



**THE YEAR**

**IN**

**REVIEW**

# INTRODUCTION

It has been another year of hard work and high achievement for civil society. The story of the year since the 2014 State of Civil Society Report was published has partly been one of a continuing series of attacks on civil society in the many countries where, when civil society asks difficult questions about power, the powerful seek to silence it. But it has also been a story of impressive and sustained civil society response, in a world that has become more turbulent and contested.

As we show below, civil society faces challenges - of lack of space, under-resourcing and limited access to decision-makers. Civil society also needs continually to prove its connection with and relevance to citizens, and it needs to demonstrate its ability to stay ahead of trends and innovate. When civil society groups do not do these, they fail. But so often, we see civil society leading the response to crisis, taking on difficult issues, contributing to change, and winning arguments for social justice.

This year in review section of the 2015 CIVICUS State of Civil Society Report is complemented by our report's special thematic section on the resourcing for civil society, and the 27 guest contributions, from civil society activists and experts, on the resourcing theme. This year in review looks back at the twelve months since the last report was published, from June 2014 to May 2015. It seeks to identify the major stories around the world where civil society has made an impact, and where civil society has been challenged, and to draw learning from these about what needs to happen next to better enable civil society to promote positive change. It is necessarily a selective overview, and a snapshot of a volatile and changing world, but we think that, combined, the stories below tell us something compelling about the power of civil society to address the multiple challenges of today, ranging from political crises to humanitarian emergencies.

Together, these stories tell us that only civil society, in its broadest sense, is taking a stance against the concentration of power in the hands of a tiny, global, super-rich elite, and against the attempts of many political leaders and corporate interests to undermine human rights and the value of people's participation. Civil society, in the examples we offer below, is trying to give voice to the marginalised, grow democratic space, hold decision-makers to account and reinvent governance, from local to global level. But because civil society challenges powerful interests it often comes under attack and, in some contexts, rather than play an expansive role, civil society must instead focus on combating existential threats – and needs your help to do so.

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This review is a product of the rich and diverse global civil society that CIVICUS exists to serve. In compiling this review we have drawn from the invaluable insights of the members and stakeholders of the CIVICUS alliance, which have been shared with us over the last year, and carried out a range of special interviews with civil society activists and experts involved in the major issues of the day. We thank them all for their contributions.

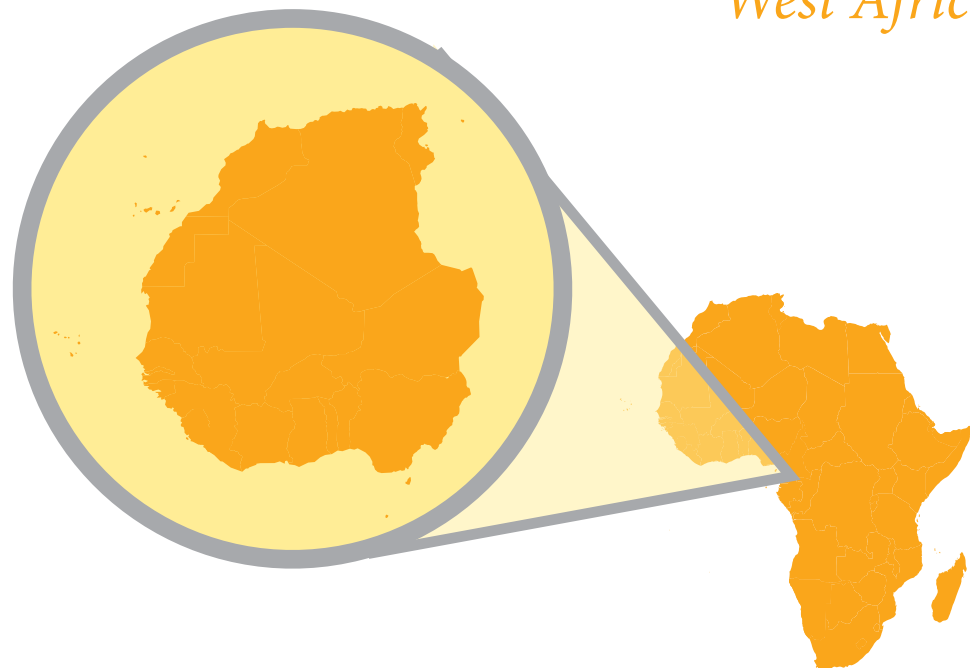
# 1 CIVIL SOCIETY RESPONDING TO EMERGENCY

One way that civil society demonstrates the difference it makes is by responding to emergencies and humanitarian crises. As explored in depth in the 2011 State of Civil Society Report, civil society is often the first responder, being more nimble than governments and intergovernmental bodies, and more trusted by communities than other agencies. At the same time, the need to respond to emergency can bring challenges of prioritisation and coordination, particularly between local and international CSOs.

## CIVIL SOCIETY IN THE FRONTLINE: RESPONDING TO EBOLA IN WEST AFRICA

These issues were brought to the fore in the world's biggest public health crisis in years, as Ebola struck Guinea, and then spread to Liberia and Sierra Leone in 2014, costing over 11,000 people their lives.<sup>1</sup> Ebola was a health problem that exposed, and became, a development problem: countries with limited resources and strained health services were simply unable to deal with an epidemic heaped on top of existing challenges. Ebola exposed major failings in governance, and demonstrated the value of civil society response, along with the challenges it faces when doing so.

