Prevention and peacebuilding in the context of shrinking space

The space for civil society activists and organisations is shrinking worldwide. As a consequence of these shrinking and closing civic spaces, civil society engagement for prevention and peacebuilding is also subject to major constraints.

Governments, donors, state and civil society organisations working in the field of international peace and development are finding it increasingly difficult, and sometimes impossible, to engage in cooperation with local civil society actors.

The analysis on shrinking and closing space has been dominated to a large extent by the policy fields of human rights and democracy. This Briefing, entitled *Prevention and peacebuilding in the context of shrinking space*, brings experiences and strategies from peacebuilding and conflict transformation into this discourse. It focuses on linkages and interaction between shrinking space and prevention, conflict transformation and post-conflict situations as a basis for exploring how civil society engagement in these areas can be protected and broadened in scope.

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Civil society: its relevance and role for peace and development

The **German Government**, in its *Guidelines on Preventing Crises, Resolving Conflicts, Building Peace*, adopted in June 2017, describes civil society as an indispensable partner for Germany's peacebuilding engagement. International texts such as **Agenda 2030** and the **Busan Declaration** (2011) also emphasise the importance of civil society and its role as a partner.

1.   Shrinking space: a challenge for peacebuilders

The space for civil society actors and organisations is shrinking worldwide. For many civil society organisations, *shrinking* and *closing spaces* often mean that their work is subject to legal and bureaucratic constraints, such as anti-terror laws and restrictive NGO legislation, surveillance, the freezing of project bank accounts, and work and travel bans, but may also be impacted by public defamation and stigmatisation, intimidation and criminalisation, even including threats to personal safety, arrest and murder.

These restrictions particularly affect those who question the power of political and economic elites, advocate for participation, democracy and human rights, challenge inequalities in the distribution of power and resources, or engage for nonviolent conflict transformation. Engagement for prevention and peacebuilding is no exception and is also coming under pressure, as the following examples show:

Since the signing of the peace agreement in **Colombia** in November 2016, 328 representatives of civil society organisations have been murdered and many others threatened. The aim is to undermine the pathway towards peaceful and rule-of-law conflict transformation initiated by the peace agreement, and to curtail civil society engagement.

In **Egypt**, the government introduced a new – and vaguely worded – anti-terror law in 2015, enabling it to take more arbitrary measures against critics and members of the opposition. Press freedom has also been curtailed, NGO laws tightened and the bank accounts of Egyptian human rights organisations and human rights defenders frozen. This is putting increasing pressure on Egyptian NGOs. In February 2017, the Egyptian authorities shut down the El Nadeem Centre for the Rehabilitation of Victims of Violence and Torture, which compiled documentation and provided care for victims of state violence and torture. In order to draw attention to the shrinking space in Egypt, the German Section of Amnesty International conferred its 2018 Human Rights Award on the El Nadeem Centre, in recognition of its work and engagement for human rights.

Anti-terror measures harm civil society

[The impact of international counter-terrorism on civil society organisations](#)
Brot für die Welt | April 2017

Initiatives working on peacebuilding in the context of UN Resolution 1325 on women, peace and security are also impacted by shrinking spaces. One example is the Women Peacemakers Program (WPP) in the **Netherlands**. After 20 years of engagement for women, peace and security, it was forced to close its doors in December 2017. Access to funding, restrictions on financial transfers and (over)reporting made it impossible for the organisation to continue work.

Systematic classification of restrictions: five categories

- Physical threats and intimidation, up to and including violence;
- Criminalisation;
- Administrative barriers, e.g. restrictive NGO legislation, regulations on international funding;
- Stigmatisation and defamation;
- Space for dialogue and consultation is limited, e.g. through cooptation, restrictions on access, token consultations.

[Supporting civil society under pressure – lessons from natural resource exploitation](#)
HeinrichBöll Foundation | June 2017

2. The nexus of civil society, political participation and peacebuilding

Civil society is heterogeneous: organisations' backgrounds, structures, capacities, objectives and strategic direction can vary considerably. In fragile, authoritarian and conflict-affected contexts in particular, civil society is often fragmented along conflict lines. This is reflected in differences in political positions and power relations. In many post-conflict situations, civil society actors and their networks and structures have to (re)establish themselves and build trust.

Here, the complexity and pluralism of civil society actors' access, scope, networks and capacities are immensely important. They are the source of these organisations' transformative, peacebuilding and progressive potential. Civil society actors can engage for dialogue in conflict, facilitate the dialogue between conflict parties, foster inclusion in peace processes and negotiations, advocate for peace and the protection of human rights, monitor human rights abuses and the implementation of agreements, invest in peacebuilding through projects, and support reconciliation initiatives.

