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Interim findings: Examining the Impact of Non-State Actors (NSAs) on Civic Space

The project 'Examining the Impact of Non-State Actors (NSAs) on Civic Space' explores how actors outside the state's architecture impact on space for advocacy by non-governmental organizations (NGOs), focusing on human rights issues. While evidence increasingly highlights the role of states in restricting civil society, comparatively little is known about how and why NSAs restrict NGOs. This research assesses the impact of the actions of NSAs on NGOs, including their finances, networks, staff, and advocacy activities. Drawing on case evidence over a ten-year period (2009–2019) in Bangladesh, Palestine and Zimbabwe, the main interim finding of this research is that NSAs in close proximity to dominant state political forces play a crucial role in restricting NGOs and legitimizing state restrictions on their work.

Interim findings

- **The 'civic space' debate overlooks state-aligned NSAs. Our study sheds light on the proliferation of government-aligned NGOs, youth groups and media outlets aligned to the state between 2009–2019.** Although the emphasis on state restrictions on civil society is important, it overlooks a 'hidden threat' to the operation of NGOs: state-aligned or orchestrated NSAs. The role these groups play is paradoxical. On the one hand, their existence enables states to legitimately claim that space for civil society advocacy is open and that the media is free. On the other, collusion between these groups and the state enables the closure of space for independent NGOs advocating on politically-sensitive issues. In reality, these state-sponsored groups play a crucial role in influencing public opinion about NGOs that are critical of the government, while hampering their activities. Most pertinently, we found that state-aligned groups enable states to evade national and international scrutiny of civic space violations by denying links with NSAs or knowledge of their activities.
- **We found that the activities of state-aligned NSAs increase around political issues of contestation when NGOs threaten state power.** Early analysis of our research highlights fluctuations in restrictions emanating from state-aligned groups. We found that restrictions increase in frequency and severity around key political moments when NGOs can inflict reputational damage on the state, i.e. at election times.
- **There is a clear relationship between state restrictions and NSA restrictions.** We also found evidence of a relationship between state restrictions and restrictions imposed by state-aligned groups, dependent on the severity of restriction. Early analysis suggests a pattern, in which NSAs use less severe restrictions before state restrictions and more severe restrictions after state restrictions. In some instances, NSAs use smears and misinformation campaigns against NGOs to legitimize new state restrictions. In other instances, we found that NSAs exploit state restrictions to orchestrate more severe forms of repression against NGOs, such as disrupting meetings, surveillance or threats, and attacks on activists.
- **State-aligned groups are freer to impose harsher restrictions on NGOs than states. State support and public opinion is a crucial driver in creating an environment of impunity.** While evidence about state restrictions shows that they have a cumulative effect on NGO activity, emerging evidence from this study shows that state-aligned groups have a more drastic impact on NGO activity. This is particularly acute when NGOs are working in politically-sensitive areas, such as human rights, democracy and governance. Early analysis also suggests that states delegate the imposition of more severe restrictions to pro-government NSAs to evade international scrutiny for human rights violations. In all cases, we found that NGOs were unable to seek state assistance for protection from severe restrictions imposed by state-aligned groups. We also found that public smears, threats, and allegations of corruption or terrorism levelled at NGOs play a pivotal role in legitimizing the actions of both states and NSAs.
- **NSA restrictions force NGOs from 'proactive' advocacy strategies, which open space for political participation, to 'defensive' strategies, which justify their work. The 'invisible work' involved in defensive strategies is unaccounted for and exists outside of funding.** Interview data highlights that these restrictions impact on the work of NGOs in several different ways: they create a climate of fear and mistrust which

reduces public participation in NGO activities; they damage the physical and mental health of employees, members and key stakeholders by publicly discrediting them or threatening violence; while restrictions may attract more funding in the short term, in the long term NGOs report a decrease in funding after confrontations with non-state actors, which many attribute to reputational damage; although national networks can pull together in solidarity, state-aligned groups can also exacerbate pre-existing tensions between national networks, causing collective action to falter in the long term; and international allies who would traditionally assist with advocacy can disappear after continued and unfounded accusations of terrorism, corruption or misappropriation of funds, regardless of whether they are verified.

- **NGOs adapt in the short term, but resist in the long term. The level of resistance depends on a variety of resource factors and the thematic area in which the NGO is working. While money and networks are vital, resolve is most important.** NGOs report quickly adapting or reframing activities when faced with pressure from state-aligned groups. In the long term, NGO advocacy strategies become more confrontational and proactive, as they try to reclaim the space for participation. Interview data highlights that resistance depends on the issue at stake and the resources available to the NGO. NGOs report being most likely to halt activities imposed by donors. Other tentative findings highlight that core issues, e.g. where NGOs work on behalf of the needs of a community, are the least likely to be dropped. In these cases, resolve – operationalized as a representational connection to constituents – emerges as a key mechanism driving variation in outcomes.