As the contribution to our report from Sharon Ekambaram of Médecins Sans Frontières (MSF) makes clear, the Ebola crisis was largely avoidable. It was something that was allowed to happen because of institutional failures and structural weaknesses in health systems:



*The inefficient and slow response from the international health and aid system, led by the World Health Organisation (WHO), which saw a months-long global coalition of inaction, provided ample opportunity for the virus to spread wildly, amid a dearth of leadership and the urgent action that was required.*

*The International Monetary Fund (IMF) programmes that bankrolled redevelopment placed priority on debt and interest payments, rather than social welfare and health spending. These conditionalities attached to IMF and World Bank loans forced Guinea, Liberia and Sierra Leone to cap the number of health workers they employed and what they could be paid.*

Only in August 2014 did WHO declare the outbreak an international public health crisis, six months after it had started and civil society had responded in Guinea. MSF locates Ebola failures within a broader pattern of a failing intergovernmental system, noting that the lessons from the last large-scale public health crisis, Haiti's 2010 cholera outbreak, were simply not learned. Funding cuts in international health institutions also eroded ability to predict and plan for response, suggesting similar challenges for future epidemics.<sup>2</sup> This is consistent with our analysis in the 2014 State of Civil Society Report, which found that global institutions are insufficiently able to address contemporary challenges. Also noteworthy was the limited response of regional institutions, such as the African Union (AU), while poor governance at the national level further hindered effective early response: the government of Sierra Leone was accused of initially denying the existence of the outbreak and withholding information.<sup>3</sup> Put simply, if the international system worked more effectively, and if governments were more open and democratic, fewer people would have died.

In the face of this inaction, civil society did its best to step up to the challenge. Civil society personnel found themselves unable to turn away, voluntarily risking their lives to fight a disease that put first responders at strong risk of contagion.

Moriah Yeakula, a member of Citizens Organized for the Promotion of Transparency and Accountability, a Liberian CSO, best summarised the need to respond that those in civil society felt:<sup>4</sup>

<sup>2</sup> Global Health Technologies Coalition, 'Ebola Was the Wake-Up Call for Global Health... Are We in Danger of Hitting the Snooze Button?'; 23 March 2015, <http://bit.ly/1CVEm37>.

<sup>3</sup> AIDS Accountability International, 'African Civil Society Response to Ebola', <http://bit.ly/1Bu96pn>; Médecins Sans Frontières (MSF), *Pushed to the Limit and Beyond: A year into the largest ever Ebola outbreak*, 2015, <http://bit.ly/1G6xqny>.

<sup>4</sup> Quotation taken from: Kelly Ann Krawczyk, *Community and Citizen Engagement: Liberian Civil Society Advances the Battle to End Ebola*, <http://bit.ly/1POeSOP>.

*Government is clearly overwhelmed. We cannot sit and wait for the international community. We don't know when they will arrive, and at the end of the day this is our problem... Civil society can step in and do what government cannot because... people trust civil society more... Grassroots organisations have better insight into the wants and needs of communities.*

Civil society's response was recognised when TIME magazine named 'the Ebola fighter' as its 2014 Person of the Year, commenting:<sup>5</sup>

*Governments weren't equipped to respond; the World Health Organisation was in denial and snarled in red tape... But the people in the field, the special forces of Doctors Without Borders/ Médecins Sans Frontières, the Christian medical-relief workers of Samaritan's Purse and many others from all over the world fought side by side with local doctors and nurses, ambulance drivers and burial teams.*

It's sobering to compare the committed, responsible work of civil society in West Africa with the hysterical over-reaction seen in some global northern countries, where a handful of cases provoked an ill-informed media frenzy. At the height of the hysteria, parents in the US pulled children out of school because a staff member had travelled to Zambia, while in Spain #VamosAMorirTodos (we're all going to die) trended on Twitter after a nurse contracted Ebola.<sup>6</sup> This suggests that much development education work still needs to be done amongst global north publics.

The problem was that the Ebola outbreak was an overwhelming challenge, far exceeding the capacity of civil society alone. If there is an assumption that civil society's emergency response capacity will pick up the pieces, this suggests complacency and expediency, rather than a systemic approach. The rapid response capability of organisations such as MSF, International Red Cross/Red Crescent and Samaritan's Purse, while formidable, may be taken for granted; a shift in emphasis by other international CSOs, away from humanitarian response and into policy and advocacy work, while having strong logic behind it in terms of how lasting change can be achieved, has also been noted as a factor.<sup>7</sup>

Civil society also faced the obstacle of an initial lack of government willingness to cooperate, fuelled by government distrust in civil society. For example, in Liberia, CSOs were not originally included in the national

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5 'Person of the Year: The Ebola Fighters', TIME, 10 December 2014, <http://ti.me/1yxi0oC>.

6 'The Ebola Hysteria', The New York Times, 29 October 2014, <http://nyti.ms/1tGqG8S>; 'The Quiet End to the U.S. Ebola Panic', The Atlantic, 11 November 2014, <http://theatlantic.com/1Fc6lnA>; 'Panic: the dangerous epidemic sweeping an Ebola-fearing US', The Guardian, <http://bit.ly/1FCgh2Y>; TIME, 10 December 2014 op. cit.

7 MSF, *Ebola: Pushed to the limit and beyond – MSF report*, 23 March 2015, <http://bit.ly/1B78hCf>.

Ebola taskforce set up by President Ellen Johnson Sirleaf, even though civil society was doing crucial community engagement work.<sup>8</sup> The need to build trust cost precious time.

