

CONCORD

European Confederation of NGOs working on
sustainable development and international cooperation

STANDING STRONG IN THE STORM

An EU strategy to safeguard civic space worldwide

DECEMBER 2023



INTRODUCTION

Civil society is at the heart of democracy and sustainable development. There are many different forms of civil society, made up of a wide diversity of actors, with changing roles and mandates. Forming associations and organisations is both a right and a means of making people's participation and commitment to change effective and sustainable. **Civil society organisations play facilitating roles between people and their governments** by amplifying the voices of those facing marginalisation and exclusion, by defending and asserting rights, and by demanding transparency and accountability.

The **growing restrictions of civic space** in many countries around the world, including in the European Union (EU), are **linked to an anti-democratic development globally** that questions the universality of human rights. The closing of civic space has severe negative impacts on inclusive and sustainable development.

CONCORD welcomes the EU's initiatives to protect civil society actors and human rights defenders, and to respond to shrinking space in its external action. The EU is a strong ally and has outlined its commitment to defend, promote and enable civic space in its

2012 Communication Roots of Democracy and Sustainable Development, and its Human Rights and Democracy Action Plan, among other policy documents. **This paper presents CONCORD's recommendations to the EU and Member States to continue their support of civic space and an enabling environment for civil society around the world**, through a structured and systemic strategy. It ties each section to the EU's commitments to the OECD DAC recommendations on enabling civil society in development cooperation and humanitarian assistance.¹



¹ OECD/LEGAL/5021, [DAC Recommendation on Enabling Civil Society in Development Co-operation and Humanitarian Assistance](#) (2021)

AN EU STRATEGY FOR CIVIC SPACE



✓ OECD DAC Recommendation on Enabling Civil Society

Pillar 1: Respecting, Protecting and Promoting Civic Space



According to CIVICUS' civic space monitor, in 2023 only 2.1% of the world's population lives in countries with an open civic space. Out of 198 countries assessed, 118 have serious civic space restrictions.

Recommendations:

- **Support a safe and enabling environment for civil society around the world:**

- With respect to the EU Treaties and international and European human rights conventions, the EU must promote and protect civic space and fundamental rights (freedom of assembly,

association and expression) online and offline, in its internal and external policies and ensure that civil society is free from different forms of repression (violent, material, legal).

- The EU should adequately apply key principles of development effectiveness, including democratic ownership which requires inclusive partnerships with CSOs and their meaningful participation in strategic processes such as Team Europe and Global Gateway initiatives, among others.³
- The EU should use the opportunity of the mid-term review of the Global Europe Instrument-NDICI to ensure adequate funding for civil society both in terms of quantity and quality from the different programmes of the NDICI, in particular through geographic programmes that are currently largely implemented by pillar-assessed organisations via indirect management.⁴

- The strategy must **recognise that attacks on civic space are a global issue**, and embrace the importance of reinforcing policy coherence in the EU's internal and external approach. Civic space is shrinking inside and outside the EU, and restrictions and attacks on civic space, democracy and the rule of law inside the EU affect the EU's legitimacy and credibility and its ability to effectively promote

² CIVICUS, [Global Findings 2023- In Numbers](#) (2023)

³ Council Conclusions on the [Team Europe Approach](#) (November 2023)

⁴ CONCORD, [Who holds the lion's share? A closer look at Global Europe Funds for CSOs](#) (2023)

and defend civic space worldwide.

- The EU strategy for civic space should be underpinned by a **human rights based approach** upholding **fundamental freedoms**, and the principles of **universality and intersectionality**.
- The strategy should outline and promote the **use of a variety of existing EU tools** to defend and

promote civic space at all decision-making levels and in various spaces (multilateral to local levels): political dialogue, development co-operation, funding, as well as new mechanisms and mandates that are properly resourced (e.g. to support CSO focal points in EU Delegations).