- **National 'naming and shaming' of NSAs by NGOs is broadly considered futile. NGOs place value on proving their legitimacy while managing reputational damage.** As opposed to states, NGOs note that state-aligned NSAs are less concerned with NGOs drawing attention to their bad behaviour. Interview data suggests that NGOs want more information and evidence regarding the collusion between these groups and the state. Yet, concretely proving complicity can be problematic, as states usually deny all knowledge of the activities of these groups. Therefore, NGOs see greater value in defending the legitimacy of their activities and managing the reputational damage inflicted by these groups.

Policy messages

- The Ministry of Foreign Affairs should increase **core funding** to national NGOs, which would enable them to move more fluidly between proactive and defensive strategies and vice versa. Similarly, greater emphasis should be placed on **mental health provisions** for activists under threat.
- The Ministry should **build stronger local political actors** and conduct **knowledge mapping** between country offices and staff in the Hague, including those responsible for funding programmes in both locations. In practice, this may help NGOs navigate rapidly changing political climates by ensuring long-term support for their work.
- It is advisable that the Ministry **invest in understanding how civil society organizations (CSOs)** across its funding portfolio **wrestle with the issue of reputational threats** against their work. Most importantly, more effort should be placed on understanding how NGOs can exercise dynamic accountability to core constituents when faced with reputational smears.
- The Ministry should use its position and power to adopt a **nuanced approach to civic space** including an understanding of the role of NSAs and their relationship to the state. Knowledge and best practices in this area could be used by other donor agencies in future funding programmes to enhance the resilience of civil society.
- NGOs working at the national level should **strengthen connections** with their members and stakeholders when formulating advocacy positions. Well-resourced national NGOs should focus their efforts on ensuring that they play a **representational role** for their core constituencies when formulating advocacy messages and strategies.
- NGOs should **push back against donors** urging them to take up broad issues that they cannot continue with when faced with restrictions. Instead, NGOs and networks of NGOs should dedicate resources and time to **developing coping mechanisms and advocacy protocols** if they experience an increase in restrictions. This includes protecting the physical and mental wellbeing of staff, members and other key interlocutors.
- NGOs should **cultivate and catalyse civil society alliances**, including working connections between formalized national NGOs and informal groups to build broader coalitions working on rights-based issues. These groups should be clear about the threats that each actor faces, but also the opportunities that they

are afforded. Identifying these threats and opportunities can facilitate the planning of joint campaign activities.

- International NGOs (INGOs) should **draw attention to the proliferation of state-aligned groups in international fora** and **provide solidarity and support** where necessary. As NSAs operate at the national level, INGOs should invest in substantive research exposing the collusion between states and NSAs. INGOs should be proactive in holding states to account for their role in enabling, legitimizing and orchestrating NSAs that perpetrate civic space violations. INGOs should use their connections, expertise and resources to draw attention to these issues and hold states to account at the international level.

Knowledge products

- Perera, D., Merkova, S., Rahman Khan, S., McDonald, L. & Abdelrahman, T. (2019) *The impact of non-state actors (NSAs) on civic space in Bangladesh, Palestinian Territories and Zimbabwe: how do resources influence NGO resilience?* Literature review, CIVICUS, https://www.civicus.org/documents/ImpactOfNSAsOnCivicSpace.pdf
- Perera, D. (18 February 2019). *Resist or desist? How do NGO resources influence resilience to non-state actor (NSA) actions.* Presentation at University College London, 18 February 2019, https://civicus.org/documents/UCLPresentation18February.pdf
- Perera, D. (28 March 2019). *Resist or desist? How do NGO resources influence resilience to non-state actor (NSA) actions.* Presentation at International Studies Association, https://www.civicus.org/documents/ISAPresentationsNSAs.pdf
- Perera, D. (March 2019). *The impact of non-state actors (NSAs) on civic space in Bangladesh, Palestinian Territories and Zimbabwe: how do resources influence NGO resilience?* Conference paper for International Studies Association including literature review and methods paper, https://www.civicus.org/documents/ISAConferencePaperLiteratureReviewAndMethodology.pdf
- CIVICUS. (Forthcoming November 2019). *Civil society and anti-rights groups*. Thematic report.

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