and for preparing reports (See annex in the Tender Document).

¹⁵ This would normally equal ca. 25 pages of text. Space for tables, figures, boxes and photos would increase the actual number of pages of the study.

- › An annotated bibliography containing clickable references to, and brief abstracts of, the selected evaluations/studies;
- › A final report for approval by EVAL;
- › Presentation of the completed synthesis study at a seminar in Oslo.

BUDGET

The project shall be completed within a total budget of maximum NOK 500 000 ex. VAT, equivalent to an estimated workload of ca. 60 person days.

TIMELINE

The synthesis study shall be finalised by February 2018.

Annex 2: Methodology and sources of information

THE PROCESS OF SEARCH FOR RELEVANT PUBLICATIONS: AN ASSESSMENT OF THE INFORMATION SOURCES

Evaluations perform systematic analyses based on acknowledged methods and systems of data collections. To identify relevant evaluations, we searched for existing evaluations which (i) focused on CSOs' facing shrinking space in their democracy and human rights work, and (ii) expressed perspectives from the Global South and/or from CSOs and actors in *Ethiopia, Uganda, Malawi, Mozambique and Zambia*. There is a plethora of evaluations of CSOs which some way or another work to promote democracy and human rights; but very few of them address CSO responses to shrinking space. Thus, the study makes use of a wider range of documents, including CSO reports and academic literature with a Southern perspective.

A "Southern perspective" is not easily defined, as most evaluations are commissioned and funded by governments and organisations from the Global North. Although studies from the North usually have Southern co-authors and

often are based on fieldwork in the South and interviews with Southern actors, they represent perspectives from the South only to a limited extent. Still, Southern think-tanks, research centres and CSOs are often funded from the North. The selection criteria takes into account the quality of the material, in particular potential bias and methodological shortcomings.

A. Evaluations and reports from the Global North

We searched in the Norad and OECD/DAC databases for evaluations carried out in the period 2012-17.

We searched the Norad Publications website¹⁶, for all relevant evaluations commissioned by the Norad Evaluation Department, for the period 2012-2017. In addition we searched Norad Collected reviews, i.e. reviews carried out by Norad staff.

In addition, we selected a number of NGO evaluations and reviews. Norwegian NGOs

¹⁶ <https://www.norad.no/en/toolspublications/publications/#&filter=rev>

that receive funding from Norad, deposit their evaluations and reviews in the NGO review database at Norad web-page¹⁷. We here searched for evaluations on human right and democracy commissioned by the five largest Norwegian NGOs that have framework agreements with Norad. We used the following code words in the search: civil society, restricted space, advocacy, influence, democracy, human rights, and the names of the five countries included in the synthesis study.

Many of the evaluations and reviews commissioned by Norwegian NGOs address changing space for civil society in passing, and they do not go in detail on how new restrictions affect CSOs' work nor how CSOs respond to changing environment and regulations. We selected an initial five to ten evaluations and reviews for each country, based on relevance and quality. The database is not complete, i.e. there are NGO evaluations that have not been uploaded in the database. We have therefore also done a general literature search targeting

¹⁷ <https://www.norad.no/en/toolspublications/publications/#&filter=rev>

specifically the largest five NGOs that have framework agreements with Norad, to search for additional evaluations not uploaded.

OECD/DAC Working Group on Evaluation has established a database for evaluations carried out by member states: OECD/DAC Evaluation Resource centre – DEReC18. For publications from DEReC, see DANIDA 2009, 2013, IOB 2016, USAID 2015. The evaluations where the Terms of Reference (ToR) that specifically address changing and restricted space go much more in detail on both what restrictions that take place and on CSO responses. Most of the other evaluations after 2010, cover the topic in the context chapter, but do to very little extent provide new knowledge in their analysis of CSO programmes, but continue to have a managerial and result reporting focus.

While quality is often not the issue when it comes to this category, many of the evaluations and reviews have only partial relevance to the study, as they focus more on managerial and organisational issues, result monitoring and reporting. Of the 13 evaluations in the annotated bibliography, only three reports, which are part of a multi-donor evaluation, (Sida 2013a, 2013b and 2013c) explicitly

¹⁸ <http://www.oecd.org/derec/?hf=5&b=0&s=score>

and specifically address CSOs' increasingly constrained operating scope and their responses. These evaluations are very thorough and of high quality. The others (Braathen 2016; Danida 2009; Danida 2013; DFID 2015; Holm-Hansen and Braathen 2014; LO 2014; Norad 2011b; NPA 2017; SC Norway 2013; USAID 2015), and five reviews (Corella and Endeshaw 2012; IOB 2017; Norad 2012; Norad 2015; NPA 2011) only touch on the changes affecting operating space and/or how CSOs respond. Claessen and de Lange's (2016) article is a peer-reviewed scientific article, but is based on several evaluations about the topic. Thus, we have included policy papers and other publications from the North in this category.

B. Relevant reports and analyses from the Global South

In our effort to find evaluations and reviews with a more explicit Southern perspective, we undertook web searches and visited websites of several organisations in the relevant countries and of regional networks in Eastern and Southern Africa.

We consulted a wide range of independent academic centres such as African Commission on Human Rights and People's Rights (ACHPR), Council for the Development of Social Science Research in Africa ([CODESRIA](#)), and

Organization for Social Science Research in Eastern and Southern Africa ([OSSREA](#)), in addition to [Centre for Civil Society](#) at the University of KwaZuluNatal, South Africa, and the Human Rights and Peace Centre (HURIPEC) at Makerere University, Uganda. Most of these sources provided little of value to this study. However, ACHPR stands out for the quality of its peer reviewed periodic reports from the African Union member states.

Moreover, we did find several relevant reports and position papers from regional CSO networks such as [CIVICUS-World Alliance for Citizen Participation](#), [Centre for the Citizens' Participation on the African Union](#) (CCP-AU), Pan African Citizens Network (PACIN), and Southern Africa Trust (SAT). A driving force in civil society, CIVICUS encourages the writing of reports on shrinking space and responses. While the relevance is high, the quality is mixed. Documents comparing response strategies and good practices lack methodological rigour and critical discussion of transferability of experiences. These reports often apply a regional perspective, seldom with an in-depth view of the situation in single countries. We have as a complementary measure included works of individual academics from the South who have published robust and relevant analyses of the situation in their countries.

C. Relevant reports and analyses from international organizations and individuals often with mixed North/South authorship

There are a number of reports or publications in the bibliography with mixed Northern and Southern authors/perspective. Typically, these publications have been commissioned and funded by a Northern or international NGO or donor agency, albeit largely written or based on data collected and analysed by 'local' Southern-based professionals (IDEA 2017; FES n.d.; HRW 2012, 2017; ICNL 2016 a,b; ICNL 2017; ITUC 2017; OSISA 2014; USAID 2016).

In general, these analyses proved highly relevant for this study. In addition to the Institute for Democracy and Electoral Assistance (IDEA), the Friedrich Ebert Stiftung (FES) makes solid contributions through the Africa Media Barometer, which provides comparable data of all countries on the continent. Their impartiality is generally high, although many of these reports lack the depth of single-country analyses.

IMPLICATIONS FOR THE FULFILMENT OF THE TERMS OF REFERENCE FOR THIS SYNTHESIS STUDY

The shortage of evaluations addressing the issues of our study, not only related to the selected countries, caused challenges when examining the relevance and, above all, 'effects' (intended or non-intended) of the work that CSOs embark upon in response to restrictions in their operational environment. Actually, only one set of connected evaluations (Sida 2013 a, b, c) and a study based on evaluations (Claessen and de Lange 2016), discuss the effectiveness of responses to shrinking space.

The Terms of Reference asked for findings on "intended and, if any, unintended effects of the CSOs' work, positive and negative, direct or indirect, have been highlighted in the assessed material". To address this task the team asked the following questions: do the CSOs keep up activities and outputs of their programmes consistent with their overall goals, and do they attain their objectives, in spite of an increasingly disabling environment? In other words, do they succeed in their adaptation and response strategies?

Annex 3: Annotated Bibliography

The list over relevant documents is numerical as well as alphabetical.

1. **ACHPR** (nd.), [African Commission on Human and Peoples' Rights \(ACHPR\)](#), the African Union. Addis Ababa.
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1. ACHPR (nd.), African Commission on Human and Peoples' Rights (ACHPR), the African Union. Addis Ababa.

In accordance with Article 62 of the African Charter on Human and Peoples' Rights (ACHPR), states parties to the charter (all our focus country) are required a report on the legislative or other measures taken, with a view to giving effect to the rights and freedoms recognised and guaranteed by the Charter. ACHPR responds and gives recommendations to each country based on these government reports. Country web sites include both government reports and ACHPR responses. Countries are required to submit reports every two years, but many reports are overdue (last report year and number of reports overdue in parenthesis): [Ethiopia \(2016, 1\)](#), [Malawi \(2013, 2\)](#), [Mozambique \(2010, 2\)](#), [Zambia \(2005, 6\)](#).

Example: ACHPR report to Ethiopia. The ACHPR report recognises the effort made by Ethiopia to set up the Human Right procedural institutions in the country, and enacting a number of laws rooted in the international conventions. The ACHPR response to Ethiopia national report focus on both political and civic rights, and socio-economic rights. The report questions the negative aspects of the 2009 Proclamations on Charities and Associations that restrict the space for advocacy and for independent self-

organisations on topics such as advocacy and human rights, the situation in Ethiopian prisons, and the right to free association. The report was written before the State of Emergency in October 2016.

2. Braathen, E. (2016) [Supporting Peasant Movements. Evaluation of the Mozambique Development Programme, 2012-2015, of Norwegian People's Aid](#). NIBR Report 2016:1. Oslo: Norwegian Institute for Urban and Regional Research.

This evaluation of Norwegian People's Aid support to Mozambique peasant movements is based on document studies, interviews and field visits. Mozambique is in a process to shift its investment and development priorities, undertaking a redistribution of its national resources towards agriculture and in particular to the family-based smallholder sector. This makes well-organized advocacy and lobbying on behalf of the rural and peasant population, a key issue. In the peasant movement there has been a shift away from "merely productivity orientation" to include "advocacy and lobbying".