The situation of civil society

Atlas der Zivilgesellschaft
Brot für die Welt | January 2018

CIVICUS Monitor
CIVICUS I 2017

Closing Space and Fragility
Thomas Carothers I Fragility Study
Group | Policy Brief No. 5 I October
2016

If these contributions to conflict transformation are absent due to restrictions on the civic space, this impacts directly on prevention and peacebuilding:

- **Prevention of violent conflict is impeded**: If civil society engagement is forced out of the public and political arena and spaces for the expression of opinion and participation in political processes are closed, this restricts opportunities for peaceful resolution of societal conflicts;

- **A climate of violence is fostered**: Defamation and stigmatisation open the way for harassment and hate speech, create hostile images and, in some instances, can lower the threshold for physical violence. Activists and civil society organisations that are deprived of their social and political backing through defamation are more vulnerable to attack and are less able to count on broad solidarity and moral courage;

- **The threat and use of force act as a form of censorship**: In contexts in which the threat and use of force, such as abduction, physical attack or torture, are regular occurrences and death lists are kept, civil society actors are not free to report openly on human rights abuses, to advocate for political alternatives or campaign on specific topics. Civil society actors then have to consider every step very carefully and may be limited in the action they can take due to fears for their own safety;

- **A high level of violence creates no-go areas where engagement is urgently needed:** In conflict-affected settings and in countries with a high level of violence and impunity, no-go areas emerge where government and its agencies are largely unable to operate and civil society engagement is needed;

- **Fewer peacebuilding programmes and projects**: In many countries, it is becoming increasingly difficult for civil society organisations to access international funding, including for peacebuilding projects and programmes. If selective regulation makes it impossible to secure international funding and run international projects that address uncomfortable truths, this can obstruct just processes of dealing with the past or implementation of the 1325 Agenda, for example.

Core elements of peacebuilding processes – dialogue, inclusion, participation and responsibility – increasingly out of reach

Wherever civil society is constrained or instrumentalised, self-determined, constructive and critical engagement in and monitoring of political processes – such as peacebuilding, reconstruction and reconciliation – by civil society become impossible.

3. Long-term impacts on prevention and peacebuilding

International texts such as Agenda 2030 and the Busan Declaration (2011) quite rightly emphasise the importance of civil society. The German Government too, in its *Guidelines on Preventing Crises, Resolving Conflicts, Building Peace*, adopted in June 2017, describes civil society as an indispensable partner for Germany's peacebuilding engagement. International agendas and national guidelines are almost impossible to implement, however, if civil society is excluded due to pressure and restrictions on its activity.

Implementation of Agenda 2030 inconceivable without civil society

Civil society plays an important role in the implementation of Agenda 2030. However, none of the goals can be achieved or will have a sustainable impact if the space for civil society is restricted.

Shrinking Space for Civil Society – Challenges in Implementing the 2030 Agenda ForumSYD I 2017

Less space means less peacebuilding

Civil society organisations have no option but to deal with these restrictions and repression, given that they are directly impacted by them. They must analyse the causes and (inter)actions in order to find a way forward and devise counterstrategies. In some cases, it may be necessary to organise legal or even physical protection. However, building and maintaining protection and resilience absorbs capacities and resources. Civil society organisations – especially when facing repression and restrictions – are often less able to focus on their core remit and agenda and to engage for innovative, creative and sustainable ideas and formats for peacebuilding. In addition to risk management, risk mitigation – which means taking action to protect and expand the space – also slips out of focus during periods of repression and pressure. The outcome of shrinking space, then, is that civil society organisations find it well-nigh impossible to continue with their core work. Their opponents thus achieve their goal of suppressing civic peace engagement.

Isolation instead of dialogue and cooperation

The restrictions on civil society's scope for action also impact on international cooperation. There is less scope for engagement by external actors, whether governmental or civil society-based. Firstly, a restrictive environment adversely affects cooperation or consultations with local civil society – a key element of development and peacebuilding. Secondly, international – and especially civil society – organisations are subject to administrative and political conditions (visa, residence and access restrictions), which may result in projects and programmes not being implemented. In some cases, organisations and projects are encouraged to shift their priorities towards less "political" areas of work. In extreme cases, international organisations are forced to suspend their in-country engagement altogether. However, international engagement in the reverse direction suffers as well. Some governments deliberately impose travel bans on civil society activists and thus impede critical dialogue across borders. Travel bans and threats undermine dialogue, exchange, coalition-building and advocacy at national, regional and international level and increase isolation.

Lack of pluralism and trust: lack of legitimacy of political processes

Sustainable peacebuilding and prevention are inconceivable without these four determinants: legitimacy, trust, pluralism and inclusion. Constructive relations are an important element in the interplay between state, civil society and society at large. Trust is a key factor in enabling challenges and conflicts to be addressed and dealt with constructively. However, violent conflicts tend to polarise society. In fragile and (post-)conflict settings in particular, there is often mistrust towards politics and among political and social actors. After wars and violence, it is essential to re-establish and rebuild trust and relationships. By promoting dialogue and exchange, civil society actors can make an important contribution here.

Tearing down bridges

Shrinking spaces impair relations between civil society and society at large and between state and civil society. They also deplete the pluralism of political actors at national, regional and international level.

