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

CIVICUS Research Consortium
Dominic Perera (coordinator) – CIVICUS: World Alliance for Citizen Participation
Professor Saira Rahman Khan – Researcher in Bangladesh
Dr Abdelrahman Tamimi – Palestinian Non-Governmental Organisation's Network (PNGO)
McDonald Lewanika – Zimbabwe Human Rights NGO Forum

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Introduction

Civil society organisations (CSOs) play a vital role in holding states to account. In response, an increasing body of work has focused on the role of states in restricting the operation of civil society. While existing evidence highlights the role of states in influencing space for civil society, comparatively little is known about how Non-State Actors (NSAs) restrict civic space for CSOs. This research assesses the "costs" exacted by NSA restrictions on CSO resources (finances, networks and people) and advocacy. To do this, it draws on 150+ hours of in-depth interviews with activists, and case evidence from a ten-year period (2009 - 2019) in Bangladesh, Palestine and Zimbabwe. Our main finding is that NSAs, in close proximity to dominant political forces that control the state, play a crucial role in restricting critical CSOs and legitimising further state restrictions on their work.

The research project 'Examining the role of non-state actors on civic space' defines non-state actors as any group that does not form part of the state.' This study took an inductive and extensive approach to mapping NSAs in each of our three cases.[1] As this mapping process took shape, it became apparent that NSAs with clear links to the state were a significant yet understudied area of research. Furthermore, as our fieldwork began, respondents in all three cases viewed a unique group of state-aligned NSAs as an alarming and unexplored threat to their work which deserved further interrogation. Although it is important to recognise that other NSAs (i.e. private companies or religious groups) play an important role in influencing civic space, we prioritised depth over breadth. In doing this, we narrowed the focus of the study to assess three key NSAs (state-controlled or co-opted media, pro-government militias and government-controlled NGOs or GONGOs). The findings in this paper refer to these three types of NSA in each of our cases and their confrontations with civil society. In doing so, this study addressed the following questions:

How do the activities of non-state actors influence the political or civic space for CSOs?
- o   Do NSAs influence civic space in a given country?
- o   How and why do non-state actors undermine civic space?
- o   What impact do NSA actions have on CSOs?

These questions address a core assumption of the Dutch Ministry of Foreign Affairs' Dialogue and Dissent Theory of Change which assumes that CSOs need political space to perform political roles. It does this by broadening the scope of actors who can wield influence over civic space. In particular, our study highlights that states use NSAs to avoid international scrutiny and sanctions for civic space violations, and the role of foreign funding in contributing to the resilience of CSOs. Our research draws on case evidence from Bangladesh, Palestine and Zimbabwe to trace NSA restrictions over a 10-year period. Below we outline the attributes of each case:

Case	Current Rating in CIVICUS Monitor (September 2019)	Number of interviews conducted	Type of restrictions imposed by NSAs (full typology found in annex 2).	Location of fieldwork
Bangladesh	Repressed	46	Restrictions targeting activists & organisational restrictions	Dhaka
Palestine	Repressed	47	Organisational restrictions & some restrictions targeting activists	Ramallah
Zimbabwe	Repressed	42	Restrictions targeting activists & organisational restrictions	Harare and Bulawayo

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[1] A full mapping of all of the NSAs in each of the cases took place at the start of the project. See: Perera, D., Merkova, S., Rahman Khan, S., Lewanika, M. & 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 (pg. 31 – 64).

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Methodology

Case selection for this project was driven by variation on our independent variables (types of NSA and their restrictive repertoire). These cases were compared using structured focused comparison to unpack variation in experience. As a result, our research questions and theory did not change between cases. The data for this study were collected over a six-month period in each of the cases starting from February 2019. Given the short timeframe, the majority of our face-to-face interviews took place in urban centres. Skype interviews were also used to engage activists in rural areas or areas where travel is not permitted i.e. Gaza in Palestine. In addition to a local researcher in all three of the cases, members of the CIVICUS team conducted a total of five research visits to assist with data collection. Researchers in all three cases conducted the same structured interview with activists affiliated with the selected CSOs. Interview questions investigated the impact of NSA restrictions on their CSO's advocacy activities as well as their perceptions of state complicity. These can be found in annex 4. Documentary analysis using advocacy documents, press statements and financial records was also used to check the robustness of interview findings. Where possible, the conclusions from each case were validated through focus group discussions or group interviews with key stakeholders.[2]

When initially designing the research instruments for this project, the team envisaged conducting focus group discussions in all three cases. However, once in the field it became clear that organising large meetings of critical human rights defenders in both Bangladesh and Zimbabwe posed a serious security risk. Throughout the fieldwork in Bangladesh and Zimbabwe, both CIVICUS researchers and local partners took steps to mitigate security concerns. After a careful mapping of the security situation in both contexts, it was apparent that many participants were under near-constant state surveillance. As a result, we were seriously alarmed over potential of reprisals to participants. Therefore, due to these ethical considerations, we abandoned our plans for focus group discussions in Bangladesh and Zimbabwe. This deviation from our plan prompted the consortium to find alternative ways to validate research conclusions. For example, where possible, country-based were disseminated findings to key participants for their feedback and comments. Yet, it must be conceded that this is a clear limitation to the Bangladesh and Zimbabwe findings outlined in this paper.