A further challenge was that of accountability over resources: many governments committed resources, but there was little transparency over where money went and, as in the case of Gaza, discussed below, there were time lags between resource commitments and resource flows, suggesting that the global aid machinery cannot work quickly enough.<sup>9</sup> There were additionally some difficulties in coordinating between different CSOs, but also examples of good practice. For example, in the West Point district of Monrovia, Liberia, local CSO More Than Me led the formation of a multi-sector community response group that brought together local and international CSOs and medical centres, and worked alongside government health officials. Their outreach was judged so successful that the government asked them to expand to other areas.<sup>10</sup>

The example of More Than Me reminds us that, although much of the initial rapid response to Ebola came from international civil society, sparking questions of ownership and sustainability, effective local civil society plays a crucial role in successful response. For youth-led development agency Restless Development, the leadership of local volunteers who understood their communities was crucial for breakthrough in Sierra Leone, as Jamie Bedson relates:

*Restless Development responded by drawing on the agency's decade-long Volunteer Peer Educator (VPE) programme, designed to support large-scale social mobilisation activities. The VPE programme places young Sierra Leonean volunteers in rural communities, across all districts, for eight months every year. With 2,000-plus ex-volunteers providing the primary cohort, Restless Development designed a series of trainings and support structures for large-scale social mobilisation. Social mobilisation focused on supporting communities to recognise and act on the risks of Ebola transmission themselves, in two-way communication, rather than the one-way message-focused communication that dominated the initial months of response.*

*Some communities were resistant to the work of volunteer social mobilisers and did not trust the Ebola response overall; this was especially the case if they had yet to experience Ebola and did not consider themselves at risk. Overcoming community resistance was dependent on discussion with community leaders, working with communities to make the role of social mobilisers clear and following through, with the objective of ensuring programmes were community-led.*

<sup>8</sup> Prince Kreplah, *Civil society engagement can help win the fight against Ebola*, Devex, 9 September 2014, <http://bit.ly/1IVz9U1>.

<sup>9</sup> TIME, *What Ebola Taught the World One Year Later*, 24 March 2015, <http://ti.me/1Ktk0Rm>.

<sup>10</sup> Krawczyk, op. cit.

*Civil society also faced the obstacle of an initial lack of government willingness to cooperate, fuelled by government distrust in civil society.*

*There were also barriers in getting buy-in from leading actors, such as UN agencies, on what effective social mobilisation looks like. There was resistance to moving from the more visible signs, megaphones and t-shirts approach, focused on health messaging, to deep community engagement. Continued advocacy at all levels - national, district and towards individuals and in coordination meetings - played a fundamental role in shifting understandings of what constitutes best practice social mobilisation.*

International CSOs that were able to respond strongly tended to be those that were able to use resources flexibly, in order to act rapidly. Restless Development found that flexible use of resources was critical for response:

*Restless Development was able to work within existing programming, led by volunteers in rural communities, to focus on Ebola social mobilisation. This meant utilising existing donor resources through consultation with partners. This also demonstrated early on the applicability of Restless Development programming to the wider Ebola response.*

At the time of writing, the Ebola outbreak was showing signs of dramatic slowdown. Concern must now shift to rebuilding damaged health systems, and strengthening the preparedness of other countries for the next outbreak. If the 11,000-plus lives lost are to count for something, the lessons of this crisis need to be learned and institutionalised, so that the next time Ebola, or another fast-moving epidemic, spreads across borders, response can be better and faster. It should be clear that the provision of a more enabling environment for civil society, and stronger working relationships between governments and civil society, are essential pieces of learning that must shape future capability for rapid response.

## CIVIL SOCIETY RESPONDING TO CONFLICT

As well as the Ebola crisis, civil society has, in the last year, been called on to respond to a range of conflicts, including in Syria, Yemen, Ukraine, Gaza, Central African Republic and South Sudan, and in turn has been affected by those conflicts. A record number of people, 33.3m, are now displaced by conflict and violence, with UNHCR, the UN Refugee Agency, reporting that 5.5m people were newly displaced in the first half of 2014 alone.<sup>11</sup> The only conclusion that it is possible to draw is that there is an on-going failure of governance at international and national levels, which is driving people from their homes.

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<sup>11</sup> International Displacement Monitoring Centre, 'A record 33.3 million displaced by conflict and violence worldwide, with Nigeria in the top 5 countries most affected', 14 May 2014, <http://bit.ly/1KqOdAy>; UNHCR, 'War stokes further growth in forced displacement in first half 2014', 7 January 2015, <http://bit.ly/1wOep5Z>.



A civil society interviewee, who asked to remain anonymous, noted an increasing sophistication in civil society's response to conflicts:<sup>12</sup>

*Civil society has become more adept than ever at responding to conflict. Almost nowhere is it the case now that policy makers are unaware of conflict. Civil society has also become much more global in its responses. Whereas it was previously heavily focused on Western policy-makers, it's now common for civil society to target South Africa, India or any other country to seek their effective response on conflicts around the world. Each country's foreign policy on conflict is now being more heavily scrutinised by CSOs, not just their own domestic human rights response.*

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**12** Interview with an experienced worker in advocacy for people affected by conflict, who asked to remain anonymous. We are indebted to this interviewee's overall inputs in shaping this section on conflicts.



## SYRIA: THE CRISIS OF A GENERATION

One of the most difficult environments for civil society now is Syria, where the civil war that started in 2011, when the government violently cracked down on a popular uprising, continues to bring scenes of everyday brutality. The rapid advance of Islamic State (ISIL) forces across Syria and Iraq in 2014, to the point where ISIL is estimated to control around a third of Syrian territory at the time of writing, has introduced a new note of barbarity into an already desperate situation. Some 6.5m people are now internally displaced in Syria, giving Syria the world's largest displaced population:<sup>13</sup> this should make clear that Syria, a huge regional and global failure, presents the worst crisis of recent times.