In spite of two decades of relatively high economic growth and substantial foreign investment, the space for inclusive and redistributive policy-making has been shrinking.

International capital holders and local power holders meet in non-transparent decision-making, often resulting in land grabbing and violation of rural people's rights. As a result, poverty is increasing; illiteracy and child mortality are again on the rise on the countryside. The legal framework for democracy and human rights is fair; the challenge is rural people's knowledge of their rights, and their capacity and will to claim right.

Bureaucratic centralization is a threat to the legitimacy and sustainability of partner organizations. Their advocacy work must be strengthened at the community level, including more attention and resources to the 'basic' work of legalizing associations, producing land certificates, and promoting women's organizational and economic empowerment. The partner organizations need two types of organizational development in order to remain independent from the government and become less dependent on foreign partners. Collection of fees from own members should be prioritized, and could be earmarked for services that are popular among members and can increase activities at the community level. More cooperation and improved links between the Mozambican partner organizations, at least among the largest of them, should be encouraged.

3. Carothers, Thomas and Brechenmacher, Saskia (2014). Closing Space: Democracy and Human Rights Support Under Fire. Carnegie Endowment for International Peace, Washington DC. (90 pages).

This report, which is much referred in the literature, is concerned with the restriction on “international support for democracy and human rights”. It gives an historical overview and analysis of the pushback against democracy and human rights, and details with examples drivers, mechanisms and consequences of the pushback.

This pushback started circa 2005, and it is global and lasting. It came as response to opened democracies and human rights spaces that had been supported by Western aid and ideas. From socioeconomic aid focus, the 1990s brought political support for democracy and rights. This contributed to democratic waves from the Caucasus to the Arab spring. The pushback is considered some governments’ resistance to citizens’ relative empowerment, and it spread from Putin’s interventions in Post-Soviet republics, most forcefully in semi-authoritarian governments attempting to keep/remain in control/power. Among the many ways of closing spaces for civil society, one is legal restrictions on foreign funding. The pushback is thus also against

Western donors. Additionally, this can take form of harassment, threats and expelling. Foreign funders are typically narrated as “agents” of foreign interests. Cutting of foreign funding weakens local CSOs recourses and capacities. In less repressive regimes, under indirect threats, local CSOs exerts self-censorship, avoid foreign training and lose out on learning/information sharing.

For donors, this brings dilemmas in balancing principles of democracy and rights, and operating according to local laws. The report identifies and gives examples and assessment of international responses: From attempts to object, leave, limit or reverse measures. Another is moving aid from an agency/department to the ministry of foreign affairs, such as in Norway, is partly response to this pushback. This can strengthen capacity to respond or be counter-effective. International responses has thus far been inadequate and weak. Recommendations to donors are to improve the NGO-law diplomacy and explore new methods in aid. We need a deepened understanding, and improved cross-country coordination. This includes debates about the political and civil society, ideally reaching consensus between aid-providing/aid-receiving countries.

4. CCP-AU, OSISA, SAT, and Trust Africa (2011) Protecting Democracy (2011): Reclaiming Civil Society Space in Africa. Report from conference in Johannesburg 21-23 November 2011. (84 pages).

This is a conference report from the Conference is Protecting Democracy – Reclaiming Civil Society Space in Africa, held in Johannesburg 2011. The conference was a collaboration between the Centre for Citizens Participation on the African Union (CCP- AU), Trust Africa, Southern Africa Trust (SAT) and the Open Society Initiative of Southern Africa (OSISA).

The report uses several research publications, summing up and listing ‘Emerging Issues’ from a) to r). It also provides sections with interesting country reports about shrinking space and responses as well as lessons learnt/recommended strategies. The sections dealing with responses is very interesting, and the chapter on recommendations presents a table with proposed strategies/actions. This includes self-regulated mechanisms for increased accountability to citizens; build coalitions with trade unions and churches, and using Pan-African bodies and networks more systematically.

5. CIVICUS (2014) [The Status of Civil Society in Zambia; Challenges and future prospects.](#) **Civil Society Index Analytical Country Report for Zambia. (82 pages).**

The report is prepared by M.H. Muma and R.P. Mumba (University of Zambia) for CIVICUS in collaboration with Zambia Council for Social Development. It aims to give practical input and recommendations to civil society based on a CSI (civil society index) methodology. With inputs from a range of institutions and individuals (government, CSOs, independent institutions, private sector, media and academics), it maps the CSO situation along four dimensions: civic engagements, level of organisation, practices of values, perceived impact and external environment. Zambia scores ca 60% (out of 100) on all dimension. Some respondents were reluctant to answer on contentious issues for fear of victimisation, and the report states that the worsening socio-economic conditions contribute to reduced civic engagements.

The report draws an historical overview of changing spaces for CSOs and shifting relations between CSOs and governments from independence to today. Although there are new mechanisms, the report considering relations as a continuity of authoritarian regimes aiming to control CSOs, more than significantly shifting. Since 1996, the

governments have attempted to introduce legislation to govern NGO operations, before a NGO law was passed in 2009. The legal space in Zambia is uncomprehensive, and there is a lack of institutional mechanisms for citizen participation in policy-making.

Zambian CSOs are relatively weak, uncoordinated and donor dependent, while has strength in ability to mobilise, sectoral networks and in strong influence on social issues. The report suggest a need for a revision of the NGO act in order to accommodate all types of civil society. Furthermore; Civil society should lobby to reinforce structures for citizen-participation in decision making; Further inquiry into how to improve civil society-government dialogue; CSOs need to develop income generating activities to avoid donor dependency; CSOs need to spread activities to rural areas, and help mobilising in self-help groups and networking; and Need for networking and co-ordination between CSOs and government.

6. CIVICUS (2016), [State of Civil Society Report.](#) **Johannesburg.**

Theme focus: “Exclusion and civil society”. The report is “by, about and for” civil society, and is based on reports from and interviews with key actors in/related to civil society globally, mainly in the South. “The year in review” with chapters on Protest and activism, and Civic Space (p1-138).

The section on *protests and activism* notes that in 2016 we saw a continued wave of protests, activism and participation, were protesters demand inclusion, political participation and economic distribution and opportunities. As such, protests are a sign of democratic limitations, and an alternative form of democratic expression, although there is need for further research on relations between democracy and protests. Protests across the globe are remarkably similar in tactics, trajectories as well as in short-term achievements. There are seven chapters of particular successful/interesting protests, with lessons learnt from civil society, including Ethiopia. The report has five recommendations to protesters: 1) develop systems of shared learning 2) develop long-term participatory channels 3) freedom of assembly should focus on recommendation to UNHCR on the management of assemblies, should focus on rights to freedom of assembly, and also consider private actors 4) strategies against civil society co-optation 5) research on indicators to predict protests.

The section on *civic space restriction* focus on the rights to association, peaceful assembly and freedom of expression, stating that six out of seven people live in countries with experiences of restriction to civic spaces. Although found globally, the attacks are particularly strong in Africa and the Middle East.

There are nine country case chapters, with success stories, for example in modification of repressive laws and release of jailed advocates after advocacy. Civil society is also under attack from non-state actors, and by extremism and terrorism.

The reports identifies different kinds of drivers or enablers of shrinking spaces:

- › States narratives on security and counter-terrorism.
- › Successes of protests
- › Private/elite/wealthy actors capture of governance systems
- › Rise of extremist forces – not least in the global North.
- › Less pressure to comply with human rights with shifting trends in the global political economy

Recommendations: Freedom of the internet must be advocated and ensured, and more research and civil society successes in upholding rights and resting challenges is needed.

- › Stronger and clearer message on the importance of civil society and civic spaces, including on successes to counter ideas of disempowerment
- › Supporters of civil society – including donors – must show increased commitment and better coordination
- › Civil society must communicate resolutions and other measures form UN and other international bodies to citizens
- › Civil society itself must build accountability and transparency from within
- › More accurate and frequent reporting on trends in civic spaces

7. CIVICUS and ICNL (2017), [Contested and Under Pressure: A Snapshot of the Enabling Environment of Civil Society in 22 Countries.](#) (56 pages).

The report is based on a civil society-led processes of Enabling Environment National Assessments (EENA), conducted in 22 countries including Mozambique, Uganda and Zambia between 2013 and 2016. It assess how laws and regulations on civil society are implemented, and affect civil society in practice. This is done along six dimensions:

aspects of freedom of association, such as the ability of civil society groups to form, operate and access resources, the freedoms of peaceful assembly and expression, and relations between civil society and governments. On freedom to operate, the report considers notification regimes (where CSO must notify and register) as more enabling for CSOs than approval regimes (CSO must apply for permission to carry out activities/functions).

Most laws are disenabling, rather than enabling, to civil society, and some laws are not up to date. Even so, in many countries the practice of operation is actually stricter and more difficult than the law suggest. Restriction applies particular to CSOs that work on democracy, good governance and human rights, and social work and charitable organisations face fewer challenges.

Recommendations: CSOs ability to form and function freely should be recognised as best practise. Although recognising the need to regulate CSOs, regulations must recognise CSOs autonomy and important roles. Regulation must be predictable, manageable, transparent and free from political influence. If regulations, notification regimes are preferred to approval regimes. More detailed;

- › Promote best practices and removal of mandatory activities for registration.
- › Affirm the rights of CSO to freely organise meetings.
- › Civil society should be represented in agencies responsible for registration and regulations of CSOs
- › Share best practices of and greater accountability of security forces, including in managing assemblies
- › Assert CSOs rights to receive funding from any source as part of right of association
- › Support development of enabling domestic funding (taxation and policies)
- › Encourage engagements between governments and civil society

8. Claessen, Anique and de Lange, Piet (2016), “[Lessons for Supporting Policy Influencing in Restrictive Environments](#)”, in *Development in Practice*, 26:5, 544-554.

This academic article describes trends in diminishing space for civil society organisations (CSOs) and presents findings and lessons learnt based on an evaluation of Dutch support for policy influencing. The focus is on civil society sustainability, with case examples also from Malawi, Mozambique and Ethiopia.