This research adopted a purposive approach to sampling CSOs to study. We used variation on our dependent variable (CSO response) to select participant CSOs, so to understand what role NSA restrictions and CSO resources played in driving variation in outcome. This allowed us to explore why some CSOs were able to resist when others disbanded or adapted. Although the research team made a proactive effort to engage CSOs involved in the Dialogue and Dissent framework, it is important to recognise that many of the CSOs studied were smaller locally based organisations. Consequently, they were often placed far lower down the aid chain than Dialogue and Dissent's strategic partners. This meant that while interviewees were often aware of the funding framework, they had had little interaction with the Dutch Ministry for Foreign Affairs. Similarly, for interviewers, it was frequently challenging to ascertain which parts of their organisational activities were supported by the framework which made linking responses to the Dialogue and Dissent framework challenging. Therefore, this report is unable to comment on whether the Dialogue and Dissent framework increased or decreased CSO resilience from the data presented in this paper.

This project used process tracing to answer our research questions. Process tracing is a useful descriptive and analytical tool to test hypothesised causal pathways. This research was concerned with tracing the following processes:

1. Restrictive actions by NSAs against CSOs impose "costs" on the CSO resources of finances, people and networks;
2. NSA restrictions differ in nature and severity from restrictions imposed on CSOs by states;
3. CSO resources (finances, people, networks) play a crucial role in influencing their capacity to resist restrictive actions by NSAs.

In order to trace these processes, we used several strategies to strengthen our methodology. Firstly, a comparative case study approach added to robustness by including variation on our independent variable:

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[2] More detail on this approach can be found in annex 1.

type and actions of NSAs operational in each of the cases. Our case selection strategy was carefully chosen to include variation on how these NSAs were perceived to influence CSOs in all three contexts. Secondly, we also sampled CSOs on our dependent variable: CSO resilience. We chose CSOs who have both continued advocacy when faced with confrontations with NSAs as well as those who have been forced to stop or drastically reduce activities when faced with restrictions. In doing this, we tested the validity of our assertion that resources influence resilience. Thirdly, we worked closely with local partner organisations in all three contexts to collect data with CSOs and engage activists. By working through local interlocutors, this study benefited from unrestricted access to a variety of actors and activists working within each of our cases. This is particularly important as we captured a myriad of perspectives to understand how NSA restrictions can affect, alter and deter activism. Finally, we triangulated and corroborated our interview data with document analysis to ensure we accurately captured the sequence of events before and after confrontations with NSAs using press statements, other advocacy documents and financial records.

In terms of limitations, three key issues stand out. Firstly, in order to prioritise depth over breadth, this study assessed a small subsection of NSAs. While it is important to acknowledge that there are a variety of other actors which have the capacity and potential to influence civic space (i.e. private companies), we focused on an important and understudied sub-set of actors with links to the state. While a limitation, we believe that the findings presented here are more rigorous than if a broader approach was adopted. Similarly, we did not look at NSAs that have a positive impact on civic space. In order to do justice to the complex issue of "unlikely allies", we felt a dedicated study would be better suited to investigate positive collaboration between civil society and NSAs in close proximity to the state. This is a limitation to the conclusions presented in this paper. Secondly, it is also important to recognise that the bulk of our analysis focuses on formalised civil society i.e. NGOs. Given the diversity of actors within civil society, NGOs only form one segment of this patchwork quilt of actors. Future studies building on our work should broaden this scope to include informal civic movements' confrontation with state aligned NSAs. Finally, our study mainly assessed CSOs in urban centres, and more could be done to focus on civic space experiences in rural settings. It is vital to note that from our limited findings, NGOs working in rural settings were found to have more contrasting relations with state-aligned NSAs than their urban counterparts. A key finding emerging from our work suggests that rural NGOs may be simultaneously more vulnerable yet better placed to respond to restrictions from NSAs.

