

Shifting Sands

Experiences and Responses to Shrinking Civic Space from the Transparency, Accountability, and Participation Field

SNAPSHOTS

- Grantees operating on an international scale report more areas of concern with closing civic than those operating on a national scale.
- Grantees reported experiencing more constraints to their freedom of expression relative to other civic freedoms.
- More than a quarter of respondents report an increase in the threat of de-registration in past 5 years.
- Collaboration, advocacy, and partner capacity building are the most frequently cited measures taken in response to shrinking civic space.
- ‘Donor requirements’ the most frequently cited factor making it harder to access international funding.
- 87% of respondents expressed concern about threats to their organization's digital security.



Transparency and Accountability Initiative (TAI) is a collaborative of six funders working to expand the impact and scale of global transparency, accountability, and participation (TAP) initiatives. In recent years, a growing body of evidence demonstrates global shifts in legal and political contexts that constrain what civil society actors can say, where and how they operate, and whether and how they can access funding. Shrinking civic space is affecting the ability of civil society groups to operate freely and independently.

But how do global trends of shrinking civic space connect to the work of groups pursuing TAP outcomes that TAI members support? This brief provides what we believe to be the first data on how civil society groups pursuing TAP outcomes are experiencing and responding to shrinking civic space. We hope that this research helps to frame funder-grantee organization conversations around shrinking civic space, and to inform funder support that targets needs among their TAP grantee ecosystems.

Who's affected by shrinking civic space?

Those most threatened by closing civic space include anti-corruption activists; defenders of natural resources and land rights, and women's and human rights; democratic reform activists; indigenous groups; investigative journalists and bloggers; labor activists; LGBTI groups; researchers; student and youth activists; and vocal political critics.

ACKNOWLEDGEMENTS

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What Is Civic Space?

Civic space is a nebulous term, perhaps unhelpfully so, but for our purposes, it refers to the ability of civic actors to organize, participate, and communicate freely to influence the political and social structures around them. Based on the CIVICUS Monitor approach, five key indicators of democratic civic space include:

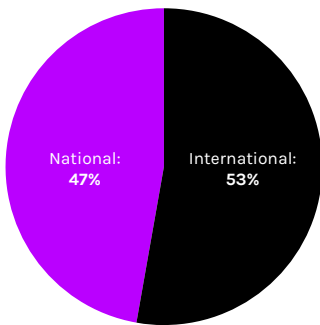
1. *Freedom of assembly:* the right or ability of people to come together and collectively express, promote, pursue, and defend their ideas.
2. *Freedom of association:* the right of an individual or group to voluntarily join or leave groups and the right of individuals and groups to take collective action in pursuit of their interests.
3. *Ability of civil society organizations (CSOs) to access the resources they need to carry out their work.*
4. *Freedom of expression:* the power or right to express one's opinions without censorship, restraint, or legal penalty.
5. *Functional CSO and government relations.*

WHAT DID TAI HOPE TO LEARN?

The study examined the impacts of changing civic space on TAI member grantee organizations that promote TAP issues. It aimed to answer three questions:

1. Have member grantees been affected by closing civic space—and if so, how?
2. How are grantees responding to changing civic space environments?
3. What are the implications of the findings for grantees and grantee-funder relationships?

Survey respondent operational scale:



Study Instruments and Participants

The research project was conducted from November 2017 to June 2018 and involved a literature review, advice from eight global experts, a survey, interviews, and five webinar sessions. Of the 220 TAP organizations with active grants from one or more TAI funder members invited to participate, 121 (55%) completed the online survey. Of those respondents, 10 were interviewed. TAI hosted several webinar sessions that provided feedback from TAI grantees, members, and a group of external experts.

Grantee Characteristics

Most respondents (53%) work in medium-sized operations with 11 to 50 full-time staff members. A large majority of respondents stated they were from a CSO (73%). Many respondents reported working in national organizations (47%), focused on the country or subnational level. More reported operating in international organizations (53%), concentrated on the global or regional level. The remaining respondents represented think tanks, journalistic organizations, academic institutions, professional associations, grassroots organizations, and the private sector.

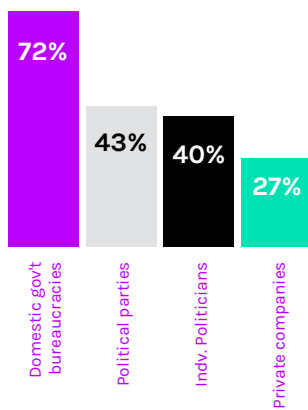
The top three types of work done by respondents' organizations were advocacy (77%), research (73%), and public policy engagement (61%). Unsurprisingly, prominent focus issues include government accountability (76%) and transparency (64%), citizen participation (62%), and anti-corruption efforts (56%).