In addition to formal/legal restrictions, informal conditions must be taken into account, such as in socio-economic, political and cultural attitudes and practices. Furthermore, threats to civil society operations are not only from states, but from big business. In addition to security arguments, governments typically argue for harmonisation of CSO activities with government policies. Many argue that CSOs’ lack legitimacy with population. Claim-making, policy-oriented organisations are more vulnerable to restrictions than service delivery organisations. Coalition building between CSOs are sometimes legally restricted, as in Ethiopia, but is also hindered by internal conflict of interests (over funding) or fear of association of particularly controversial organisations.

Two aspects are of vital importance in ensuring a sustainable civil society: civic engagement and cooperation between civil society actors. It is crucial for CSOs to build their legitimacy and a support base in order to have long-term influencing power. Legitimacy can also be built outside strong support base, based on universal values (as in the case of LGBT). CSOs can revise strategies, and should support their work with evidence-based research, and operate at local, national and international level.

Theories of change must be comprehensive, and engage with the political as well as socio-economic environment. Cooperative strategies generally work better than confrontational approaches. Service delivery organisations may influence policies “behind the scene”, and human rights work may be easier when under sectoral approaches (such as education, health or access for marginalised groups).

International donor support can be necessary, but carries inherent accountability challenges, and donors can help defend CSOs’ operating space. Donor support should be long term, and CSO-strategies realistic, as influence make take years of even decades.

9. Corella, B. S. and Y. Endeshaw (2012), Mid-Term Review of the Project “Tracking Trends in Ethiopia’s Civil Society Sector” Final report – July 2012.

This is a mid-term review of the project “Tracking Trends in Ethiopia’s Civil Society”, a DFID/Irish Aid funded project set up after the 2009 Proclamation to track the development of Ethiopian civil society in the aftermath of the Proclamation. The review has its main focus on the organisation and implementation of the project.

The Development Partner Group on Civil Society has gradually been more involved in the project. The approach of the project have changed over time, now paying more attention to knowledge creation and research on Ethiopian civil society. The main argument is that there is a mismatch between the ambitious of the project and its implementation mode. The review state that the lead role to set up a dialogue between the Ethiopian government and Ethiopian civil society has to be given to/ taken by the Ethiopian partners, and that the project may contribute by providing knowledge and evidence based good quality research to the partners.

The report does not collect independent data on this, but refer to the report from the UN Special Rapporteur on the rights to freedom

of peaceful assembly and of association that had found “that of the 127 human rights organisations operating in Ethiopia in 2008, very few exist today”.

The report criticise the project for not paying enough attention to strengthening the capacity and knowledge of the CSOs so that they are better prepared in their dialogue with the government. The research reports produced by the project have been circulated among the donors, and government offices. Some of them have also been published on their web page, but most CSOs have not been aware of these reports.

10. DANIDA (2009), Thematic Evaluation of Support by Danish NGOs to Civil Society “Promoting democratic development and popular participation in the development process”. Synthesis report. Ghana and Ethiopia. Copenhagen: Ministry of Foreign Affairs, Denmark.

The evaluation contrasts Danish NGOs contribution to democratic governance and popular participation in Ghana, which has an open system for CSO participation, and in Ethiopia, which has a closed system. The evaluation is based on interviews and fieldwork in the two countries, and with staff from five Danish NGOs in each country.

The country environment influences the space for CSOs and their advocacy work. In Ethiopia, such work may be risky, and Danish NGOs mainly support partners at the local level. The Danish NGOs work on service delivery in a right based framework (right holder and duty bearers) at the local level, and contribute to democratic development and popular participation at local level, where their partners forge collaboration with local public agencies and stakeholders. It is difficult to trace results at national level.

The Danish NGOs have not directly challenged Ethiopian state’s system of accountability, but have focused on improving skills of Ethiopian CSO-networks. Indirectly, strengthening such networks, may contribute to promoting democracy and public participation in Ethiopia. The Danish NGOs operating in Ethiopia seems to choose to work with local CSOs that have a collaborative, rather than a confrontational approach to public authorities. Danish NGOs should be systematically asked to report on their contribution to democratic development and popular participation.

11. DANIDA (2013), [Evaluation of Denmark's support to civil society](#). Copenhagen: Ministry of Foreign Affairs, Denmark.

This is an evaluation of Danida's support to civil society, concerning relevance, modalities and effectiveness in light of Danida's civil society strategy, primarily along three strategic goals: 1) A vibrant and open debate both nationally and internationally. 2) A representative, legitimate and locally based civil society through 3) capacity development, advocacy work and networking. It focuses on Danida's work and the mediating Danish organisations, but with some references to country level activities.

Support to (Nepal and) Uganda has contributed to increased "public debate despite legal and regulatory frameworks that enable governments to inhibit debate, if necessary... However [...] an increased civil society voice has yet to lead to improved operating conditions for civil society and pro-poor outcomes at national level".

Although there is a short assessment on closing spaces (p53), the report does not analyse the CSOs responses to it. Since 2011, the Danish embassy reporting has included special sections on changing framework for civil society (+ embassy cooperation with CS). There is an interesting overview over donor strategies towards southern NGOs.

12. Devlin-Foltz, D (ed) (2012). "[Civil Society Advocacy in Uganda: Lessons Learned](#)." The Aspen Institute and Uganda National NGO Forum. (26 pp.).

The report presents and assess four case studies case studies on CSO advocacy and lessons learnt, written Richard Ssewakiryanga, Edmond Owor, Solome Nakimbugwe, and Allen Ruhangataremwa, and based on interviews and report from organisations/activists. It also has a foreword by Richard Ssewakiryanga, Executive Director, Uganda National NGO Forum.

The cases are: The Save Mabira Crusade (environmental campaign to hinder the sale of protected area for commercial purpose), ACCU (Anti-corruption coalition, Uganda), The domestic relations bill (DRB) and Disability Advocacy in Uganda (PWD).

The report discusses different contexts and goals; objectives (raise awareness, protect policy or change policy? Or all); It emphasises the need to consider the particular and different audiences/constituencies and partners

- › The most successful have used a combination of approaches (raise awareness and lobby)
- › Coalitions and coordination is key

- › In political sensitive issues, it can be important to seek support from more than one party
- › Important to recognise small victories/ progress and that change take time
- › In coalitions: consider representability (bottom-up) as well as power (elites/top-down)
- › Strategic and tactical adjustments along the way

13. Dupuy, Kendra E., James Ron & Aseem Prakash (2015) [Who survived? Ethiopia's regulatory crackdown on foreign-funded NGOs](#). *Review of International Political Economy*, 22:2, 419-456.

This is an academic article, using data from the registers of CSOs in Ethiopia to assess who survived the 2009 Proclamation, where organisations working on advocacy and human rights were only allowed to receive 10 percent of their budget from abroad, and where a maximum of 30 percent could be used on administration. The Proclamation mainly affected the organisations working on human rights and democracy (civic education, election observations, voter training), where there was a large reduction in the number of CSOs following the Proclamation. On the other hand, the total number of CSOs (community

organisations/development CSOs) increased and their overall budgets also increased. The space for working on human rights and democracy is severely restricted or closed.

14. European Commission (2014),
[Republic of Uganda: EU Country Roadmap for Engagement with Civil Society 2014-2017.](#)

Bruxelles. (30 pages).

The reports hold that Uganda's legislative and regulatory environment is "largely conducive", and in line with provisions applying in mature democracies. In 1986, there were 160 registered NGOs, in 2000 there were 3500, and in 2013 10.511, and an estimated 1/3 is considered active. The progressively increasing number of active CSOs is seen in response to the introduction of multiparty democracy.

However, there are concerns of "anecdotal" evidence for shrinking spaces for CSO, holding that the shrinking space trend is likely to continue. There is particular constrains of operation for organisations working in advocacy (human rights, anti-corruption, LGBTI) or working on "sensitive" and politically strategic issues (oil, sugar /forest, elections): Many of these are threatened with deregistration (often on dubious legal ground) or been subjected to financial investigation and arbitrary detention. Include use of security forces and police.

Many district officials still appear to have positive relations to CSOs in their areas. A highly competitive environment among CSOs for funding, discourages information sharing and cooperation. The report gives overview of support from EU and EU-countries to Ugandan CSOs, and include recommendations. Additionally it considers the CSO's capacities.

15. FES (n.d) [Africa Media Barometer,](#)
Friedrich Ebert Stiftung Afrika, Windhoek.

The African Media Barometer (AMB) identifies and analyses the shortcomings and best practices in the legal and practical media environment. The AMB is meant as a tool to lobby for media reform. It is based on criteria derived from African protocols and declarations, such as in the ACPHR. The method was developed in cooperation with the Media Institute of Southern Africa (MISA). Every two to three years a panel of 10 to 12 local experts from media and CSOs, meet to discuss the situation in their own country according to 40-45 predetermined indicators. The discussion and scoring is moderated by an independent consultant who edits the country report, which is written by an AMB-rapporteur. By the end of 2016 the African Media Barometer has been held in 31 African countries. Country studies: [Ethiopia \(2010\)](#), [Uganda \(2012\)](#), [Mozambique \(2014\)](#), [Malawi \(2016\)](#), and [Zambia \(2017\)](#).

Example: AMB-report from Mozambique: There is a very modest improvement the last few years, but the effective space for free media expression is quite low. There is much fear, because there are repressive legal instruments such as Law of State Security. The government makes no active efforts to secure the media freedom, and from 2012 in the run-up to 2014 elections, it actively tried to limit the voices of those being against the government.

The Constitution and The Press Law guarantee freedom of expression and universal access to the media. In practice, universal access exists only to radio broadcasting, which depends heavily on state funding and is under control of the state leadership. Although there is no censorship or limits to establishing content providers for digital media, the infrastructure is relatively expensive and limited to the minority who live in provincial capitals. The report suggest strengthening 'socio-professional' organizations to defend the freedom of media and expression, and to push forward legislation to secure real independence of the public broadcasting system.

16. Forum Syd (2017) [Shrinking Space for the Civil Society. Challenges in implementing the 2030 agenda.](#) Stockholm. (28 pages).