Contribution to Assumptions and Literature

After surveying the key conclusions from our research in light of the assumptions underlying the Dialogue and Dissent funding programme, three points stand out:

1. Generally, our study **confirms the validity of the assumptions** underlying the Dialogue and Dissent framework pertaining to the political role of CSOs and civic space.
2. Both the literature review and our empirical evidence shine a light on the **unexplored role that the studied NSAs** can play in reducing space for CSO activity. An important finding emerging from our study is that threats from these actors have a more **drastic impact on CSO activity** than restrictions from states.
3. **"Naming and shaming"** by CSOs against the studied NSAs is found to be **less effective** than when the same tactic is used against states. Our case evidence highlights that states have exploited this dynamic to **incentivise and instrumentalise NSAs** to restrict CSOs. In particular, our data suggests that states delegate the **imposition of harsher restrictions** on CSOs to state-aligned NSAs.

Typology of Assessed Non-State Actors

Type of NSA:	Definition:	Repertoire of Restrictions on CSOs:
State-controlled or co-opted media	A situation where states place restrictions on the operation of independent media outlets. As a result "journalists are [un]able to safely criticize	Reputational smears against CSOs & public vilification of critical actors and activists.

	political and economic elites at both the national and local levels" (Whitten-Woodring and Van Belle 2017). As a consequence, media is unable to "...provide information that facilitates political competition and accountability" (Whitten-Woodring 2009).	
Pro-government militias (PGMs)	A group that (1) is identified as pro-government or sponsored by the government (national or subnational), (2) is identified as not being part of the regular security forces, (3) is armed, and (4) has some level of organisation. These groups can be differentiated by their acknowledged proximity to the state. (Carey, Mitchell, and Lowe 2013)	Torture, ill-treatment, enforced disappearance, extrajudicial killing, sexual violence, intimidation, surveillance and arbitrary detention.
Government organised NGOs/state-aligned civil society groups	An unarmed civic group that has a collaborative relationship with the government (Coston 1998) in a context where similar, yet critical, groups suffer repression. An organisation funded, controlled or openly aligned to the state (Naim 2009).	Counter-narratives, public campaigns against independent CSOs, competitive access to domestic and international policy fora, reduction in funding for independent groups

Main Findings

Restrictive actions by NSAs impose "costs" on CSOs:

- NSA restrictions force advocacy CSOs from "proactive" advocacy strategies which open space for political participation to "defensive" strategies to protect their organisations and their work. The "invisible work" (i.e. safety arrangements for staff, building security, response to smears, etc.) involved in "defensive" strategies is unaccounted for and exists outside of funding strategies. Our analysis shows that these restrictions impact their work in sequence which can be described as follows: A) they create a climate of fear and mistrust which reduces public participation in CSO activities. B) they damage the physical and mental health of employees, members and key stakeholders by publicly discrediting them and threatening or exposing them to violence. C) while restrictions may attract more CSO funds in the short term, in the longer-term CSOs often reported a decrease in funding after confrontations with non-state actors. Many respondents attributed this decrease in funds to reputational damage or smears inflicted by the non-state actor. D) 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. This is particularly acute if multiple CSOs are targeted who are in competition with one another for scarce resources i.e. visibility or finance. E) international allies who would traditionally assist with advocacy, can disappear after continued and unfounded accusations of terrorism, corruption or misappropriation of funds which cannot be verified.
- Regarding defensive strategies, all three cases interviewed CSOs highlighted that expenditure for staff security frequently sat outside of funding relationships with donors. One frequently cited example was hiring private security, drivers or installing security cameras outside of the CSO offices to protect staff or create the impression of safety to encourage participation in CSO activities. Our data suggests that this strategy was an important tool for resistance against severe restrictions by PGMs, but also diverted funds, time and energy away from advocating on human rights issues.
- Intuitively, our interview data found that NSA restrictions which target the physical well-being of staff of prominent CSOs are the most effective in reducing CSO advocacy in the short term. Respondents in all three cases highlighted that physical integrity violations had the biggest impact on their ability to conduct advocacy. Regarding these restrictions, we found that pro-government militias were the main perpetrators of the most serious violations against activists (i.e. torture, enforced disappearance etc). We also found that the lack of available recourse for CSOs forced organisations to quickly adapt their approach to protect the well-being of their staff. Paradoxically, while advocacy by the affected CSO may rapidly decrease after an attack, collective action between CSOs is actually shown to increase in

the period directly after an activist is attacked. Despite this, after repeated attacks, collective action between CSOs is shown to falter. We also found evidence of a geographical component to the imposition of physical integrity violations by pro-government militias. In Zimbabwe, we found that groups operating in rural areas reported that local militia leaders can have considerable influence when organising activities with local communities. A dedicated study is necessary to fully understand the discrepancy between urban and rural civic space experiences as interview data also highlights that these groups also operate openly and with complete impunity in rural areas. Similarly, in Bangladesh we found that pro-government militias in urban centres mainly perpetrated individual attacks against activists i.e. the enforced disappearance of activists or torture. Our evidence suggests that these forces are only deployed en masse if activists or citizens seek to mobilise in urban centres and particularly if there are large uprisings against the state. This is usually manifested as violence during protests where pro-government militias acted as an auxiliary force to state security forces.