Due to shrinking and closing spaces, civil society organisations are now rarely in a position to perform this function. Their opportunities for participation in political processes are being closed off. Local peacebuilders are often distrusted by all sides: on the one hand, their cooperation with governments arouses mistrust on the part of

the political opposition and among activists. On the other hand, governments see civil society peacebuilders as agents of the opposition. This gives rise to mistrust and division at a time when trust and constructive relations between state and society and within society at large are urgently needed. Defamation and stigmatisation of civil society organisations and initiatives are intended to undermine public trust in civic engagement, leaving the field free for organisations which are not affected by stigmatisation and (bureaucratic and administrative) constraints – at the expense of pluralism and inclusion. This makes it more difficult to establish a social base – a core element of prevention and peacebuilding in a context of diverse group identities.

However, the absence of substantive and inclusive participation by civil society adversely affects the legitimacy of political processes – local, national and international. The loss of (civil society) pluralism therefore also means a loss of innovative and creative energies for peacebuilding and prevention.

4. (Non-)participating third parties – external actors

External actors exert influence on the parameters for civil society engagement at the local level, whether this is deliberate or unconscious, indirect or direct, positive or negative. Many external actors are working to protect and expand the scope for civil society engagement and are developing appropriate strategies for this purpose. However, in order to protect and broaden the scope for civil society engagement more effectively, gaps need to be closed and further potential unlocked.

Coherent action is a key prerequisite here. States – such as Germany – also exert influence on the civic space in other countries. Stakeholders themselves are not always fully aware of how far this influence extends. For example, (international) engagement by German ministries in fields such as foreign affairs, security, development, environment, economic or trade policy can potentially impact on the situation of civil society in the target country. A first key step is to acknowledge this responsibility and to review the impacts of one's own action on the civic space. A second step is to ensure policy coherence by systematically mainstreaming the protection of civil society in all ministerial portfolios, rather than simply delegating it to specific government departments.

External actors can take responsibility

The following points are relevant to internationally engaged state and civil society actors making targeted efforts to protect and expand the civic space for prevention and peacebuilding:

- **Further strengthen and develop the Do No Harm (DNH) principle**: International engagement in (post-)conflict settings should consider the impacts of shrinking spaces on local civil society actors and on the realities of civil peacebuilding engagement;

- **Increase the protection and resilience capacities of civil society under pressure**: Civil society activists under pressure have no option but to organise protection for themselves and to create space for long-term counterstrategies. In fragile and conflict-affected contexts, the state's institutions are often weak. In such circumstances, strategies to counter the restrictions on civil society are less able to rely on legal and judicial bodies and processes. It is apparent that a high level of support from within society helps to build organisations' resilience. Nevertheless, practical protection must be provided. This requires analyses of risks and needs, monitoring – and time scheduled for it – and risk management that offers support for legal or even physical protection, along with risk mitigation that advocates for active and innovative protection;

- **Adapt funding practices to the realities**: Funding practices do not (yet) reflect the needs and exigencies that arise at a time of shrinking and closing spaces. In order to take proper account of the changed conditions, funding structures, criteria and opportunities must become more flexible – from a one- to three-year project term up to long-term institutional funding. Furthermore, project funding must allow time and space for strategic adaptation and reorientation. Project criteria, such as the identification of political goals, compliance with formal cooperation frameworks or high administrative standards, may be counterproductive or impossible to fulfil in critical situations. Less formality and project visibility and less exposure of partners may be helpful here;

- **Advocate for effective civil society participation**: This can be achieved by building relationships between civil society and society at large and between state and civil society actors. It is also important to support diversity in civil society engagement along the formal to non-formal actor spectrum;

- **Broaden the focus on new partnerships**: There should be a stronger focus on the broad spectrum of civil society, with the inclusion of non-organised actors. In order to strengthen civil society pluralism, the key criterion for new partnerships should be civil society organisations' peacebuilding potential, rather than their degree of neutrality. This can help to counter the emergence of "gatekeeper" NGOs which monopolise contacts and information and impede transparency and inclusion in peace processes.

There is immense – and sometimes life-threatening – pressure on civil society activists and organisations in many countries. The question whether civil society can unlock its peace and development potential and shape political participation is closely linked to the conditions for civic engagement. States in particular – if they summon the necessary political will and recognise the linkages between local realities, the national, regional and political levels and political processes – can transform existing conditions into an enabling environment for civil society and curb repression. Only in this way will the principles and objectives set forth in Agenda 2030 be fulfilled.

At present, however, this systematic political will is lacking. This makes it even more important to reflect on the linkages between the role, support and influence of external political actors and donors on the space for peacebuilding engagement by civil society and to assist, as far as possible, in protecting and building its resilience and potential.

The role of external actors

Shrinking Space: The Role of External Actors I Anja Justen and Claudia Rolf I KOFF Newsletter No. 145 I May 2016

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