The report gives a summary of debates on issues related to shrinking space in the Global South, aiming to bring awareness of these issues to Forum Syd members (Swedish CSOs working with the Global South). CSOs working with “international development”, and human rights are particularly targeted, which include violence, harassment and imprisonment. Journalists and activists holding state bodies accountable are especially vulnerable. If not trends are reversed, the shrinking spaces will hinder CSOs, and in many countries the social, environmental, economic, and human rights (and the SDGs) will not be realised.

In the period 2012-2015, 60 countries saw 120 restrictive laws come into being. In 2015 violations against civic rights was recorded in 109 countries. Several legal measures noted, from defamation laws, criminalisation of formerly permitted activities, bans on foreign funding etc.

Sida’s recommendations to Swedish government to develop efficient measures to counter shrinking spaces:

- › enhance the context-specific analysis at strategy level;

- › support both the rights-holders as carers and other stakeholders;
- › strengthen the overall view in development co-operation through synergies between operations conducted in the framework of different strategies; and
- › strengthen interaction between development co-operation and the broader foreign policy in order to strengthen Sweden’s voice and contribution to counter shrinking space.

17. Gabay, C. (2015), [Exploring an African Civil Society. Development and Democracy in Malawi, 1994-2014.](#) Lexington Books.

This book presents an account of civil society activism in Malawi, based on the author’s nearly five years of engagements with civil society organizations in Malawi, including interviews and broader ethnographic methods. The book takes a critical approach to the events that have marked out the post-1994 civil society journey in Malawi; from the disciplinary relationship between CSOs and international donors to the political economy of activism, that has marked these organizations. Civil society organizations in Africa play multiple roles, and “agents of democratization, legitimators of corrupt ruling elites, agents of imperial control, or all of these things and more”.

Since Malawi adopted multi-party democracy in 1994 international donors have expended sustained energy on building civil society groups dedicated to accountability, good governance, and development. This effort appeared to pay off in the early 2000s with important development milestones being reached, and most spectacularly in 2011 when civil society organizations took to the streets in protest against the increasing authoritarianism of the democratically elected Bingu wa Mutharika.

18. Holm-Hansen, Jørn and Braathen, Einar (2014) [Working with partners: Mid-term evaluation of Norwegian People’s Aid.](#) Report 2014:17. Oslo: Norwegian Institute for Urban and Regional Research.

This mid-term evaluation of NPAs work is based on country studies and fieldwork in Zimbabwe, Honduras and El Salvador, were the countries visited for case studies. The report looks into ten different CSOs in Zimbabwe that vary according to themes and issues, organization structure; as well as scale and outreach.

In 2008, the opposition parties joined a Government of National Unity (GNU). However, despite high hopes the GNU did not bring visible change. Repressive policies such as the Access to Information and Protection of Privacy Act, the Broadcasting Services Act, the Criminal Law

Codification and Reform Act, the Official Secrets Act continued to affect the rights of assembly without police clearance. Defiance led to terrorism and treason charges. A revised Constitution is arguably the most democratic outcome of the GNU. It came into place after a referendum in March 2013. It was a compromise document, which maintained a disturbing concentration of executive powers, nevertheless it also put in place important changes such as presidential term limits, more accountability of the security and judicial services, a more independent national prosecuting authority, limited devolution of power, and stronger citizenship rights. The elections in July 2013 became surprisingly peaceful and relatively 'free', yet not 'fair'. The ZANU-PF won with remarkable margins, and consolidated its power. Hence, the government relaxed its relationships with the civil society. The CSOs needed to re-adapt to a weakened political opposition parties, recognise their defeat and pursue a new agenda.

The CSOs recommended more effective networking at national and regional levels, for shared learning and commitments. Participation in SADC People's Summit was emphasised. Given the importance for local activists that SADC pressures its member states to comply with the human rights and the SADC charter, the People's Summit and/or other regional meeting places are valuable.

19. Human Rights Watch (2017) [World Report 2017](#).

Human Rights Watch's summary reports of human rights-related events in 2016 on country levels. [Ethiopia](#), [Mozambique](#), [Uganda](#)

Example report from Uganda: The focus of the 2016 report was on the election campaign and the NGO-bill. There were violations of freedom of assembly, expression, association and use of excessive force security officials during opposition election campaign. The NGO bill was signed into law this year. Despite improvements after parliamentary debates, the law includes "troubling and vague "special obligations" such as "not engage in any act which is prejudicial to the interests of Uganda and the dignity of the people of Uganda". The law criminalise activities by non-registered organisations. Same-sex conduct remains criminalised, and the NGO law may criminalise the advocacy of LGBT-people. Police continues forced anal examination of men and transgender women accused of consensual same-sex conduct. The police did not respond to demands of investigations of more than 2 dozens break-ins of NGO-offices: all working on "sensitive issues", such as human rights, corruption, land rights and freedom of expression.

20. Human Right Watch (2012) [Curtailing Criticism, Intimidation and Obstruction of Civil Society in Uganda](#) (59 pp.).

The report is based on interviews with 41 NGO-actors, government officials and donors in Kampala, Uganda. There is a decreasing room for manoeuvre for some NGOs, and the Ugandan government has used a range of tactics to intimate and obstruct the work of NGOs. The report details individual incidents, but also highlights patterns and legal framework. The decreased room is linked to oppositional challenge to NRM/Museveni during 2011 election and the protests "Walk to Work" that same year. Both are seen as response to increased frustration and criticism against government for lack of service delivery (health and education), corruption and financial mismanagement. Government strives to present the country as safe for investors (especially oil).

Government methods range from closing meetings, reprimanding, demanding apologies to threats, harassments, physical violence to heavy-handed bureaucratic interference to stall registration and operation. Government rhetoric and reasoning refers to national security threat, and using words like with "sabotage" and "politics". Governments comments "reflect a fundamental paranoia towards civil

society and a suspicion that those working on governance and human rights issues have partisan political agendas” (p22). NGOs operating on governance, human rights, land, oil and “other sensitive issues” are particularly targeted: They are viewed as threatening to the regime’s political and economic interests. LGBT community is also targeted, stirring hatred and diverting foreign donor attention from deeply-rooted governance problems and growing domestic frustrations with President Museveni. Some NGOs, especially service providing NGOs (compensating for government’s failure to deliver) enjoy significant latitude. Space of operation varies across the country.

The targeting of NGOs is in spite of “strong provisions” for freedom of expression and associations, and other rights enshrined in the constitution. The NGO laws is not in line with the constitution, nor international standards. NGO-registration requires a range of documents – but is ultimately at the discretion of the NGO-board. NGOs must seek written recommendations to carry out research or advocacy. In addition, Ministries (of internal Affairs and ethics) are documented to act beyond its legal mandate. Rumours of surveillance, intruders adds to harassments and threats, and fuels a culture of fear. In many instances, there is concern of NGO’s self-censorship.

21. ICNL (2016a) [Survey of Trends Affecting Civic Space: 2015-16](#) (Vol. 7, Iss. 4, September 2016). Global Trends in NGO Law. The International Center for Not-for-profit Law.

The report gives an overview over restrictive initiatives affecting civic spaces in 2015-2016. The report counts 63 (14 in Africa) such initiatives. The report examines key multilateral initiatives (regional and international events) affecting CSO operating environment as well as positive developments, highlighting successful CSO actions.

The review identifies and gives examples of five types of common constraints on CSOs; the proposal and adoption of restrictive CSO laws; the proposal and adoption of anti-protest laws; the closure, de-registration and expulsion of CSOs; the adoption and manipulation of counterterrorism laws and policies; and the adoption of laws and policies that restrict access to resources, notably including foreign funding and affiliations. The report identifies a range of specific international initiatives and instruments that can contribute to enabling CSO environment, from UN and SDGs, to African Commission on Human and People’s Rights (ACHPR) report and guidelines.

The report lists positive results, mostly from other parts of the world: Historic and peaceful demonstrations; repeal or defeat of CSO

laws, acquittal of activists and legal victories (including LGBTI case in Uganda).

22. ICNL (2016b) [LGBTI Civil Society Organizations Around the Globe: Challenges, Successes, and Lessons Learned](#) Global Trends in NGO Law, Vol. 7, Issue 2.

This is a report from a LGBTI-session under an international conference gathering activists from across the world in Stockholm 2015 on global trends in NGO laws. It has three sections: 1) overview over legal challenges 2) successes by CSO in advocacy for LGBTI rights 3) lessons learnt.

Legal restrictions must be seen in context of widespread discrimination and demonization. Homosexuality is illegal in 76 countries, and punishable by death in 10. Restrictions on civil society has in many countries specifically targeted LGBTI organisations and activists. In addition, homophobic incidents, and violence has increased exponentially. (Uganda mentioned.) Even if not illegal, in many countries there are no LGBTI organisation due to the socio-political environment. In Africa in recent years, LGBTI activists and organisations have been more visible and often met with legal prohibitions (Malawi and Uganda mentioned). In other countries, the state uses refusal or delaying tactics (Mozambique mentioned).

A third category is prohibiting activities that are legal for other CSOs (such as human rights training on LGBTI rights in Uganda).

Progress noted: In Uganda, the first LGBTI magazine was published in 2016. In Mozambique and Uganda, anti-LGBTI laws was hindered. The African Commission on Human and Peoples rights reverse its decision to refuse observer status to LGTBI activists.

Lessons learnt: Strategies must be adapted to national contexts.

- › Messaging is key, and more effective when framed as part of democracy campaign or as realisation of human rights/equal rights
- › The messenger makes a difference
- › Careful communication of message.
- › Coalition building among likeminded (if not alike) organisations is essential.
- › Strategic litigation: carefully selected cases brought to court. (This also carries risks: It is only viable in fair and impartial legal contexts. If successful, it can lead to unwanted legal changes, and must be part of larger strategy.)

23. ICNL (2017) [Civic Freedom Monitor](#) Updated reports. The International Centre for Not-for-profit Law.

The reports give an overview over the conditions for CSOs in their respective countries, with emphasis on legal barriers to formation, operation, activities, advocacy, international contact, and resources and to assembly. It refers to relevant international laws, as well as an overview over constitutional framework. Country reports available: [Ethiopia](#), [Malawi](#), [Uganda](#).