- The **EU should gather disaggregated data based on gender** to break down and highlight the specific impact of civic space shrinkage on women's rights and feminist organisations, as well as non-binary individuals and

A vibrant and diverse civil society to support an intersectional approach in EU external action

Civil society is a key ally in implementing an intersectional approach and formulating solutions based on experiences and lived realities in various contexts, contributing to more inclusive and effective policies and programmes. It is essential to recognise the unique and specific needs of various types of CSOs and civil society actors, formal and informal (Women's Rights Organisations, LGBTQIA+, indigenous peoples and migrants' organisations, Organisations of Persons with Disabilities, social movements, activists and human rights defenders etc), and ensure the full participation of those groups and organisations representing people experiencing intersectional discrimination in policy and decision-making processes.

In order to support a safe, vibrant and diverse civic space, it is also crucial to capture and address:

- how attacks against civic space may target specific organisations or organisations working on specific topics in different contexts (e.g. LGBTQIA+ organisations).

- the challenges, multiple and overlapping layers of oppression and forms of discrimination that civil society workers - and in particular activists and human rights defenders - face based on their gender identity and expression, sexual orientation, race, age, disability, ethnicity, religion or belief, socioeconomic or migration status, etc.⁵



According to Global Witness, in 2022 at least 177 defenders lost their lives protecting our planet. Latin America accounts for 88% of killings, a third (36%) of which were committed against Indigenous peoples and a fifth (22%) against small-scale farmers who rely on their lands and natural resources for a living.⁶

1

Early warning and early response mechanisms to protect civil society, activists and human rights defenders



to shrinking space in its external action. The recent funding call for a system for an enabling environment, as well as the third generation of CSO roadmaps which should put a stronger emphasis on strengthening civic space, send a positive message and provide useful tools to civil society actors and EU Delegations to respond to new trends and attacks. We encourage the EU to continue these efforts.

✓ OECD DAC Recommendation on Enabling Civil Society

Pillar 1: Respecting, Protecting and Promoting Civic Space

CONCORD welcomes the EU's initiatives to protect civil society actors and human rights defenders, and to respond

- The EU should **set up proactive and reactive (emergency) mechanisms for early warning and response** to monitor and raise the alarm about the closing of civic space and react rapidly. EU Delegations and Member States' Embassies should engage against repressive initiatives and laws at an early stage, including by maintaining

⁵ CONCORD considers these grounds highly relevant but acknowledges that there are other grounds of discrimination that operate and interact with each other, also depending on geographic location.

⁶ Global Witness, [Standing Firm: The Land and Environmental Defenders on the frontlines of the climate crisis](#) (updated September 2023). For data on women's human rights defenders, see also: IM Defensoras, [Mesoamerican Registry of Aggressions against Women Human Rights Defenders: 2022- Preliminary annual data](#) (2022)

constant contact with civil society organisations and through clear, precise and consistent statements as provided for in the EU Guidelines on Human Rights Defenders.

- The EU should **support the gathering and effective dissemination of reliable, timely and easily accessible information** related to civic space, including by engaging regularly with various representatives of civil society to understand local contexts and dynamics and by supporting civil society organisations to monitor developments and gather evidence at an early stage and to react through early alerts.
- The **EU should focus more specifically on women defenders and LGBTQIA+ activists**, who may face unique risks and challenges, discrimination and oppression. In addition, in order to really question and transform patriarchal norms and structures, as well as contribute to not perpetuating discrimination, it should include broader conceptualisations of what civil society means including non-formal organisations.
- The EU should **design more calls for proposals to financially support civil society** in addressing early signs of shrinking space, including in online spaces.



Online civic space and new technologies

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✓ OECD DAC Recommendation on Enabling Civil Society

Pillar 1: Respecting, Protecting and Promoting Civic Space

Digital technology and the internet are great enablers for activism and freedom of expression. However, they can also be tools for repression and attacks on civic space, often reflecting the challenges that civil society actors face in the physical world. In line with the European Declaration on Digital Rights and Principles for the Digital Decade, the EU should promote universal human rights and put people at the centre of the digital transformation. **This implies taking action for an enabling environment for civic space online**, as a condition for the participation of civil society and the protection of rights in a digital age.