The role of non-state actors such as ISIL in conflicts is a trend that has been noted since the late 1990s,<sup>14</sup> but perhaps one of the new aspects of groupings such as ISIL, and Nigeria's Boko Haram, is their enthusiastic and

13 International Displacement Monitoring Centre op. cit.

14 See, for example, Mary Kaldor, *New wars and old wars: Organized violence in a global era*, 1999 (Cambridge: Polity).

professional embrace of social media as a bedrock of their method, in which spectacular acts of terrorism are performed and broadcast. Actions are designed to play to sensationalist news and social media agendas, and even mimic popular internet memes, games and Hollywood films, such that they gain power from public revulsion. The grisly execution video has become sadly commonplace.<sup>15</sup> Later in this report, we discuss how civil society has used social media, in imaginative and creative ways, to encourage change, but it is sobering to note that regressive forces can make social media work for them too.

A trend that Syria seems to conform to is that combatants in conflicts are becoming less respectful of international human rights and humanitarian laws and norms, with medical staff and aid workers seemingly now seen as legitimate targets by some: ISIL has carried out several executions of aid workers and journalists.<sup>16</sup> This is an assault on civil society, and has had the impact of forcing some CSOs to halt or limit operations in Syria or Iraq.<sup>17</sup>

At the same time, it needs to be noted that, beyond the ISIL-dominated headlines, the Syrian crisis remains principally one where a state is at war with its people, and where rival states, Iran and Saudi Arabia, are backing different sides in a fight for regional superiority. Far more people have died at the hands of government forces than any other party: in December 2014 alone, of the 1,851 people estimated as killed in Syria, state forces were responsible for around three quarters of these.<sup>18</sup> Syria's government is also misapplying anti-terrorism laws to silence human rights defenders (HRDs).<sup>19</sup>

In these conditions, the very existence of civil society is threatened, at precisely the point where it is most needed to defend life and rights. We asked Mansour Omary, of the Syria Center for Media and Freedom of Expression, to assess the current state and needs of civil society in Syria:

*The situation for civil society in Syria now can be divided into four, depending on the ruling power in each area.*

### ***Assad forces controlled areas: 30% of Syria***

*The Assad regime has not allowed free or independent civil society activities or organisations in*

15 DEMOS, *The performance of terrorism*, <http://bit.ly/1FegnKo>; 'Inside the ISIS Social Media Campaign', Newsweek, 6 March 2015, <http://bit.ly/1zXj4gN>; 'How Isis is spreading its message online', BBC Monitoring, 19 June 2014, <http://bbc.in/1lExJuq>.

16 'Red Cross workers deliberately targeted in Syria', DW, 17 September 2013, <http://bit.ly/1HNwSEj>; 'Kayla Mueller And The Impossibly Dangerous Job Of Providing Aid To Syria', Think Progress, 12 February 2015, <http://bit.ly/1eD8oRC>.

17 'As risks multiply, NGOs reassess security in Middle East', Reuters, 24 September 2014, <http://reut.rs/1J3NurG>.

18 'In Syria's Civilian Death Toll, The Islamic State Group, Or ISIS, Is A Far Smaller Threat Than Bashar Assad', International Business Times, 7 January 2015, <http://bit.ly/1d0QTtr>; 'Brutal Acts By ISIS Eclipse Reports Of Violence By Syria's Assad Regime', NPR, 10 March 2015, <http://n.pr/1LLx1Xc>.

19 CIVICUS, 'Syria: Free Prominent Rights Defenders', 5 September 2014, <http://bit.ly/1AzxP09>.

*A trend that Syria seems to conform to is that combatants in conflicts are becoming less respectful of international human rights and humanitarian laws and norms, with medical staff and aid workers seemingly now seen as legitimate targets by some.*

decades, and has interfered in every activity, no matter how small. There is a total absence of basic rights, including freedom of expression, opinion and media, and no one is allowed to express concerns or criticisms about the regime. Even organisations such as the union of students or union of journalists are under the control of the regime. The Assad regime is fighting with a hand of iron every attempt to conduct free or independent activity, unless it is monitored by and with the participation of the government. There is no sense of national belonging, and in place of this there is obligatory allegiance to the governing regime, and also some sectarian belonging, which is not helping people to believe in their society or homeland.

### **ISIL controlled areas: 30%**

Simply, ISIL has ended every aspect of civil society independent action by blocking freedom of media, finance and association, and restricting any activity to its governing establishments.

### **Kurdish-controlled areas: 10%**

Kurdish-controlled areas are relatively free of the war zone, although Kurdish forces are fighting ISIL in adjacent areas. In Kurdish-controlled areas there is more safety and there are more chances for civil society activities and action. In these areas civil society is developing and is very active. There are many organisations, and civil society activities are directed towards all parts of society, including children, women and older people, and including all ethnic groups. Kurdish ruling powers are allowing freedom of civil activities and associations, and have opened the doors widely for international funds and support for civil society promotion. Some organisations are trying to become independent from funders, but others depend totally on international funding and support. Although civil society is prospering in these areas, it's still at the beginning, and needs to gain more experience and have more freedom in some fields: the Kurdish ruling powers restrict some activities relating to criticism of some of its actions. For example, the ruling powers are recruiting children to fight, and no activities are allowed that raise awareness of this human rights violation.