24. IDEA (2017) [The Global State of Democracy. Exploring Democracy's Resilience](#). Democracy and Electoral Assistance (IDEA): Stockholm.

The multimedia report on the global state of democracy has a report and an interactive database over the development of democracy from 1975 to 2015, for most countries in the world. The interactive database, [The Global State of Democracy Indices](#) shows each country's level of democracy according to five dimensions and 16 sub-dimensions over time. The database gives opportunity to explore individual countries along different categories over time, or in comparison to other countries. The full [report](#) notes that there are worrying and stagnating trends to democracy over the last 10 years, while since the third of

democracy wave commenced in 1975, there are considerable progress. The report discusses the resilience of democracy in a changing world and highlights several challenges to democracy. It stresses that the challenge often comes from within, especially from leadership that uses the instruments of democracy to undermine it, or state leaders that abuse their position, and where resources are unequally distributed. Inequality undermined democracy. Party systems in established democracies are also under threat, and traditional political leadership is caught between the centralization of policy decisions on the one hand, and disaffected voters on the other. There is a chapter on migration and its consequences for democracy.

25. IOB (2012), [Civil society, aid, and development: A cross-country analysis](#). IOB, The Evaluation Department, Ministry of Foreign Affairs, the Netherlands.

The study is carried out by Prof. van Staveren and Webbink from Erasmus University Rotterdam. They use the International Institute of Social Studies' database Indices of Social Development. It is based on selected data on relationships between ODA, civic activism, intergroup cohesion and club membership over 20 years. The key dimension in the analysis, is civic activism. It is theoretically underpinned by a literature review emphasising social capital.

The main findings are that ODA promotes civic activism, and civic activism has positive effects on poverty reduction, human rights and democracy. The same positive relationship is not evident between ODA and intergroup cohesion, and between the latter and democracy. The reason is that intergroup cohesion follows social (and ethnic) divisions in society and may cause ungovernable conflicts undermining democracy.

ODA should focus on “an integrated approach of actively fostering civic activism and diverse forms of self-organization while at the same time actively helping to reduce inequalities and prejudices between social group, through governments and next to government support”.

26. IOB (2014), [Useful Patchwork. Direct funding of local NGOs by Netherlands Embassies 2006-2012. Ministry of Foreign Affairs, Netherlands. IOB Evaluation no. 391. Den Hague. March.](#)

The evaluation tracks changes in direct funding to local NGOs with case studies from Benin, Ethiopia (Annex 7), Mozambique (Annex 8) and Sudan. The evaluation addresses donor’s response to institutional environment/shrinking space, and presents local NGOs perspective on changing formats of direct funding.

In the Ethiopia case study: As a response to shrinking space for CSOs in Ethiopia, the Embassy channelled more of their funding through joint donor CSO fund in Ethiopia, and reduced their direct funding to human right CSOs in the country. The human right organisations perceive that they do not any longer have the same relationship to the embassy/donor, and feel less “protected” from harassments from government.

27. ITUC (2017) [Survey of violation of trade union rights. ITUC Global Rights Index. International Trade Union Confederation.](#)

The International Trade Union Confederation (ITUC) Global Rights Index rates 139 countries on a scale from 1-5 based on the degree of respect for workers’ rights. It uses the ILO conventions, and is based on a combination of analysis of labour laws, and a self-reporting from ITUC-affiliates in 161 countries. It plays particular emphasis on the right to organise and to negotiate, i-e- democratic spaces at workplace, across private-public sector. Workers’ rights are absent in countries with the rating 5 and violations occur on an irregular basis in countries with the rating 1. Each country noted with general, legal framework and examples.

ITUC present the report [in a video](#) by contrasting it to the World Bank Doing business report. ITUC claims the World Bank report systematically favour countries with low labour right standards as “good for business”. There is widespread restrictions on trade union operations in the world, and violations of workers’ rights. The active rights to organise and bargain are particularly important, as they concern the political rights to participate and take part in decision-making.

[Ethiopia](#), [Zambia](#) and [Uganda](#) are rated in category 4 with “Systematic violations of rights”. 30 out of 139 countries falls under in this category, including the US. Workers in these countries have reported systematic violations, and government and/or companies are engaged in serious efforts to crush the collective voice of workers putting fundamental rights under threat.

[Mozambique](#) and [Malawi](#) are rated in category 2, with “Repeated violations of rights”. 26 out 139 countries’ falls under this category, including Japan. Countries here have slightly weaker collective labour rights than those with the rating 1. Certain rights have come under repeated attacks by governments and/or companies and have undermined the struggle for better working conditions.

28. Kaliba, Matildah (2014), “[Towards and autonomous civil society: rethinking state – civil society relations in Zambia](#)”. *International Journal of Not-for-Profit Law* /vol. 16, no. 2, pp.5-15, December 2014. (Published by USAID / International Center for Not-for-Profit Law ICNL). (11 pages).

In a context of failed markets and failed states, civil society has come to mediate some of these failures. The study looks at state-society relations in Zambia from a legal perspective, arguing that current relations hamper the effectiveness of CSOs. It also stresses that CSOs tend to be reactive, and lack coordination.

The space for CSOs has been shrinking in Zambia with a state uses excessive power (partly to silence opposing voices), and uses “underhand methods to reconquer the political arena and criminalize dissent” (p7). CSOs are side-lined and undermined. Political freedom of speech, free and independent media and freedom of association is clearly undermined through law. Relations between CSOs and government are “laden with ‘suspicion, hostility and conflict’”.

The 2009 NGO act, is criticised for its content as well as the lack of consultative process in its making. NGOs must register, and re-register every five years. Organisations can be denied registra-

tion due to “public interests”, without definitions of what that entails, leaving it to the discretion of government. The NGO board, dominated by government officials, has the power to determine the area of operation (and can therefore control NGO activities) and to provide policy guidelines to harmonise activities and advise of strategies of NGOs (running the risk of co-optation). The act violates the constitution of Zambia. In addition to the legal constraints, both cultural and political issues constrain the operations of civil society. Additionally, poverty and inequality reinforces a lack of platform for participation.

In context of increased party political contestation, the act was seen as the ruling party’s (MMDs) attempt to hold on to power through limiting CSO space. The opposition party, PF, made it a campaign issue to improve state-CSO relations and oppose the NGO law. However, after PF came to power in 2011, the NGOs were called to register in 2013. Many refused to register. In 2014, PF agreed to renegotiate the act.

The author suggests to look to Kenyan for inspiration, where CSOs drafted a NGO bill, successfully initiating a lengthy consultative process. She emphasises that CSOs must find strategies to avoid politicization, by engaging with government and highlighting common goals

29. LO (2014), [LO-Norway- MCTU \(Malawi Congress of Trade Unions\). Final Evaluation Report, 2010-14](#). By Godfrey Kanyenze and Grayson Koyi.

The evaluation seeks to determine the performance and progress of the LO-Norway – MCTU program, to assess if objectives are met and suggest changes. This includes an assessment of the tripartite social dialogue. The report states that the political environment is relatively conducive to trade union activities despite the economic hardships being experienced. However, the level of unionization is still very low. Malawian Congress of Trade Unions (MCTU) works closely with the Malawi Human Rights Commission to investigate abuses of trade union and workers’ rights. Fundamental freedoms and rights at work are enshrined in the Constitution, various pieces of labour legislation and ratified International Labour Conventions.

The LO-Norway support for Social Dialogue under the Ministry of Labour produced impressive results. The Malawi Decent Work programme, developed with the participation of the social partners has the following priorities: (i) create more and better employment and income generation opportunities, and eliminate the worst forms of child labour; (ii) enhance and extend the coverage of social protection;

and (iii) build capacities of the Government and social partners to improve service delivery. Under the Mutharika Government, the status of the Ministry of Labour was raised to a senior Ministry following lobbying from the social partners. In addition, a draft National Employment and Labour Policy was drafted with tripartite participation.

The MCTU does not reach targets of membership building, and needs organizational development in terms of strengthening links with its constituency, building a paid-up membership, and promoting internal democracy and accountability. National Organization of Nurses and Midwives of Malawi (NONM) is leading example of financial sustainability.

30. Mangu, Andre Mbata (2012), [African civil society and the promotion of the African Charter on Democracy, Elections and Governance](#). *African Human Rights Law Journal*, 2012, Vol.12 (2), pp. 348-372.

The article reflects on the African Democracy Charter (2012), its significance, its shortcomings as well as the prospects for its implementation and the particular role that civil society organisations can and should play in promoting its values. The charter is ratified by 15 countries, including Ethiopia and Zambia. The significance of the charter is *legally* reinforcing the human

rights system, *conceptually* it “embodies an African vision of democracy”.

The historical antipathy from states towards civil society in post-independence Africa, was supported by the west. This shifted in the 1980s, when the state was to reconcile with civil society. The African charters recognised a role for civil society, and hold that states should ensure strong partnership and dialogue; create conducive conditions for “civil society to exist and operate within the law”. The charter was arguably a result from a combination of Western and popular pressure.

The charter constitutes a major force in protracted struggle for democracy, free and fair elections and good governance. It is the first African, international instrument of democracy and good governance. It compliments and builds on the African charter on human rights charter. It adopts a broad definition of “democracy”, encompassing political as well as socio-economic rights. Democracy rests on constitutionalism and respect for human rights; both individual and collective, and inclusive rights. It links democracy to peace, and rests on broad ideas of governance. Four shortcomings of the charters are identified and discussed with examples: 1) vague or weak sanction systems 2) no efficient enforcement

mechanism (specially mentioning the AU election observations’ shortcomings) 3) lack of funding/resources 4) it lacks focus.

The charter’ entry into operation has largely gone unnoticed, by African leaders, democracy advocating CSOs, national democracy-supporting institutions as well as from academics. Civil society should engage with and raise awareness of the charter, to promote democracy, human rights and ensure participation by civil society. This should be done in networking and coordination. CSOs should seek to raise funds domestically – before resorting Western donors.