- Reputational smears against targeted CSOs were shown to have a devastating impact on an CSO's ability to successfully raise resources and advocate in the long term. Our evidence highlights that GONGOs or state affiliated CSOs who target a group's legitimacy can greatly reduce the efficacy of an CSO's advocacy in the longer term. This was especially pervasive when surveying joint advocacy between CSOs working on a claim-based issue. Long term campaigns by GONGOs were also found to legitimise further state restriction. Our evidence highlights that the tactic of closing space through discrediting or "labelling" CSOs is shown to impose costs on all three resources assessed in this research.

- Our evidence supports the assertion that international funding from Northern donors, including the Dutch Foreign Ministry, is a vital tool in helping CSOs respond to threats from NSAs. This is particularly true when CSOs receive long term core support from donors. Yet, activists also noted that political pressure on these funding instruments by hostile governments remains a major concern. Similarly, reputational damage inflicted on CSOs by GONGOs, state-aligned groups and partisan media emerged in interviews as a major obstacle to advocacy on contentious issues. Public vilification campaigns against activists working with targeted CSOs also surfaced as a key mechanism driving long term costs. State controlled or co-opted media was seen as a driver which legitimised a situation where dissenting voices can be openly attacked. In particular, historical smears by media groups were found to have a lasting impact on an activist's ability to engage with international media or work with other international or regional allies.

- For example, in both Zimbabwe and Palestine our data highlighted that prominent human rights CSOs were effectively unable to work with international partners or even feature in international media after fabricated accusations of corruption or terrorism. Participants stressed that the effort and energy involved in rebutting these frequent smears was too great to warrant a return. Instead, they were simply forced to stop working with key international allies. In all three cases, activists emphasised the essential nature of international collaboration to foster human rights progress in their country.

Restrictions by NSAs differ from restrictions imposed by states:

- Our interview data suggests that states delegate more severe restrictions on CSOs to the studied NSAs to evade international scrutiny for human rights violations. In all cases, we find that CSOs were unable to seek state assistance for protection from severe restrictions imposed by the NSAs assessed in this study. Similarly, interview data highlighted that recourse through international human rights mechanisms was equally futile. We also find that public smears, threats and corruption, or terrorism allegations and administrative obstacles levelled at CSOs by states, played a pivotal role in legitimising the actions of these NSAs. As a result of state inaction, state-aligned groups were freer to impose harsher restrictions on CSOs than states. State support and public opinion is a crucial driver in creating an environment of impunity. While academic work on state restrictions highlights a cumulative effect on CSO activity, emerging and very important evidence from this study notes that state-aligned groups have a more drastic impact on CSO advocacy. This is particularly acute when CSOs work on politically sensitive issues such as human rights, democracy and governance.

- We found that activists describe restrictions from the classified NSAs and states as "symbiotic". In all three cases, interview data supports the assertion that these NSAs work in synchronicity with states to target critical CSOs. Our evidence suggests that states use NSAs as a method to reduce the reputational

costs of repressing criticism by CSOs who shine a light on their non-compliance with commitments on human rights. We also uncovered a variety of incentive structures: economic, status or coercive, which enable, encourage and coerce the studied NSAs to restrict civic space.