In 2021, Access Now recorded 182 internet shutdowns in 34 countries worldwide, often used to silence or limit people's access to information when they need it

⁷ Access Now, [#KeepItOn Campaign](#) (updated May 2023)



According to Plan International's [Free to be Online](#) report, girls and young women activists who express their opinions online are at heightened risk of online harassment.⁸

Recommendations:

- **The EU should support civil society and activists** to make the most of the freedoms of the digital space, while mitigating the risks they face online (surveillance, spyware, cyberbullying, sexual abuse and harassment, mis and disinformation etc.).
- In line with an intersectional approach, the EU should take into account the **experience, safety and specific challenges faced by minorities, girls, women and non-binary individuals and activists in digital spaces**, and support the development of strategies to address online harassment and gender-based violence.
- **The EU should strengthen civil society's capacity to research, advocate and litigate on digital rights** and issues related to digitalisation, including by supporting collaboration and partnership between civil society organisations both within and between countries, to strengthen civil society's ability to influence digital policy at different levels and in different contexts.

Other resources:

- Brot für die Welt, [Digitalisation and Civic Space: Chances and Challenges](#) (2022)
- CONCORD, [Demystifying the People-Centred Approach for the Digital Transformation](#) (2023)
- OHCHR, [Mapping and addressing](#)

3

Building solidarity grounded in partnerships



OECD DAC Recommendation on Enabling Civil Society

Pillars 2 and 3: Supporting and Engaging with Civil Society, and Incentivising CSO Effectiveness, Transparency and Accountability

Recommendations:

- Solidarity should be rooted in equitable partnerships moving away

⁸ Plan International, [Free to Be Online?](#) (2020)

from the top-down ‘implementing partners’ approach. The EU should **respect the right to autonomy and self-determination** of civil society and should adopt a decolonial⁹ approach towards civil society actors in its partner countries.

- It is essential that the EU **recognises and promotes the role of partner countries’ civil society actors** in identifying, co-designing and implementing development projects as a fundamental element of locally-led development.¹⁰ Development initiatives should be “as local as possible and as international as necessary”, and local actors should be at the forefront of decision-making to achieve the best and most effective development outcomes. For this, the EU should review its engagement with and roles towards local partners, and support International Civil Society Organisations (ICSOs) to go through a similar process with the support of its EU Delegations.
- Increase core funding for civil society and augment direct and simplified financial support specifically for civil society in EU partner countries. **Core support is the most conducive form of funding to strengthening independent, pluralist civil society in partner countries.** Core support is “the most development-effective type of support,

with advantages such as predictability, flexibility, sustainability, administrative efficiency, and significantly, ownership and accountability”.¹¹ Core support should be prioritised when possible as it reinforces partner country civil society actors’ leadership by enabling them to articulate their needs and achieve their goals (*see also next section on Funding for CSOs in restricted spaces*).

- **Support ICSOs in their reflection and process** to shift power in their partnership with CSOs from EU partner countries. Put in place the modalities of support that would facilitate and incentivise strategic partnerships led by CSOs from partner countries.

Other resources:

- OECD toolkit: [Funding Civil Society in Partner Countries \(2023\)](#)
- CSO Partnership for Development Effectiveness, [Implications of Istanbul Principles and DAC recommendations on enabling civil society \(2023\)](#)

⁹ Oxfam, [Decolonize! What does it mean?](#) (2022)

¹⁰ “Substantially locally-led development means that local CSOs have the right of initiative: vision and goals originate from the local actors and communities. Local leadership is supported to host, manage, and take ownership and responsibility over the outcomes of the projects”. CPDE, [Implications of the Istanbul Principles and the DAC CSO Recommendation on Enabling Civil Society For ICSOs](#) (2023)

¹¹ OECD DAC Members and Civil Society, [Overview: Enabling civil society through effective development co-operation](#) (2020)



Funding for CSOs in restricted spaces

4

✓ OECD DAC Recommendation on Enabling Civil Society

Pillars 1 and 2: Respecting, Protecting and Promoting Civic Space, and Supporting and Engaging with Civil Society

Shutting down financial resource flows for civil society organisations and activists is often one of the first strategies employed by those who are shrinking civic space. Donors, governments and multilateral institutions must actively promote the role of civil society and provide direct and flexible support to CSOs to ensure they have access to the necessary resources, information and coordination fora.