Limitations

The findings reflect the experiences of TAP grantees who had active grants with one or more TAI funder member at the time of the survey, not all groups pursuing TAP issues. Findings reflect responses from just over half of the target population, and the respondent organizations are not evenly distributed across geographic regions. Survey data provides an incomplete account of the nuanced and personal experiences with shrinking civic space that grantee organizations and staff experience. Nevertheless, the study relays valuable information, as there appears to be no other TAP-specific analysis of shrinking civic space.

How Are TAP Grantees Affected by Changing Civic Space?

Who Are Perceived as Drivers of Shrinking Space?



Awareness and Concern

Many respondents (81%) noted that closing civic space made their work slightly or significantly harder. Top concerns among respondents included excessive bureaucratic requirements, electronic surveillance and digital security, and loss of public trust. Restrictions to free speech, propaganda attacks, personal safety, and inability to access international funding also ranked high on the list.

Perceived Drivers

A majority of grantees (72%) answered that government bureaucracies were the drivers of closing civic space. Others identified political parties (43%) and individual politicians (40%) among the key actors or institutions contributing to closing civic space. Grantees seeking to engage and partner with governments seemed to feel the impact of closing civic space less acutely than those seeking to challenge the system or work outside of government. However, governments are not monolithic, and some groups may find both allies and adversaries across government bureaucracies.

Freedom of Assembly

Relative the other 'freedoms,' grantees reported modest effects on freedom of assembly with some exceptions. Of concern to 75% of respondents was third-party surveillance at meetings they had organized or had attended. And 25% of grantees noted that staff who participated in peaceful public gatherings faced greater risks of threats, harassment, and intimidation.

Freedom of Association and Access to Resources

Overall, TAP grantees reported relatively modest impact of shifting civic space on freedom of association, though 29% reported that such changes had made it

"The [national government NGO monitoring body] is supposed to be in charge of coordinating NGOs, but there is a fine line between coordinating ... and co-opting them and shutting down NGOs they don't like."

—Representative from a grantee organization working in Africa and Asia

harder for individuals or other organizations to support, associate with, or join them (15% reported it had become easier). Of concern, 28% of grantees felt that their organizations now faced a greater threat of losing their status as registered CSOs or nonprofits than they did five years ago.

Access to financial resources is deeply tied to the ability of civil society groups to take action in pursuit of their goals. Many grantees reported receiving international funding from overseas philanthropic foundations (75%), foreign aid agencies or multi-laterals (57%), and/or international CSOs (32%). Donor requirements were the most cited factor making it harder to access international funds during the past five years (36%), along with NGO registration rules (29%), and financial reporting and accounting regulations (28%), among other regulations and legislation.

Freedom of Expression

In this area, the impact reported by TAP grantees has been significant. More than 38% of respondents felt that they were less able to speak freely and that they face pressure to curtail their public statements, particularly online, to avoid government threats or sanctions. Among all respondents, self-censorship by civil society was the most frequently cited factor contributing to reduced freedom of expression (47% of international groups, 26% of national groups). Also, of concern is the use of negative government propaganda to attack organizations (experienced by 37% of respondents) and the influence of nonstate actors (such as private armed groups) on what TAP respondents can say publicly (reported by 31%).

CSO-Government Relations

Despite the concerns noted above, shifting civic space seems to have had less negative, or at least more variable, effects on CSO relationships with government actors. Most national grantees reported government neutrality (rather than support or hostility) towards CSOs. And most international grantees reported no meaningful change in government relations.

How Are TAP Grantees Responding?

Collaboration, Advocacy, and Partner Capacity Building

"[W]e have created [a] CSOs platform ... NGOs also come together to defend each other if attacked for criticizing the state. There is a sense of collective voice."

—Representative of West Africa grantee organization

Grantees reported applying several kinds of responses to the problem of closing civic space. The most widespread are engaging in coalition building with other CSOs (79%), undertaking advocacy (66%), and supporting the capacity building of partner organizations (63%). Groups build coalitions to develop a more united front to push back against repressive legislation. These collaborations also serve as platforms for sharing information and exchanging experiences and advice.

Larger organizations use their relationships with smaller organizations to support advocacy efforts and provide protection. According to one respondent: "In general, our strategy is not to take the limelight, but sometimes we now offer that we are the lightning rod. We take the heat for other organizations. We put our names — rather than local organizations — to press releases or appear on the cameras out of deference to our local partners." Organizations also reported assisting community-based organizations in engaging with local governments.