- In consideration of the "symbiotic relationship", there is a clear relationship between state restrictions and NSA restrictions. We found evidence for a relationship between state restrictions and restrictions imposed by state-aligned groups dependent on severity. In some instances, NSAs use smears and misinformation campaigns to legitimise new state restrictions. In others, we find that NSAs exploit state restrictions to orchestrate more severe forms of repression against CSOs such as meeting disruptions, surveillance or threatening and attacking activists. For example, in Bangladesh where we documented the most severe case of NSA violations, we found that pro-government militias openly work with the state to perpetrate unpunished violence against activists and CSOs. Similarly, in Palestine where NSA actions were found to be least severe, we found evidence of a relationship between the Israeli state and GONGOs where both work "hand-in-hand" to develop new organisational restrictions i.e. through lawsuits, aggressive smear campaigns or pressuring donors.
- All 135 interviews confirmed that participants believed that of the NSAs assessed, their actions were directly dictated by the state. In all three cases, activists felt that state authorities were aware of the actions of NSAs and used their repertoires of restrictions to suppress dissent by critical CSOs.
- Our research suggests that state control of NSAs is dependent on the severity of restriction that the NSA can impose. For example, in Palestine we find that state-aligned NGOs (GONGOs) were used by Israel to "crowd out" or close spaces for CSO advocacy by Palestinian CSOs. Research findings noted that GONGOs in Israel use their position to legitimise, support and embolden further state restriction by the state of Israel on critical NGOs in both Israel and Palestine. Our analysis shows that in this case, GONGOs or state affiliated CSOs rarely deviate from the state agenda. Conversely, we find that armed groups like pro-government militias wield considerable power over state institutions i.e. the judiciary or police. In Bangladesh and Zimbabwe, we find that while the Chhatra League or War Veterans use their power to repress civil society in collusion with the state (i.e. to quell large-scale protests, during elections or to disrupt meetings of critical CSOs), they also coerce and control the state to preserve their hold on repressive power. In particular, we found that economic incentives or diversion of state aid were used by the state as leverage to incentivise violence by pro-government militias.

CSO resources (finances, networks, people) influence resilience

- National "naming and shaming" by CSOs against these groups is broadly considered futile. CSOs placed greater value on proving their legitimacy to the broader public while managing reputational damage. As opposed to states, CSOs note that state aligned NSAs are less concerned with CSOs drawing attention to their bad behaviour and as a result are freer to perpetrate human rights violations with impunity. Interview data suggests that CSOs wanted greater awareness and evidence regarding the collusion between these groups and the state. Yet, concretely proving complicity was problematic as states deny all knowledge of these groups' activities. Therefore, CSOs saw greater value in defending the legitimacy of their activities and managing the reputational damage inflicted by these groups.
- We also found that CSOs who have regular contact with their constituents were best placed to respond to reputational smears by NSAs. As such, smaller groups working in a particular locale were found to be better at managing reputational risks than their counterparts working at the national level, who have less direct contact with members or constituents. In fact, internationally networked groups - especially groups working in collaboration with international advocacy networks working at the national level - were found to be the most vulnerable to reputational smears by the NSAs assessed in this study.
- For example, in Palestine we found that CSOs active in international forums were the most likely to be targeted by NSA restrictions. In this light, the NSA restrictions aimed to discredit and smear activists to prevent them from distributing evidence on human rights issues in the Palestinian territories. Conversely, smaller CSOs working on local issues with regular interactions with constituents were best placed to continue their work unbowed when faced with smears against their reputation.
- Finally, CSOs adapt in the short term but claim they resist in the long term. Yet, when analysed, resistance (e.g. advocacy output) is shown to drastically depend on resource factors and thematic area. While money and networks are vital, resolve is most important. CSOs report quickly adapting or reframing activities when faced with pressure from state-aligned groups. In the longer term, CSO advocacy strategy

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switches to more confrontational and proactive strategies, which reclaim space for participation. Interview data highlights that resistance depends on the issue at stake and the resources available to the CSO. CSOs report being most likely to halt activities imposed by donors. Other tentative findings highlight that core issues, where CSOs work on behalf of the needs of a community, are the least likely to be dropped. In these cases, resolve - operationalised as a strength of representational connection to constituents - emerges as a key mechanism driving variation in outcome.

Policy recommendations

- Given the 'invisible work' highlighted in this research by CSOs when faced with NSA restrictions, The Ministry of Foreign Affairs should increase core and unrestricted funding to national CSOs, 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.

- To respond to smears, reputational attacks and fake information, 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 both the MFA and CSOs navigate rapidly changing political climates by ensuring long-term support for their work.

- Given the prevalence and drastic impact that reputational smears can have on CSO activity, it is advisable that the Ministry invest in understanding how civil society organisations (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 CSOs can exercise dynamic accountability to core constituents when faced with increasing reputational smears.

- In response to the finding that unrestricted funding aids CSO resilience, 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.

- Drawing on the finding that after attacks by NSAs, CSO collective action was shown to increase, CSOs, INGOs and the Ministry should invest in strengthening transnational coalitions of civil society actors to rapidly respond to pressure from NSAs. In particular, emphasis should be placed on sharing best practice regarding effective civil society responses to the NSAs outlined in this paper. In the long term these coalitions should focus on the rapid mobilisation of transnational advocacy responses to threats on civil society from both states and NSAs.

- To act on the tentative finding that CSOs with strong connections to constituents are the most resilient, CSOs working at the national level should strengthen connections with their members and stakeholders when formulating advocacy positions. Well-resourced national CSOs should focus their efforts on ensuring that they play a representational role for their core constituencies when formulating advocacy messages and strategies.