Aidwatch 2023: Of the total support for CSOs in EU ODA in 2021, only 10% was allocated to civil society organisations in partner countries.¹²

Recommendations:

- **Provide multi-year, transparent and predictable core funding.** Civic space can be shrunk rapidly as a consequence of specific events (such as the COVID pandemic, a political crisis, a humanitarian crisis) or can be shrunk over time through persistent undermining of civil society. Therefore, a proper support mechanism does not only entail rapid reaction funding but also supporting long-term, flexible core and functioning costs that allow civil society organisations to survive in a hostile environment. Multi-year funding is important for predictability and long-term development outcomes as it enables partner-country civil society actors to retain staff and ensure greater programme and organisational preparedness and stability. The EU should recognise the additional overheads/costs that come with conducting activism in a restricted context.
- Ensure **regular and inclusive consultation processes and greater feedback on programmatic decisions, and maintain direct dialogue with civil society** in partner countries through flexible ways, including bilateral engagement, that do not put civil society actors at risk.

¹² CONCORD, [AidWatch Report 2023: Bursting the ODA inflation bubble](#) (2023)

After interviewing staff from some EU Delegations, CONCORD's recent study [Who holds the lion's share? A closer look at Global Europe Funds for CSOs](#) identifies five paths to maintain financial support to CSOs in crises-affected contexts by employing adaptable approaches and flexible mechanisms tailored to specific circumstances including limited and endangered civic spaces:

1. More flexibility: "We need pre-agreed specific rules so we can work more effectively." EU Delegations should be able to adapt quickly to changing circumstances by revising and changing objectives and activities so that projects can continue operating.

2. Possibilities for confidentiality: CSOs operating in environments with limited civic space often face the risk of government scrutiny. To allow them to maintain the confidentiality of their work, appropriate rules are required, including maintaining opportunities for continuous bilateral and informal dialogue over more structured approaches in certain contexts.

3. Diversification of the types of organisations supported, including local, grassroots and international organisations.

4. Joint forces and better coordination so that governments would be more hesitant to shut down a programme:

- by diversifying implementing partners, including international organisations;

- by diversifying funding sources and donor organisations;
- by putting into place stronger coordination mechanisms between EU Member States.

5. Possibilities to maintain funding after the closure or departure of a CSO into exile, including through the strategic use and activation of funds through global thematic rather than geographic programmes.

Other resources:

- CONCORD, [Funding for civil society organisations in the Neighbourhood, Development and International Cooperation Instrument – Global Europe \(2023\)](#)
- CONCORD, [Who holds the lion's share? A closer look at Global Europe Funds for CSOs \(2023\)](#)
- CONCORD, [AidWatch: Bursting the ODA inflation Bubble \(2023\)](#)
- CONCORD, [Funding local women's rights organisations for transformative change \(2023\)](#)

5

Meaningful, safe and inclusive participation



and systematic dialogue mechanisms; accessibility, inclusion and safety; information sharing; co-creation; and transparency and accountability.

✓ OECD DAC Recommendation on Enabling Civil Society

Pillars 1 and 2: Respecting, Protecting and Promoting Civic Space, and Supporting and Engaging with Civil Society

In its 2022 paper “7 practices for civil society participation in EU decision-making”, CONCORD has written extensively about the importance of the EU’s engagement with civil society, and what elements are most conducive to meaningful, safe and inclusive participation. The EU’s 2012 Communication on “the Roots of Democracy and Sustainable Development: Europe’s engagement with Civil Society in External Relations” and subsequent EU commitments, as well as the CSO roadmaps in partner countries, provide an important foundation for this work.