### **Areas controlled by the Free Syrian Army (FSA) and local councils of the opposition: 30%**

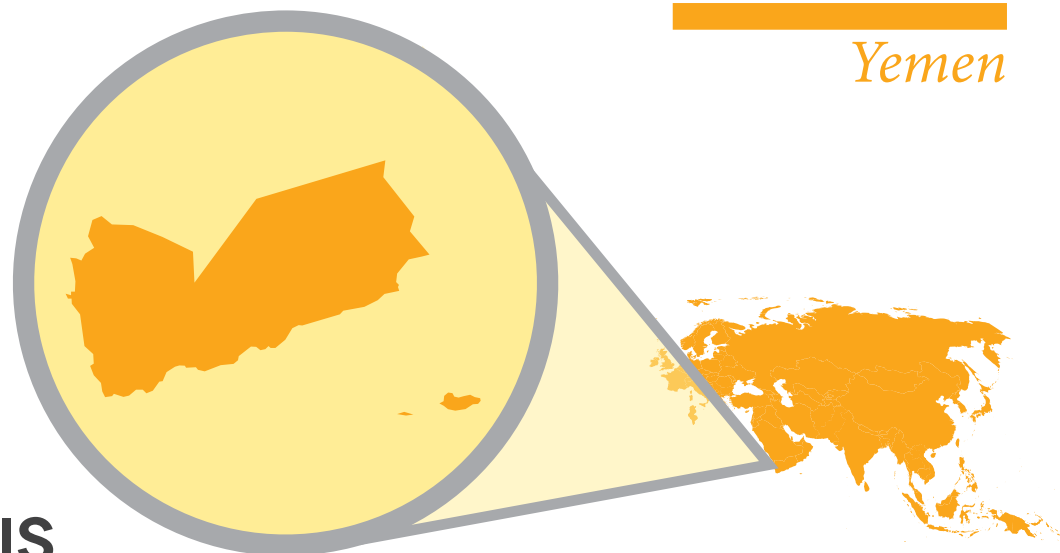
Opposition-controlled territories offer open areas for civil society activities and association, and civil society is playing a fundamental role in substituting for a functional government: civil society groups and organisations are doing the jobs and providing the services that would normally be done by the government, as there are no strong or agreed upon governing bodies. Those who are governing those areas are not interfering with civil society, being more engaged in war than

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*organising society, except for a few incidents of interfering in some cases, but interference is not systematic or vast. Much of civil society activities in the opposition-controlled and Kurdish areas are directed at mitigating the impact of war and Syria's catastrophic situation, including promoting the care of children and seeking to alleviate the impact of war on them.*

We also asked Mansour what needs to be done to support Syrian civil society:

*It is obvious that the first need of Syrian civil society, if it is to prosper, is the ending of the war and adoption of a democratic government, but civil society's immediate need is to have more international interest and organised support. There is total neglect in its coverage of civil society in Syria. The media publishes news of war, military actions and other horrible events in Syria, and is not shedding light on civil society activities in Syria. Foreign support is also needed for training, organising, and establishing a stronger base for civil society.*



## YEMEN: A GROWING CRISIS

At the time of writing, a further humanitarian crisis is unfolding in Yemen, where conflict has built since the 2011 people's uprising. In January 2015 President Abd Rabbuh Mansur Hadi was forced into exile in Saudi Arabia; at the time of writing, the capital Sana'a is occupied by insurgent Houthi forces and battle rages for control of the city of Aden. In a three-sided conflict, Al-Qaeda in the Arab Peninsular also hold significant territory. While a nascent Yemeni social media campaign demands #KefayaWar (enough war), a particular challenge is that this conflict comes in a country with a weakened civil society, and where the population is already very poor, with huge development challenges.<sup>20</sup> The UN has warned of an approaching humanitarian crisis and is trying to promote a negotiated political solution, but Oxfam has described Yemen as a 'forgotten crisis', where two-thirds of the population will need help, and spiralling food and fuel prices suggest looming food and drinking water crises.<sup>21</sup>

As the conflict worsened, aid agencies were forced to scale back their work. Many aid workers left, while insecurity, port blockades and the reluctance of transport companies to help bring in supplies, make it hard for those remaining in Yemen to reach communities that need help.<sup>22</sup> Illustrative of the dangers faced by

<sup>20</sup> 'Yemen's home grown anti-war movement', BBC Trending, 13 April 2015, <http://bbc.in/1X3bgB>; 'Four reasons the crisis in Yemen is so dire', IRIN, 10 April 2015, <http://bit.ly/1DqUTO2>.

<sup>21</sup> 'Civilians in Yemen 'wilfully abandoned to misery,' says Ban, urging immediate political solution to crisis', UN News Centre, 9 April 2015, <http://bit.ly/1EEaLbI>; Oxfam, 'Yemen is on the brink of humanitarian disaster with millions of lives at risk', 23 January 2015, <http://bit.ly/1dz4AAT>; Oxfam, 'Prices rocket as Oxfam warns of a major food and fuel crisis in Yemen: Oxfam gives cash to 4,000 families affected by the war', 8 April 2015, <http://bit.ly/1yk8uGy>.

<sup>22</sup> 'Fighting in Yemen is creating a humanitarian crisis', The Washington Post, 6 April 2015, <http://wapo.st/1CYGIvg>; 'Yemen's humanitarian crisis worsens as aid delayed', Al Jazeera, 7 April 2015, <http://bit.ly/1ac2kx1>; 'Yemen slides deeper into humanitarian crisis amid Saudi-led airstrikes', LA Times, 8 April 2015, <http://lat.ms/1FhUpan>.

humanitarian workers in Yemen was the killing, in an attempted rescue mission, of kidnapped South African teacher, Pierre Korkie, and American photographer, Luke Somers, in December 2014.<sup>23</sup>

As in Syria, conflict in Yemen is driven by the regional power battle between the Iranian and Saudi Arabian governments, which back the Houthis and the Yemeni government respectively; they are using Yemen as a proxy battleground to fight a battle for regional supremacy, demonstrating frequent and unpunished breaches of international human rights laws. This suggests that the international community, and allies of the states involved, need to pressure the leaders of Iran and Saudi Arabia to resolve the crisis responsibly, and push combatants to commit to ensuring the safety of aid workers who are playing an essential humanitarian role. Further, the many wealthy states that surround Yemen need to step up to commit increased aid to their beleaguered neighbour. Governments in the region, and the international community, need to show the world that another Syria is not inevitable, and demonstrate that they take international law seriously.