- CSOs should push back against donors urging them to take up broad issues that they cannot continue with when faced with restrictions. Instead, CSOs and networks of CSOs 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.

- In response to the vulnerability of CSOs highlighted in this research, CSOs should cultivate and catalyse civil society alliances, i.e. working connections between formalised national CSOs 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, legitimising 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.

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Knowledge products

- Perera, D., Merkova, S., Rahman Khan, S., Lewanika, M. & 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
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  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
- Perera, D (June 2019). Examining the Impact of Non-State Actors on Civic Space. Presentation to Dutch Ministry of Foreign Affairs.
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- Perera, D (August 2019). "What can a Dhaka slum fire and the Rohingya crisis tell us about enforced disappearances in Bangladesh?" Scroll.in Blog Post 30 August 2019.
  https://scroll.in/article/935602/what-a-dhaka-slum-fire-and-the-rohingya-crisis-tell-us-about-enforced-disappearances-in-bangladesh
- Perera, D (September 2019). People Power Under Attack: A International Perspective. Presentation at the University of Exeter.
  http://civicus.org/documents/CIVICUSExeterPresentation.pdf
- Perera, D (October 2019). Examining the Impact of Non-State Actors on Civic Space. Presentation to Include at final workshop.
  http://civicus.org/documents/CIVICUSPresentation8October.pdf

CIVICUS. (Forthcoming November 2019). Civil society and anti-rights groups. Thematic report. Contact

Dominic Perera, research project leader, dominic.perera@civicus.org

Web link

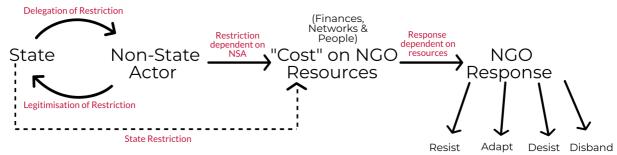https://includeplatform.net/new-roles-csos-inclusive-development

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Annex 1: Overview of data

Case	Interviews	Group Interviews	Focus Groups	Documents Reviewed
Bangladesh	46 interviews with international NGOs, local NGOs (including feminist groups, human rights organisations, legal aid associations, workers' rights groups, refugee and migrant rights groups, Dalit rights groups, LGBTI groups & government sponsored NGOs), academics, local journalists, international journalists, trade unions and student leaders. (A list of participant NGOs and participant profiles is available on request).	20 - a number of the interviews with participant NGOs took place as group interviews with multiple staff.	0	• Press statements by NGOs • Reports by NGOs/INGOs • Media reports • Government documents • Financial records/data • Academic publications • Board minutes • Social media posts
Palestine	47 interviews with local NGOs, international NGOs (including human rights groups, land rights associations, legal aid groups, media freedom organisations, farmers' rights groups, feminist groups/gender justice organisations), academics, journalists, IGOs & youth groups. (A list of participant NGOs and participant profiles is available on request).	0	1	• Press statements by NGOs • Reports by NGOs/INGOs • Media reports • Press statements by NSAs • Social media posts • Academic publications
Zimbabwe	42 interviews with national and international NGOs (including human rights organisations, election monitoring groups, development organisations, media freedom associations, feminist organisations/gender justice organisations & LGBTI groups) local donors, bi-lateral donors, student leaders, academics and opposition political activists. (A list of participant NGOs and participant profiles is available on request).	3 - some interviews took place with multiple activists.	0	• Press statements by NGOs • Reports by NGOs/INGOs • Media reports • Government decrees/communiques • Financial records/data • Social media posts

Overview of Argument:

Delegation of Restriction

State — Non-State Actor

Restriction dependent on NSA

(Finances, Networks & People)
"Cost" on NGO Resources

Response dependent on resources

NGO Response

Legitimisation of Restriction

State Restriction

Resist   Adapt   Desist   Disband

Responses:

	Definition	**Observable Implications**
Resist	An NGO continues or increases shaming the state by continuing advocacy as a visible opponent of the state by disregarding restriction(s). In doing so they make no change to their strategy or mandate.	Continued or increase in advocacy outputs.
Adapt	An NGO continues shaming the state but does so by adopting an alternative advocacy strategy in light of restrictions. Consequently, the NGO makes tactical concessions or reframes activities to adapt to restrictions.	Change in language regarding advocacy issue or shift in advocacy framing.
Desist	An NGO stops advocating on a particular sensitive issue and refocuses activities in light of restrictions. This issue at hand is dropped completely due to restriction.	Complete change in advocacy tactics or issue.
Disband	An NGO disbands and ceases operation altogether as a result of restrictions to protect individuals involved with the organisation.	The NGO is unable to operate and ceases to exist as a formalised organisation.