31. Moyo, Bhhekinkosi (2011). [“Governing the Public Sphere: Civil Society Space in Africa”](#). (9 pages).

This is a background paper for the conference, Protecting Democracy: Reclaiming Civil Society Space in Africa. (See conference report CCP-AU et al (2011)). The paper leans largely on the author’s previous work, and gives a brief contextual and historical overview of shifting state-society relations in Africa from 2008, with examples. The Arab Spring and protests resulted from economic developments without political and social progress and from closure of public sphere. The states drive the major threat to public sphere, but there are also

factors in the market, from donors as well as civil society itself. Of note, is that within ‘philantro-capitalism’ the market takes over traditional tasks of civil society. In practice, the legal changes aligns the letter of the law with policies. States argue that these legal measures are about counter-terrorism, national security and ensuring NGOs accountability and transparent. In some “extreme cases”, it is argued that CSOs represent foreign interests and pose a national security risk. The paper maps different processes of NGO-law-making, ranging from consultative processes – typically in countries of enabling environments (South Africa), to state-driven processes (Uganda, Ethiopia). Although the latter also communicated with civil society, they had little impact on the final laws.

Key factors impacting on governance:

- 1) the contradictory tendencies of backlash on democracy and increased pluralism;
- 2) move away from a unipolar world (US dominance and liberal values in decline)
- 3) rise of regulatory mechanisms aiming to control public sphere.

32. Norad (2012), Review of ‘Integration of environmental concerns and civil society engagement in petroleum-related Norwegian development cooperation and the development of petroleum resources in developing countries’ conducted by Nordic Consulting Group (NCG), for Norad, Oslo.

This is a review of WWFs activities under the Oil for Development Initiative in five African countries for the period 2010-12. The evaluation largely followed OECD evaluation criteria and structure. Interviews were conducted in Uganda, Kenya, Tanzania, Mozambique, Madagascar and Norway. The review is primarily technical, and focus on the WWF as such, more than of local CSOs effectiveness. However, it mentions facilitation of dialogue with government in the context of the specific limitations of access to information in oil sector.

The project purpose is ‘An active and informed civil society increasingly holds government and the petroleum sector accountable for natural resource management and equitable governance contributing to sustainable development.’. WWF and partners have built up networks and platforms of civil society organizations (CSOs), and have developed the capacity of our partners and stakeholders to 1) engage in the public debate on petroleum development, with policy makers and with the

private sector, and 2) to influence oil and gas development such that negative environmental and social impacts are limited.

In Uganda, the project is considered highly relevant, and had a positive impact on awareness and competence raising. The report notes that “CSOs are active as demonstrated by the number of coalitions being formed, policy briefs being produced in relation to oil, public dialogues, and advocacy on public sharing agreements. However, it is too early to tell whether CSOs are in position to influence government processes linked to petroleum and environment.” In Mozambique, the project is also considered highly relevant, and has contributed to awareness raising, transparency and decentralisation of information.

33. Norad (2015), End-term review of the Strategic Partnership between Norwegian Church Aid (NCA) and Save the Children International (SCI) for the Abandonment of Female Genital Mutilation (FGM) (2011-2015). Y J. Svanemyr and Y. Takele. Norad Collected reviews 11/2015.

This is a review of the second phase of a programme to combat FGM, funded by the Norwegian Embassy in Ethiopia, and managed by SC and NCA in collaboration. The review found that the programme is relevant, and reaches

results above its targets. The main challenge is to expand the programme and move outside the geographical areas covered to date.

The Government of Ethiopia enacted its own policy on combatting FGM in 2013. The programme works closely with national, regional and local authorities and within the national policy on gender and combatting FGM. The programme meet little resistance from government, although there have been individual resistance in a few cases on the focus on gender equality. Combatting FGM is important to gender right. Working on combatting FGM raises issues on women empowerment and gender equality, these rights are also formally part of the Ethiopian legal framework and policies.

The review states that the CSOs have responded to restrictions on CSOs to work with external funding on advocacy and right issues (including Harmful Traditional Practice (HTP)), by working more closely with public authorities responsible for HTP, and with government offices working on children and women's issues. The SC and NCA have worked closely with government partners, and ensured that implementing partners have improved competence and knowledge and shared this with the public authorities. The Norwegian

NGOs have worked closely with religious authorities to ensure behavioural change and local commitment and ownership to the programme. Most of the recommendation are of technical character.

34. Norad (2016), Result Report 2016. Civil Society. Oslo: Norad. (104 pp.).

This result report from Norad 2016, presents “25 examples of how civil society throughout the world achieve results with support from Norway”. Part 1 gives an overview over civil society and their roles. Under “challenges and opportunities for civil society”, there is a discussion on limited political space. Part 2 outlines examples of results in three sections: First regards health, education and employment (includes an example of job creation in Malawi). Second, is advocacy work (includes two examples from Uganda, one from Zambia). Third on capacity building and realisation of rights (example on rights at work in Malawi).

Political space of civil society is restricted in many countries, in spite of international agreements. Both states and private actors employ different methods to limit the space of civil society, from legal restrictions to persecution and violence. Advocacy organisations more targeted than service-providers.

World economic developments and changes in political priorities in the north, have led to funding cuts to civil society in the south. Norad notes several dilemmas, such as donor dependency/independence, professionalization/local ownership, accountability to donors/target groups. Working for democratisation and the realisation of human rights involved changes in behaviour as well as changes of power, governance and the economy.

Key messages from Norad is that there is need to increase the voice of Southern partners; to diversify funding base and a diversity of actors – from professional to grassroots organisations are needed.

35. NPA (2017), Program and partners terminal evaluation (Ethiopia). Final report. Partnership With Emerging Civil Society. Authors: Abiye Alemu and Desalegn Mesfin, D.A.Y Eco Economy Service PLC. March.

The report is an end of programme period evaluation, after NPA took the decision to close down their office in and program in Ethiopia. The programme work with CSOs on the ground, at regional and national level, to strengthen these groups rights to information, access to resources, and protection against GBV. The evaluation was carried out by two Ethiopian consultant. The report gives due

credit to NPA and how they responded to the 2009 Proclamation. The report recommends that NPA should not leave the programme and Implementing Partners, but rather try to get assist partners access to other financial resources, and use the space still available to ensure improvements in people's lives.

The evaluation recognises the challenges for NPA in meeting the criteria of the 2009 Proclamation, and in particular that the 30 admin/70 activities division of funding. The evaluation find that there is still space for working within the two programme areas of (i) access to natural resources, assisting various community/youth groups/ cooperatives to access particular resources in their communities (mainly forest resources), ad (ii) women safety and protection against gender based violence (through safe houses).

The NPA-Ethiopia and Implementing Partners have shifted to more service oriented programming, to meet the 30/70 funding criteria. More of the work has shifted to local level activities, where they work closely with local authorities, both to ensure new by laws that recognise peoples' rights to access to natural resources, and to clear all activities with the authorities to avoid conflict.

36. Odhiambo, Morris (2017) Background Paper on the State of Legislation for Civil Society Organizations in the East African Community and its Effect on CSO Operating Environment. (Final Paper, March 20th 2017). (45 pp.).

This is a background paper to conference by Odhiambo, chairperson of East African Civil Society Organisation Forum (EACSOF). The paper was commissioned by Westminster Foundation for Democracy (WFD) and EACSOF for a conference (see WDF 2017). The paper leans on literature on civil society; government positions and CSO laws; local media reports and 12 interviews. The focus is on the East African Community member countries, and there are detailed chapters with overviews of legal and non-legal restrictions to civil society operations in Kenya, Uganda, Tanzania, Burundi, Rwanda and South Sudan. It confirms that civil society spaces are shrinking. The report analyses drivers of and responses to changing legal and political conditions for civil society. The core concern is that undermining CSOs would undermine accountability of governments. The report sees civil society as an arena for direct democracy, compared to indirect forms such as elections. A concern is that the idea of civil society as promoters of liberal democracy is globally waning.

The report details different types of legal changes. This, combined with state actions such as intimidation, attacks on human rights defenders and restrictions of freedom of expression – restricts CSO spaces. For example in Uganda, there are reports of unexplained arrests and break-ins of offices of human rights organisations as well as media. Also, the restricted spaces should be seen in light of history of violence and conflict in the region (Rwanda, Horn of Africa, coups etc). From the states' perspectives, restrictions on CSOs is to restrict imperialism and foreign influence (against independence and sovereignty). A key example of this is issues on LGBT in Uganda.

There are many examples of CSO self-censorship, as they restrict their actions as result of harassment, shrinking spaces. In other cases, CSO leaders have fled and lost touch with their constituencies. More proactive strategies include litigation, petition and protests, working with institutions (parliament) and developing closer relations to governments are mentioned. Odhiambo suggests using regional legal framework (EAC), and presents a list of pros and cons.

37. OSISA (2014) Democracy and Public Participation in Malawi. Open Society Initiative for Southern Africa, Johannesburg.

Written and researched by the local scholar, Wiseman Chijere Chirwa for OSISA's Africa Governance Monitoring and Advocacy Project (AfriMAP). There are similar reports on other countries in Africa, including Zambia and Mozambique.

In Malawi, despite regular elections, there have been concerns about the integrity of the electoral process. The biggest challenge that consolidation of Malawi's democracy faces is weak institutions of governance, incl. of political parties and civil society organizations. The 'founder' syndrome and 'the big man' mentality entrench authoritarian predispositions and inhibit policy debates and competition for party leadership.

Recommended actions:

- › The proposed review of media laws, media policy and codes of conduct for the state-owned public broadcasters should be conducted as a matter of urgency.
- › The proposed Access to Information Bill should be tabled, debated and passed in Parliament.

- › The NGO Act should be reviewed and amended to provide the necessary independence for CSOs. Consultation procedures between government and civil society bodies on issues of public interest should be clearly laid out and institutionalised so as to make consultation and public participation common practices.

38. PACIN (2016), Policy Brief on Civil Society Space: 'Putting Citizens' Voice at the Center of Development: Challenging Shrinking Civic Space across Africa '. Pan Africa Policy Brief November 2016. Pan African Citizen Network. (8 pp.).