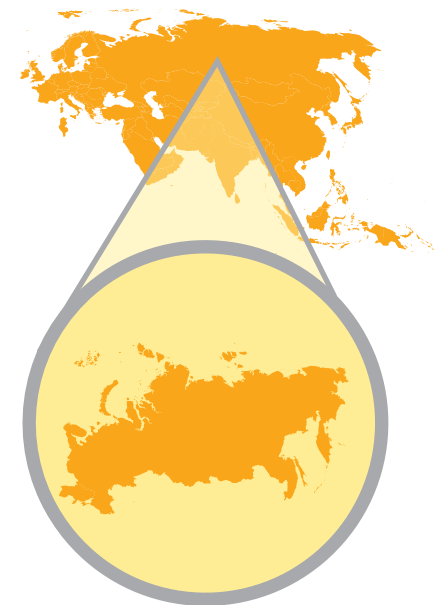
## UKRAINE AND RUSSIA: CIVIL SOCIETY CAUGHT IN THE MIDDLE

The 2014 State of Civil Society Report documented the self-organising Euromaidan protests, which resulted in the ousting of President Victor Yanukovich in February 2014, followed by Russia's annexation of the Crimea in March 2014. Since then, conflict between Russia and Ukraine, around the question of whether Ukraine pivots east or west, has become entrenched, particularly in eastern Ukraine, where Russian forces and pro-Russian rebels are concentrated.<sup>24</sup>

The shooting down in July 2014 of Malaysian Airlines Flight MH17 over eastern Ukraine, with the loss of all on board, brought to renewed global attention the deadly reality of the conflict. The difficulties investigators faced in accessing the site to identify and recover the dead, and continuing attempts by the Russian government to blame Ukrainian forces, demonstrate how polarised and contested the situation is. After a year of conflict, eastern Ukraine now presents a humanitarian crisis. By April 2015 it was estimated that 6,000 people had been killed and a million people displaced, with many more facing shelter, food and healthcare emergencies.<sup>25</sup> A ceasefire that was agreed in March 2015 remains fragile, and at the time of writing there are fears of further

*...the international community, and allies of the states involved, need to pressure the leaders of Iran and Saudi Arabia to resolve the crisis responsibly.*

## UKRAINE & RUSSIA



23 'Obama sends condolences to family of murdered Korkie', Mail & Guardian, 6 December 2014, <http://bit.ly/1LLxb0O>.

24 'Russo-Ukrainian War Now a Reality', Huffington Post, 29 August 2014, <http://huff.to/1AzAgQv>.

25 'Ukraine death toll hits 6,000 amid ongoing fighting – UN', UN News Centre, 2 March 2015, <http://bit.ly/1PSuSPj>.

escalation.<sup>26</sup> The scale of the humanitarian crisis threatens to overwhelm the best attempts of local and international civil society to respond, as noted by Vanoo Noupech of UNHRC:

*The response by civil society has been extraordinarily good for the last year, but there is also already a certain fatigue, especially because of the general economic situation, so that is quite worrying.*

Loïc Jaeger of MSF highlighted the overwhelming and unexpected nature of the crisis:<sup>27</sup>

*...whatever humanitarian organisations might do here, it will remain a drop in the ocean. It's not a refugee camp of 30,000 people that we can handle as humanitarian organisations. We are talking about three million people... The main aid providers so far have been local organisations, which are doing a great job, but they don't have the capacity to scale up to big volumes. They used to collect clothes for the people of Africa before the war, and they now collect food and clothes for displaced people in their area... We are not talking about people who have been living in a conflict environment for 20 years.*

In this contested context, key freedoms, including the freedom of expression, are under challenge from both sides, as pro-Russian and pro-Ukrainian forces fight a propaganda war.<sup>28</sup> In eastern Ukraine, news outlets and journalists have faced a series of attacks, pro-Russian forces have detained Ukrainian journalists, and media workers have been killed in the crossfire of conflict. Ukrainian authorities have in turn detained Russian journalists and barred them from entry.<sup>29</sup> There are targeted attacks on and censorship of ethnic minorities in Russian-occupied Crimea, where Russia has extended its domestic policy of repressing civil society and the media.<sup>30</sup>

At the same time, the crisis has created opportunities for civil society to demonstrate its ability to respond: partly because the government realised it needed to access the legitimacy enjoyed by civil society in the wake of Euromaidan, and partly in recognition of its own limited capacity, the temporary cabinet that governed Ukraine from February to October 2014 delegated a role to civil society groups in crucial areas, such as organising self-defence, policing and developing election monitoring capacity; some 750,000 Ukrainian citizens

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26 'Russia Expected to Escalate War in Ukraine Soon', World Affairs, 2 April 2015, <http://bit.ly/1bTlitl>.

27 Both quotations taken from: 'Fragile truce brings limited respite to war-weary people of eastern Ukraine', The Guardian, 25 March 2015, <http://bit.ly/1BIWHh7>.

28 'Ukraine's media war: Battle of the memes', The Economist, 12 March 2015, <http://econ.st/1L2U1Va>.