Supporting the resilience of local partners stood out as a strategy for many international grantees. For example, those who focused on enhancing their security also supported partner organizations in doing the same. Capacity building efforts also involved providing security training and legal advice.

Different Responses by Geographical Scope of Work

International organizations showed a higher level of concern across more issues than did national organizations. For example, when asked if freedom of expression had improved over the past five years, 26% of nationally focused respondents felt it had, while only 5% of international grantees agreed. International groups were more likely to identify multiple drivers of closing civic space and emphasize the role of private corporations and the media.

The two groups also responded differently to shrinking civic space. International grantees were more likely to use strategies of adjusting operational structures, instituting staff safety protocols (including some that were female specific),

and upgrading digital security. National organizations relied more on advocacy, capacity building, and new CSO collaborations.

How Can Funders Enhance Current Efforts?

"Because of the way that we operate, we probably haven't had to deal so much with these ... We do feel a tension and rub up a bit against it, but we generally don't point fingers or push on human rights as much as other TAI [grantees]."

—Representative of a North American CSO working in several countries

TAI funders are already finding creative ways to ease administrative burdens, provide more flexible funding, and facilitate grantee exchanges. While TAI continues to reflect on the study findings and what further research may be undertaken, the following recommendations highlight opportunities to amplify funder efforts.

Relationships and Trust Are Crucial

Treating grantees as partners can ensure that donors' actions have the intended effect of bolstering TAP work. Such partnership could manifest in engaging grantees in the development, implementation, and assessment of donor strategies. Funders may consider increasing dialogue and exchanges about civic space concerns with grantees and other sector experts.

Such exchanges should also be facilitated among TAP grantees across grantmaking portfolios and foundation strategies, with dedicated resources from funders. Trust plays a large role here, as respondents report a loss of the public trust that is necessary for connection to peers and collective responses. Within organizations, grantees also need connections to trustworthy vendors, such as digital security consultants.

External and Internal Contexts Matter

For funding to be most effective, it must consider the various contexts within which grantees are working, including geographic scale, national and political environment, strategies for change, and organizational context. In early conversations and throughout their relationship, funders and grantees can consider their respective strengths and vulnerabilities related to changes in civic space. Ongoing

dialogue can inform offers of financial and nonfinancial support for grantees (e.g., commissioning regional or national analyses or establishing legal defense or emergency funds). Efforts might extend to strengthening the domestic philanthropy infrastructure within low- and middle-income countries, to decrease TAP grantees' dependency on international grantmaking organizations, which makes them vulnerable to increased government limits on foreign funding.

Opportunities Around the Funding Cycle

Requirements related to the grant making cycle present opportunities for funders to minimize grantee burden in the face of heightened government reporting requirements for CSOs. At the application stage, funders could consider accepting grantee applications or proposals that were prepared for another donor, or they could share with each other information regarding grantee equivalency qualifications. Also in this phase, donors could greenlight adaptive approaches to change and strategies with a possibility of failure in fluid political environments.

During implementation, reducing burden might come in the form of providing specialized analysis or technical assistance particularly so that smaller organizations can fulfill donor requirements—for example, providing analysis of emerging legal risks, or supporting grantees to access external administrative support to comply with any new donor or government requirements. Other solutions might allow flexibility in reporting formats for TAP groups operating in difficult civic space environments and consideration of the political environment when establishing a grant reporting schedule.

What Issues Still Need to Be Explored?

There is more work to do together, and further inquiry merited around shrinking civic space. The findings surfaced many issues that fell outside of the study's scope of analysis. Further research could involve repeating this survey to monitor grantee experiences and responses, which could inform future support. More in-depth analysis could also be conducted to explain the different perceptions of, and responses to, shrinking civic space by internationally and nationally focused TAP groups. Motivation among grantees to self-censor could also be investigated. The high awareness of changing civic space among TAP grantees working on women's rights and gender equality issues — and their particular experiences and responses to these changes — likewise warrants further study. All future research should involve in-country fieldwork and interviewee representation from different kinds of organizations.

Biggest Barriers to Accessing International Funding



Transparency and Accountability Initiative is a collaborative of leading funders of transparency, accountability and participation worldwide. It envisions a world where citizens are informed and empowered; governments are open and responsive; and collective action advances the public good. Toward this end, TAI aims to increase the collective impact of transparency and accountability interventions by strengthening grantmaking practice, learning and collaboration among its members. TAI focuses on the following thematic areas: data use for accountability, strengthening civic space, taxation and tax governance, learning for improved grantmaking.



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