This is a policy brief on trends and status of civic spaces in Africa. It includes tables over main drivers, risks, legal framework and comments on six countries, including Uganda and Ethiopia. Out of 136 restrictive laws in the world, 29 are in sub-Saharan Africa. Of particular trends are restrictions on foreign funding and limits to freedom of assembly. This contrasts the African Union Agenda 2063 vision, which is participatory and democratic, and the realities of shrinking spaces. Nevertheless, in 2015 AU excluded civil society from its summit.

Divers to/changes in civil society spaces come from increased insecurity and extremism.

Additionally, states focus on economic progress over democratic government and human rights, as particularly demonstrated in Ethiopia under the state ideology of developmental state. This ideology – or rhetoric – seems to have a spill-over-effect.

In addition to state regulation, some CSOs self-regulate, but there is also increased solidarity among CSOs. Successful responses (even if small gains) from CSOs are noted in Ethiopia through multi-stakeholder dialogue with government. In Kenya a broad civil society coalition used evidence-based advocacy and were able to cushion proposed law and in South Sudan organisations mobilised international donors to discourage restrictive laws.

PACIN identifies regional bodies as promising in challenging the trends; especially East African Court of Justice. By conclusions, in addressing African Union as well as national governments, PACIN suggests concrete approaches to engagement and to opening for civil society participation. Recommendations to CSOs, nationally and internationally;

- › Engage with state actors and suggest evidence based solutions

- › Enhance internal accountability and effectiveness
- › Engage/improve engagement at national and continental level
- › Challenge limits to observation status in AU-bodies
- › Offer technical capacity to national governments, regional economic communities and AU

39. Spooner, Dave; Mwanika, John Mark (2017) [Trade unions in transformation: Transforming transport unions through mass organisation of informal workers in Uganda](#) Berlin: Friedrich-Ebert-Stiftung August 2017. (16 pp.).

The paper analysis the process and consequence of expansion of trade unionism into informal workers in transport sector, in Uganda. This process has increased transport workers' rights at work, and decreased police harassment.

The rights to work and rights at work shrunk with the Structural Adjustment Programme in the 1980s. Transport sector was particularly affected by mass retrenchments, union decline, privatisation and informalisation. Informal minibuses and motor-cycles has become the

backbone of public transport. These have been organised in informal associations. Over the last few years, the transport worker trade union, ATGWU, has sought formal cooperation with several informal sector associations. With a long term goal of individual membership, short-term ATGWU has invited collective membership for these associations (representing about 60.000 informal workers) in addition to the individual members (ca 2000). As a result, the workers have increased their strike power effectively. Informal workers have through unions gained political access (to invited spaces) and collective agreements/improved benefits. The success has been a result of a comprehensive strategy of combining strengths and opportunities of the two types of organisations, and detailed approaches to servicing the various members in concrete terms. For informal workers, trade union membership has led to decreased police harassment and extortion after strike (and Museveni calling police to back off), and opened for their freedom of assembly as trade unions are exempted from the 2013 Public Order Act (POA) that limits the right to assembly for CSOs. Long term, there is a fear of political interference – not least in context of some of informal drivers are key for election campaigns.

40. Save the Children Norway (2013), [Creating Change in Children's Lives: an Evaluation of Save the Children's Child Right Governance Programme](#). By A.S. Millard, J. Lexow and C. Ørnekmark, Nordic Consulting Group. Oslo: NCG.

The Save the Children International (SCI), with support from SC Norway) implement the (global) Child Rights Governance Programme in Ethiopia. Given the changes in the legislation, SCI has redesigned their programme and work closely both with local partners and local authorities on children's rights locally, and with central government (Ministry of Women, Children and Youth, and Ombudsmen's Office/Women and Persons with Disabilities Affairs Directorate, on specific children's issues. A challenge for SCI is to ensure that the programme and SC Ethiopia has sufficient staff and competence to address the requests for knowledge and expertise from the ministries. The report recommend that the programme make more efforts to align national Child Right strategies with local context on the ground, and make more collaborative efforts with other complementary programmes by other stakeholders, and that more efforts is put into building Implementing Partner's knowledge and technical competence to assist local and national government in Child Right programming.

41. Sida (2013a), [Joint evaluation: Support to civil society engagement in policy dialogue](#). Synthesis Report. Sida Joint Evaluations 2013:1. Stockholm.

This is a synthesis study of joint evaluation commissioned by six international development agencies (Austria, Canada, Denmark, Finland, Sweden and Switzerland, carried out by Itad and COWI). valuation of support to civil society engagement in policy dialogue, which considers questions on how to create political will and how critical and positive change is generated and sustained. The synthesis is based on three country case countries: Bangladesh, Uganda and Mozambique (the latter two referred here under Sida 2013b and 2013c). It has a wide approach of questions and tools, combined with a clear analytical/theoretical framework (Gaventa's power cube, combining place (local, national, global), space (closed, invited, claimed) and power (visible, hidden and invisible/internalised). It gives a comprehensive and detailed overview, as well as summary of lessons learnt and recommendations.

42. Sida (2013b). [Support to Civil Society Engagement in Policy Dialogue. Uganda country report](#). Sida Joint Evaluations 2013:1. Stockholm.

This is a part the above joint evaluation (Sida 2013 a and 2013c). It leans on sources of

available documentation, interviews, focus groups at national, district and community level, and from individual CSOs, networks, government and public agencies, CBOs and development partners. Building on the framework from Sida 2013a, presents three case studies/sectors: 1) on governance and accountability (anti-corruption related to health and education. 2) on Justice law and order (gender responsive legislation) and 3) Environment and natural resources (forest management and governance). All three cases/sectors showed effective CSO coordination, and some level of policy influence (most concretely in the Domestic Violence Bill and the Mabira forest case).

There is a conducive legal framework for citizen participation in constitution and 2005 Access to Information Act, while other acts challenges this (such as Anti-terrorism act, Press and Journalist Bill, 2010 and 2006 Amendment do NGO registration). Government is closing spaces – especially on governance and accountability. Private sector/commercial interest – especially in forest sector – have led to “Government decisions bordering on violation of its own policies and laws”. Political interests and interferences have been in conflict with regulations, hence also leading “to intimidation of CSOs that may oppose the politician’s stand”.

Against criticism of donor dependencies (95% of all CSO funding), NGO umbrella organisations have developed self-regulatory mechanisms. Overall development partner support contributes to creating space for CSOs, while donor harmonisation run the risk of lessened opportunities for important issues not prioritised by donors.

The report has a detailed section on effective CSOs strategies against disabled environment, ranging from evidence-based research, capacity and network building, strategic alliances (horizontally and vertically) and working with the media. It also refers to public interest litigations. Analytically the report emphasises different power relations and access to power institutions, and CSOs need to analyse strategize accordingly. Different strategies depend on different power relations and availability of spaces.

There is a need to review current CSO support mechanisms, that should be more long-term and flexible. Donors should focus on process rather than institution building. Lack of transparency and accountability (horizontally and vertically) within CSO has negative impact on their efficiency, and there are some improvements and initiatives here that can be built on.

43. Sida (2013c), [Support to Civil Society Engagement in Policy Dialogue. Mozambique country report](#), Sida Joint Evaluations 2013:3. Stockholm.

This is a part of the above joint evaluation (Sida 2013 a, b). This report presents the findings, conclusions and lessons from the scoping and main study phases in Mozambique, which took place from September-December 2011. The study finds both successful and token civil society engagement, identifies effective and ineffective strategies, and formulates lessons learnt. It is critical to the way 'Development Partners' (donor agencies) provide support and recommends changes.

In terms of *legal freedom*, the constitutional guarantees of rights to association and freedom of expression is broadly established. There is a relatively progressive Media Law, which establishes the right to information, press freedom, broadcasting rights and the right to reply. However, some laws are outdated, while others are not implemented, difficult to assert or contradicted in practice. In many districts, the legal procedures are not being observed and intimidation by government officials is a feature. Furthermore, a general problem especially among small, local CSOs is the lack of access to information and knowledge on rights, legislation and procedures with regard to associations.

Formal rights are also confronted by a culture and practice that works counter to the exercise of such freedoms. Concerning *political freedom*, the electoral system reinforces the power of the ruling party and citizens' access to influence through elected representatives at national level is weak. The government's practice of restricting information and its intimidating attitude towards critical voices are hindering factors, as is the dysfunctional judicial system, which provides little or no protection for citizens who have been excluded through accusations of belonging to the opposition. CSOs in Mozambique have relative *financial freedom*, but is mainly exercised through access to DP funds. Consequently, CSOs tend to align their activities with donor priorities, and opportunities for implementing their own agendas are relatively limited.

Engagement in government *invited spaces* is associated with co-optation and ineffectiveness. CSO-strategies of engagement are more effective when they *claim spaces*, or in "direct and informal policy dialogue" supported by research and collaboration with media, where CS coalitions take actions around specific topics of their own agenda.

Donors can improve their support to CS engagement in policy dialogue by "rethinking the aid architecture amongst other things to

include more broad and diverse groups of CS-actors. Donors should improve harmonisation of funding, including lower transaction costs for CSOs. Donors should ensure strengthened ownership by CSOs and work with a longer term perspective. Lastly, they should ensure the establishment of vertical links between regional, national and local organisations.

44. Terwindt, C. and Schliemann, C. (2017) [Tricky Business: Space for Civil Society in natural resource struggles](#), Henrich Boll Stiftung, Publication Series on Democracy, Volume 47.

The report analyses patterns of restrictions of CSO spaces as well as response strategies, in four case studies of natural resource management (in Mexico, South Africa, the Philippines, and India). It is based on a literature review and interviews with local activists and relevant international actors. The report emphasises the need for both context- and issue specific understandings, as well as project cycle analyses.

Limitations of civil society spaces are particular in natural resource management cases. It involves states and private business actors. Although often playing out in local communities, it is relevant at international level. High (economic) stakes are involved in conflicts of

interests. Human rights are often violated in natural resource management issues in the global south. Many states allow for this in the interests of economic development; Economic interests often trump human rights in the natural resource management.

Both states and private actors use different kinds of mechanisms to silence opposition at different stages of project cycles; from inception and withholding of information, to intimidation and more direct actions during contestations, from legal actions to threats and even killings. The report emphasises five categories of restrictions: physical harassment and intimidation; criminalization through prosecution and investigation; administrative restrictions; stigmatization and negative labelling; and participation under pressure. It details the form, and consequences of each category for CSOs in concrete terms and in relation to project cycle and to specific forms of CSO actions.