29 Committee to Protect Journalists, 'Ukraine: Press in Ukraine face attacks and raids', <http://bit.ly/1QfknjU>.

30 Human Rights Watch (HRW), 'Rights in Retreat', 17 November 2014, <http://bit.ly/1SGDRSJ>; 'In Crimea, it's a crime to talk about returning to Ukraine rule', Kyiv Post, 5 March 2015, <http://bit.ly/1G1IH9C>.



were estimated to be active in volunteering in late 2014 (although there can also be a troubling aspect of this, with the formation of volunteer militia units, some of which have alleged connections to extremism.)<sup>31</sup>

To some extent, this cooperation has challenged the anti-civil society views customarily held by Ukraine's political and economic elites.<sup>32</sup> In more recent times, however, the relationship between government and civil society has somewhat soured, as it has become harder to assert the freedoms the Euromaidan movement demanded in a context where a government sees itself as fighting a war: in October 2014, for example, representatives of the new Cabinet rejected an invitation by civil society groups to discuss human rights abuses in Ukraine.<sup>33</sup>

Despite this, CSOs continue to try to establish democratic reform dialogue with the government, and a delegation of Ukrainian human rights activists took their struggle to the UN General Assembly in October 2014.<sup>34</sup> The self-organising spirit of the Euromaidan movement has also continued, for example in May 2014, when Euromaidan SOS, a volunteer-led initiative, was formed to try to track down the many people who went missing in protests.<sup>35</sup>

In Russia too, people still mobilise against the actions of their government: in September 2014, over 20,000 people marched in Moscow to protest against Russia's involvement in eastern Ukraine, and tens of thousands marched in March 2015, some carrying Ukrainian flags, following the assassination of opposition activist Boris Nemtsov, who opposed the conflict with Ukraine and sought to expose the extent of Russia's military involvement.<sup>36</sup>

However, many in Ukraine still feel that the potential of Euromaidan is yet to be realised. As one participant, Halyna Trofanyuk, put it:

31 Mykhailo Minakov, *Changing Civil Society After Maidan: Report at the Danyliw Seminar, Ottawa, October 30, 2014*, <http://bit.ly/1GFGqzx>; 'Ukraine Doesn't Have a Warlord Problem', *Foreign Policy*, 26 March 2015, <http://atfp.co/1E3n4xX>.

32 Mykhailo Minakov op. cit.

33 Association of Ukrainian Human Rights Monitors on Law Enforcement (Association UMPDL), 'News bulletin', October-December 2014, <http://bit.ly/1RpOnMB>.

34 Association UMPDL, 'Human Rights Day – the sad results', 10 December 2014, <http://bit.ly/1EEb5Ya>; Association UMPDL, 'Member of the Association UMPDL became a delegate from Ukraine to the UN General Assembly in New York', 26 October 2014, <http://bit.ly/1d0WWy6>.

35 'In Kyiv, Anguish and Uncertainty Over Maidan's Missing', *Radio Free Europe*, 19 March 2014, <http://bit.ly/1SDBf86>; Euromaidan SOS, <http://bit.ly/1FkgKEI>.

36 UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, 2014: *The Year in Assembly and Association Rights*, January 2015; <http://bit.ly/1LLxp87>; 'Boris Nemtsov murder: Tens of thousands march in Moscow', *BBC*, 1 March 2015, <http://bbc.in/1K3dNPZ>; Carnegie Endowment for International Peace, 'Eastern Europe's Civil Society After Nemtsov's Murder', 2 March 2015, <http://ceip.org/1HNCZ8I>.

*There could be another Maidan if the politicians don't understand the chaos they are creating... People are getting ready for the worst, and they have become disillusioned even with the Maidan.*

Against this, it may be the case that, as discussed in previous State of Civil Society Reports in relation to the great civic mobilisations of this decade, part of Euromaidan's impact will ultimately be in the way it developed people's activism skills and confidence, as Nazariy Boyarskyy, a human rights activist, suggests:<sup>37</sup>

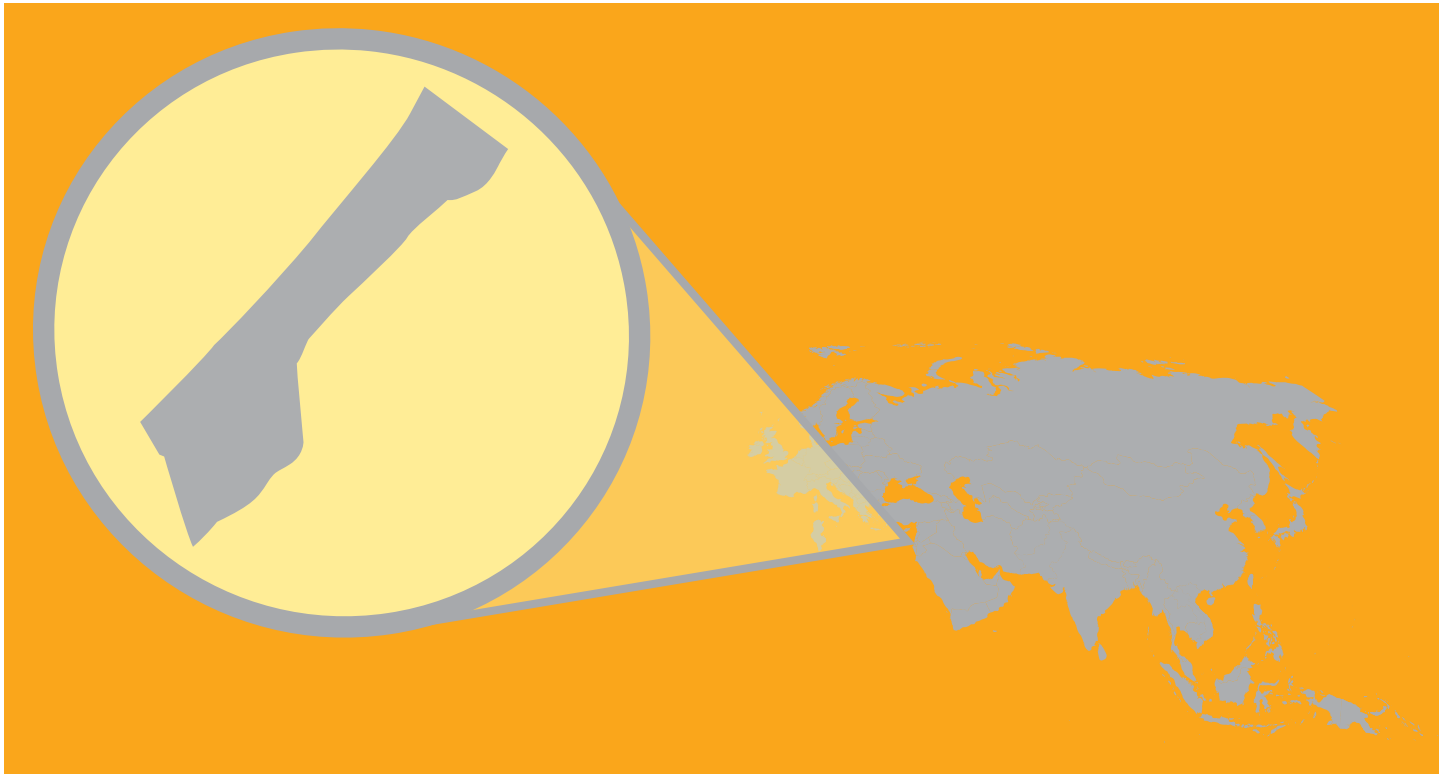
*You can see it in the eyes of the volunteers who come in to help, beginning with the talented lawyers who work for us for free to help detainees and going all the way to the wonderful woman who comes to us to make us lunch... You can feel from these examples that people are ready not just to sympathise, but to pitch in. And that is the most vivid impression of the last year for me.*