Resources:

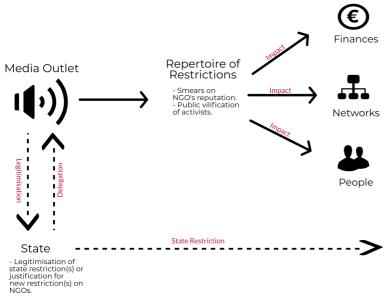|	**Definition**	**Observable Implications**
Finances	Finances enable formalised groups to operate. From running projects to employing staff, finances enable groups to function on a day to day basis.	Available funds, type of donor and type of funding.
Networks	Domestic and international connections to other CSOs enables the transfer of solidarity, information and expertise between groups.	Active membership of national, regional or international coalitions.
People	A CSO's human resource matters. From its staff, to its members, to its constituents. People give a CSO legitimacy and enable it to operate.	Number and well-being of staff, members, supporters or core constituents.

Restrictions used by NSAs:

Restrictions Targeting Organisation	Restrictions Targeting Individuals
- Increased competition for funding from GONGOs	- Personal harassment/intimidation (including family of activists)
- Legal challenges over NGO activity or bureaucratic restriction i.e. the revocation or suspension of existing licenses as a result of NSA activity	- Travel ban/restriction of access
- Co-optation of civic actors/vocal CSO staff by NSA	- Threats and smears
- Project sanction by NSA i.e. SLAPP	- Criminal defamation
- Internet/communication restriction /censorship	- Surveillance
- Office raid/destruction/NGO equipment confiscated	- Illegal detention of activists/abduction/kidnapping/enforced disappearance
- Threats and smears/public vilification of organisation	- Torture and ill-treatment
- Criminal defamation of organisation	- Violent physical attack on activists
- NSA surveillance of organisation	- Killing/death of activists
	- Sexual and other gender-based assault / harassment

Annex 3: Analytical Framework 2 (NSAs, Restrictions, Costs & Implications):
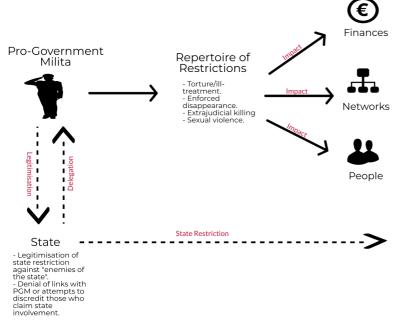
State Controlled or Coopted Media:

Costs on NGO Resources

Observable Implications

Media Outlet

Legitimisation · Delegation

State
- Legitimisation of state restriction(s) or justification for new restriction(s) on NGOs.

Repertoire of Restrictions
- Smears on NGO's reputation.
- Public vilification of activists.

Impact → **Finances**

Impact → **Networks**

Impact → **People**

State Restriction

Finances
- Problems engaging new donors.
- Decrease in trust from existing donors.
- Increased scrutiny on financial management by authorities.

Outcome →
- Decrease in funding from new donors.
- Problems accessing funds or unrestricted funds from existing donors.
- Reduced spending on "risky" activities.

Networks
- Decreased in trust from regional and international allies.
- Increase in local collective action in short term yet decrease in long term.
- Problems accessing international human rights mechanisms/IGOs.

Outcome →
- Reduction in transnational advocacy activities.
- Time-bound fluctuation in joint domestic advocacy activity.
- Activists report problems engaging with international systems regarding human rights issues.

People
- Activists are smeared with false allegations i.e. terrorism or corruption.
- Activists are unable to leverage new or existing transnational allies through personal connections.
- Members and supporters decrease participation in NGO's activities.

Outcome →
- Activists complain of physical or mental health issues due to constant smears.
- Activists highlight time needed to manage reputational smears.
- Activists note that transnational partners are unwilling to work with them.
- Membership or perception of public support by NGO employees is cited to decrease.

Pro-Government Militias (PGM):

Costs on NGO Resources

Observable Implications

Pro-Government Milita

Legitimisation · Delegation

State
- Legitimisation of state restriction against "enemies of the state".
- Denial of links with PGM or attempts to discredit those who claim state involvement.

Repertoire of Restrictions
- Torture/ill-treatment.
- Enforced disappearance.
- Extrajudicial killing
- Sexual violence.

Impact → **Finances**

Impact → **Networks**

Impact → **People**

State Restriction

Finances
- Financial extortion of NGOs working in areas controlled by PGM.
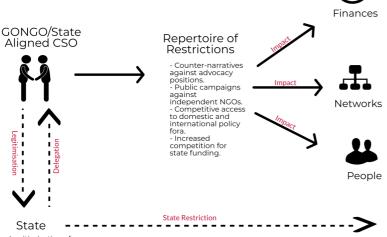- NGOs spend finances to protect staff i.e. by increasing security.