Recommendations:

- **The EU should apply the 7 practices**, with particular attention to creating or reinforcing structured

- **Dialogue should be in place in the framework of thematic and policy approaches** such as currently in the case of the Gender Action Plan III structured dialogue, the Global Gateway civil society platform, and the Digital for Development Hub civil society and academia advisory group, but also in the framework of the EU’s partnership with other regions, such as the EU-AU and the EU-CELAC partnerships. The EU must ensure structured and systematic dialogue with civil society, including follow-up and feedback.
- The **EU should support a broad range of civil society actors**, including formal and informal organisations, social movements, trade unions, etc. The EU should specifically commit to collaborating with and supporting women’s rights organisations and CSOs focusing on gender equality.

Other resources:

- CONCORD, [7 practices for civil society participation in decision-making \(2022\)](#)
- CONCORD Sweden, [Give Space! A Guide for the Safe and Meaningful Inclusion of Local Civil Society \(2022\)](#)



Strengthened institutional capacity

6

✔ OECD DAC Recommendation on Enabling Civil Society

Pillar 2: Supporting and Engaging with Civil Society

It is crucial for the EU to **translate political commitments into political will and a change in culture and attitudes**, for real engagement with and protection of an enabling environment for CSOs.

In line with the EU's 2012 Communication on the Roots of Democracy and Sustainable Development, this culture shift must stem from a recognition by the EU – at all levels and across all institutions and services – of civil society actors as fully-fledged partners, and centering civic space as a key area in the EU's democratic and human rights efforts. **Leadership's support is particularly important to ensure buy-in.**

Recommendations:

- **Reinforce human resources, training of staff, and financial resources in headquarters and at EU Delegation level** in order to match ambitions and ensure the implementation of the civic space strategy and other relevant policies and practices, as well as different mechanisms to promote and protect civic space.
 - By allocating human resources capacity at partner-country level, the EU might be able to decentralise and streamline administrative processes and compliance requirements for directly funding partner-country civil society.
 - Propose knowledge exchange between delegations and embassies for them to enhance knowledge and be mutually inspired about their roles in protecting civic



7

Policy Coherence, transparency and accountability



✓ OECD DAC Recommendation on Enabling Civil Society

Pillars 2 and 3: Supporting and Engaging with Civil Society, and Incentivising CSO Effectiveness, Transparency and Accountability

The EU, its Member States as well as its partners are all accountable to uphold civic space, and human rights. It is essential that the EU applies policy coherence for sustainable development to its work on civic space and that it increases its transparency, monitoring and reporting mechanisms.

Recommendations:

- **The EU, together with partners, must abide by international human rights law and standards.** This is especially important in a changing world order where the EU is seeking value-based partnerships. Peace, democracy and human rights are embedded in the EU's treaties and must be upheld. Trends to restrict and attack civic space, democracy and the rule of law inside the EU affect the EU's legitimacy and credibility worldwide.

- **It is crucial for the EU not to implement strategies, policies or programmes that may have negative impacts on partner countries,** undermining their development or human rights. The impact of EU actions in other policy fields such as trade, migration, security on civic space and human rights must be assessed and addressed.

- In order to boost its accountability, **the EU must increase its transparency and reporting,** including by identifying clear commitments and actions, maintaining regular dialogue with civil society at various levels (in partner countries and in headquarters) and sharing information about its actions, in addition to supporting civil society in partner countries to hold their governments accountable on their commitments.

- In line with the third pillar of the OECD DAC Recommendation on enabling civil society, **the EU should incentivise CSOs effectiveness, transparency and accountability,** including but not limited to by supporting the implementation of the Istanbul principles on development effectiveness and civil society's commitment to shifting the power.

Other resources:

→ CONCORD, [A Guide to Policy Coherence for Sustainable Development](#) (2020)