Different actions and opportunities are available in different national/local contexts, in relation to different actors (state, private business, other civil society) and at different levels (local, national, and international). CSOs use a range of tactics and strategies, which varies from ad-hoc actions to long-term strategies. There is a range of available tools,

including legal tools, such as the rights to consultations. The report distinguishes between strategies to dealing with immediate pressures (defensive strategies), and in (re)claiming spaces (proactive strategies).

The report notes that strategies that target private actors are especially poorly developed. Otherwise, it suggests a range of issues to consider when developing strategies under four overall strategic questions:

- › How to assess and design strategies to defend and create space for civil society?
- › How to avoid consultations becoming hollow exercises to legitimise resource exploitation projects?
- › How to push business to live up to its promises and (inter)national standards?
- › How to use legal proceedings to defend and reclaim space for civil society?

45. USAID (2016) [The 2015 CSO Sustainability Index For Sub-Saharan Africa](#). United States Agency for International Development, Washington D.C.

The index describes advances and setbacks in seven key dimensions of sustainability

in the civil society sector in 2015 – the legal environment, organizational capacity, financial viability, advocacy, service provision, infrastructure, and public image. The reports are produced by an expert panel of CSO practitioners and researchers in each country included in the report. The report includes Ethiopia (55-62); Malawi (121-129); Mozambique (138-155); Uganda (223-232) and Zambia (240-248.)

Example from Zambia: In 2015, CSOs were faced with mixed opportunities: those working on governance experienced operational difficulties orchestrated by the state, whereas service delivery organisations enjoyed a relatively relaxed environment. In 2014, there were tensions around the NGO bill, and its implementation was suspended pending consultation with CSOs. The colonial Public Order Act is used by the police to limit the activities of some CSOs. Organisations have to notify the police before public gatherings, and the police has failed to issue permits for demonstrations and cancelled meetings of some CSOs, even if they had notified the police. Although CSOs can (to a limited extent) express criticism of government, the absence of access to information law makes it difficult to do so in an informed manner.

46. WFD (2017). “[Closing civil society space in East Africa](#)”.

This is a conference report, from a two-day CSO conference in Nairobi organised by Westminster Foundation for Democracy (London, UK) in collaboration with the East African Civil Society Organisations’ Forum (EACSOF). (Odhiambo 2017 is background report to this conference). The report notes crippling legislations being passed in countries in the region, and that the East African Legislative Assembly (EALA) as an opportunity for CSOs to articulate needs, in addition to advocate nationally. The conference participants agreed to the need for focusing on regional solidarity, and working on relations with parliaments, at national and regional level.

47. Yntiso, G. (2016) “[Reality Checks: The state of civil society organizations in Ethiopia](#)”. *African Sociological Review*, Vol 20,2: 2-12.

This academic article is based on three different studies in Ethiopia between 2011 and 2014. The article represent an approach taken by several Southern researchers/observers of the current restricted space for CSOs, in its attempts to broaden the understanding of the character of the restricted space and the responses to the new regulations of CSOs. It considers that critique from the North is too one-dimensional.

The article recognises the limits set on CSOs’ advocacy work following the Proclamation of 2009. Especially CSOs that work on democracy, human right and advocacy have been severely curtailed after the 2009, and many CSOs, especially human rights organisations, have had to change their profile and programmes towards development and service delivery, or close down. However, the numbers of CSOs are increasing, and donor funding for CSOs continues. CSOs programmes that continue to work on women’s, children’s and community issues through improved access to services and livelihood programmes, thus strengthen rights indirectly.

48. Yntiso, G, D. Haile-Gebriel and K. Ali (2014), [Non-State Actors in Ethiopia – Update Mapping. Final Report](#). Addis Ababa, European Union Civil Society Fund II (CSF II) and Civil Society Support Programme (CSSP). February.

This report maps non-state actors in the various regions of Ethiopia. It is funded by the multi-donor fund for civil society support in Ethiopia. The report recognises the limited space for advocacy for the CSOs working in Ethiopia.

CSOs in Ethiopia have historically had weak capacity to address human right and democracy issues. The 30/70 rule in the 2009 Proclamation that limits the administrative cost of

the funding for each CSO to 30 percent of the funds, has limited the organisational and professional capacity building. Training is part of the programming activities and not recognised administrative overheads. Many CSOs restrict their involvement of citizens in their programme to spaces where they collaborate with local authorities, as there is a need to get approval from the local authorities to hold public meetings. CSOs are in need of strengthening their organisational and professional capability to ensure that they have capacity to engage with the government in discussing right based issues, and advocacy.

49. Youngs, R. (2015), [Rethinking civil society and support for democracy](#). Rapport til Expertgruppen för bistandsanalys (Report to the Expert Group on Aid Analysis/Sweden), EBA Report 2015:1.

Youngs reviews the debate about recent changes in civil society and its conditions to operate, assesses their potential consequences, and gives recommendations on how donors should adapt their support. The report is largely built on academic/Northern sources, and a Swedish reference group. The report discusses the link between support to CSOs and democracy, underlining that the road from civil society support to democracy is rather uncertain and bumpy.

How we define and understand civil society has bearing on conclusions on what parts of civil society we think should be supported. A liberal understanding is that of CSOs should confront the state, while republicans promote an idea of CSOs as assisting and complimenting the state.

The character of civil society have changed. From professional NGOs we see the emergence of social movements engaged in innovative protests. This second generation of civil society, is often little organised and typically react against infrastructure projects, corruption, oligarchic capitalism and persistent authoritarianism, and is often found in post-Soviet, Middle-East and China. The protests embodies more active citizenship, but CSOs both carry potentials and shortcomings in deepening democracy. Protests and new types of civil society actors are new channels for processes of legitimisation, especially where democracy is constrained and civil society face obstacles. This is by some seen as more effective and agile than professionalised NGO-type civil society activity. Others argue it is a symptom of pathological problems with democracy, and a threat to democracy, and challenges the assumed link between civil society and democracy: New movements are mostly based on individual disgruntlements and lacks ideology, coherent plans and solutions. They are (therefore) easily co-opted by elites.

Further, they are anti-institutional, thus not strengthening democracy, and often urban biased without linkages to rural areas.

The CSO conditions are changing. Governments make it more difficult for CSOs to function and receive funding. In recent years, 50 countries, including democratic regimes, have introduced legal restrictions. Additionally, there are several kinds of more subtle restrictions, like closing offices on technical grounds; creating shadow organisations, activists losing jobs etc.

Donors tend to choose certain kind of CSOs to support, therefore “engineering” and influencing civil society. Critique of donors is that 1) donor agendas often fail to link political reform to other local concerns; 2) democracy support may deepen polarization; 3) donors have allowed to neuter reforms in efforts to link state and civil society and 4) donors’ other policies must be tightly linked to democracy to have political backing.

There are opportunities in the changes, also for donors. This calls for new strategies and approaches, and must come from a recognition of both positive and negative trends. Five overall policy recommendations:

- › Engage with a broad range of civil society actors (customary organisations; CSOs with

different views/functions in relation to the state, from confrontation to dialogue)

- › Be more experimental and explorative in approach (type of organisations, ideas/ models of democracy)
- › Adapt systematic strategy for re-opening of civil society spaces. This must be part of larger strategy – and not be overly defensive: Response must be political, and foreign policies must be coherent to civil society support. Innovative and flexible funding mechanisms must also be transparent. Donors may depoliticise civil society support.
- › More balanced and nuanced approach to support for ICT.
- › Link civil society beyond protests and across borders to encourage learning, and search for alternatives

The report also presents several detailed suggestions for donor support: Smaller, more flexible grants; Less programmed support, more core business/day-to-day function of organisation; Local value based, and local definitions of priorities; Look outside the capital; Less via northern NGOs; Constancy in support and Pressure on regimes to loosen laws on civil society.

List of Abbreviations

ACHPR	African Commission on Human and Peoples' Rights	ICNL	International Center for Not-for-Profit Law	NRM	National Resistance Movement (Uganda)
AIT	Access to Information	ICT	Information and Communication Technology	OSISA	Open Society Initiative for Southern Africa
APRM	African Peer Review Mechanism	IDEA	International Institute for Democracy and Electoral Assistance	PACIN	Pan African Citizens Network
CCP-AU	Centre for the Citizens Participation on the African Union	ILO	International Labour Organisation	PAP	Pan African Parliament
CICLASS	Centre for International and Comparative Labour and Social Security Law	INTRAC	International NGO Training and Research Centre	PF	Patriotic Front (Zambia)
CIVICUS	CIVICUS World Alliance for Citizen Participation	IOB	Department for Evaluation, Ministry of Foreign Affairs, Netherlands.	SAT	Southern Africa Trust
CONGOMA	Council for Non-Governmental Organisations in Malawi	ITUC	International Trade Union Confederation.	SC	Save the Children
CS	Civil society	LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex	Sida	Swedish International Development Cooperation Agency
CSO	Civil society organisation	LO	The Norwegian Confederation of Trade Unions (Landsorganisasjonen, LO)	USAID	United States Agency for International Development
DANIDA	Danish International Development Agency	MCTU	Malawi Congress of Trade Unions	WFD	Westminster Foundation for Democracy
DEReC	OECD/DAC Evaluation Resource Centre	MISA	Media Institute of Southern Africa		
EACSOFF	East African Civil Society Organisations Forum	MMD	Movement for Multi-Party Democracy (Zambia)		
EFB	Expertgruppen för bistandsanalys (Expert Group on Aid Analysis/Sweden)	NCA	Norwegian Church Aid		
EPRDF	Ethiopian People's Revolutionary Democratic Front	NEPAD	New Partnership for Africa's Development		
FES	Friedrich Ebert Stiftung	NGO	Non-governmental organisation		
HRW	Human Rights Watch	Norad	Norwegian Agency for Development Cooperation		
		NPA	Norwegian People's Aid		

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- 13.10 Evaluation: Real-Time Evaluation of Norway's International Climate and Forest Initiative. Country Report: Brasil
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