Outcome →
- NGOs report being unable to operate in certain areas without financial payment to PGMs
- Reduction in spending on advocacy

Networks
- Overall decrease in collective action on politically sensitive issues for fear of reprisal.
- NGOs report problems with working with colleagues based in areas controlled by PGMs (reduced information networks).

Outcome →
- Reduction in transnational advocacy activities.
- Rapid increase and then decrease in national joint advocacy.
- Activists report issues gathering information on human rights situations outside of the capital.

People
- Activists subject to physical integrity violations.
- Decrease in staff participation in activities.
- Problems recruiting and retaining staff.
- Members or supporters scared to publicly affiliate or mobilise around NGO activities.
- Public scared to engage in NGO activities or participate in mobilisations.

Outcome →
- Activists complain of severe physical or mental health issues due to fear of violence.
- Activists underscore a pervasive climate of fear surrounding activities.
- Activists stress concerns over their families or friends well-being.
- A rapid decrease in staff numbers.
- Membership and public mobilisation efforts by NGO dwindles (reduction in campaigning).
- Activists and affiliates stress they are scared to continue advocacy.

Government Organised NGO (GONGO) or State Aligned Civil Society Groups:

GONGO/State Aligned CSO

Legitimisation

Delegation

State
- Legitimisation of state restriction against independent NGOs as "foreign agents" after accessing international funding.
- Selective engagement with state-aligned groups/GONGOs over independent groups.

Repertoire of Restrictions
- Counter-narratives against advocacy positions.
- Public campaigns against independent NGOs.
- Competitive access to domestic and international policy fora.
- Increased competition for state funding.

Impact

Impact

Impact

State Restriction

Finances

Networks

People

Costs on NGO Resources

- Problems engaging new donors via smears.
- Decrease in trust from existing donors.
- Decline in available domestic funding and rise in competition from state sponsored groups.

- Increase in mistrust between existing local networks over "infiltration" by state aligned groups or GONGOs.
- Collective action between national networks decreases as NGOs compete for visibility.
- Transnational advocacy falters as international groups express concern over impartiality of information from local sources.

- NGO unable to retain staff as smear campaigns target staff.
- Members express concern over counter-narrative campaigns.
- NGO struggles to effectively communicate message with broader public.
- Public perception of NGO decreases.

Outcome

Outcome

Outcome

Observable Implications

- NGO reports difficulty raising funds and maintaining operational capacity.
- NGOs report being unable to operate in certain areas without prior approval of PGMs.
- Reduction in spending on advocacy.

- Reduction in local advocacy activities.
- NGOs report struggling to access national and international policy fora due to selective engagement with GONGOs/state aligned groups.
- Activists report struggling to gain "attention" of international allies.
- International NGOs cite a mistrust of local groups' activities due to infiltration.

- Activists note increased competition for visibility.
- Activists emphasise new civic groups with no links to constituents.
- Activists stress that public trust in the NGO has decreased.
- Activists note new groups advocating in domestic and international policy.

INCLUDE

Annex 4: Questions asked of respondents:

1. Are there restrictions on your organisation's work?
2. Who imposes these restrictions?
3. How, in your view, have these restrictions influenced your ability to fulfil your mandate?
4. How would you describe groups outside of the state which your organisation has come into conflict with?
5. Are there conditions under which restrictions from non-state actors (for example, groups like religious extremists, transnational corporations or government sponsored NGOs (GONGOs)) have increased or decreased?
   - Did actions by these groups follow restrictions from the state? Or vice versa?
6. How would you describe non-state actor tactics and strategies against your organisation? Have these changed over the past 10 years?
7. How do these actions differ from restrictions imposed on your organisation by states?
8. How would you describe these NSAs' relationship with the state/or government?
   o Can you provide any more details?
9. What, in your view, are the consequences of non-state restrictions on your organisation?
   o For your members and staff?
   o For your organisation's financial stability and ability to raise funds?
   o For collaborative activities with other NGOs/INGOs?
10. Which type(s) of non-state actor restriction had the biggest effect on your organisation's ability to conduct advocacy? Why?
11. Did you contact the authorities for assistance? Or did you report these events?
    o Can you provide more details?
12. How did actions by NSAs influence public support for your group?
13. What strategies did your organisation implement to respond to actions by these groups? Why did you take these actions?
14. How important was the preservation of your organisational resources in your advocacy decisions? People? Networks? Money?
15. Are there any additional sources or documentation that would help us understand any of the issues discussed today?