In contrast to that activist spirit, Russia's continuing unilateral occupation of the Crimea, in the face of an international outcry, and the entrenched conflict in eastern Ukraine, demonstrate again the impotence of the current international system. Not least it shows the inability of EU countries to intervene decisively, and perhaps its unwillingness to pay the economic price of detaching Ukraine from Russia, given the rise of anti-European politics in many EU countries, as discussed further below. In the face of this, civil society will remain crucial in voluntarily responding to crisis and pressuring the two governments for an outcome in which human rights are respected. Civil society needs more support to be able to play these roles.

*...many in Ukraine still feel that the potential of Euro-maidan is yet to be realised.*

37 Both quotations taken from: 'Ukraine's Maidan protests – one year on', The Guardian, 21 November 2014, <http://bit.ly/11rs1Fo>.

## GAZA



## GAZA: INTERNATIONAL CHALLENGES, LOCAL RESPONSE

In July 2014, the state of Israel launched a new offensive against the people of Gaza. In seven weeks of fighting, over 2,100 Gaza citizens were killed, mostly civilians, and 70 Israelis, mostly soldiers, while around a third of Gaza's population was displaced.<sup>38</sup> Although the Israeli offensive has paused, it leaves huge challenges. First of all, it demonstrates the inability of the international community to resolve the crisis and hold the protagonists to account for the possible commission of war crimes. The intergovernmental response has been stymied by continuing deadlock at the UN Security Council (UNSC), while the UN Human Rights Council's (UNHRC) enquiry into the Gaza war has run into difficulties: in February 2015 William Schabas, head of the enquiry, had to resign after receiving personal attacks for previous work involving Palestine, and Israel's government denied the enquiry access to Israel and the West Bank.<sup>39</sup> These demonstrate the difficulty of making multilateral

*In seven weeks of fighting, over 2,100 Gaza citizens were killed, mostly civilians, and 70 Israelis, mostly soldiers, while around a third of Gaza's population was displaced.*

38 Humanitarian Response: 'Gaza Strip: Humanitarian Dashboard', November 2014, <http://bit.ly/1JWqMBO>.

39 CIVICUS, 'Gaza represents a failure of global governance: international community must insist on accountability for war crimes', 3 September 2014, <http://>

headway in an environment where a state acts with impunity, and raises the fear that there will not be proper accountability for crimes committed during this latest aggression.

Reconstruction is made more difficult by the longstanding Israeli economic blockade, which also caused major problems with the import of essential humanitarian supplies during the bombardment.<sup>40</sup> Further, the official intergovernmental response reveals an all too common contrast between the making of high profile commitments and the painfully slow flow of real resources: while in October 2014 over US\$5bn was committed to the Gaza Reconstruction Mechanism at a headline-grabbing intergovernmental conference in Cairo, Egypt, as of February 2015, only 5% of the promised funds had been delivered which, if sustained, would mean that reconstruction would take decades.<sup>41</sup> A lack of transparency about the detail of commitments makes it hard to exercise accountability over those commitments, but there is suspicion that at least some pledges were repackagings of existing commitments. There is a repeat pattern, in the wake of emergencies, of high level intergovernmental pledging events failing to result in delivery of resources.

During the offensive, both international and local civil society was crucial in responding to the devastation. We asked Najla Shawa, an aid worker in Gaza, to describe the impact of the bombardment, and civil society's response:

*Hearing everyday about neighbours, relatives or friends being injured or even killed made me feel that this time was like none before. I work for an international charity, so I worked every day from home, helping collect information about those displaced. I was in touch with non-governmental organisations (NGOs) and many ad hoc community initiatives, where people did so much work while not holding any kind of position or being part of any organisation. New small networks started to form. A relative, a friend, a building guard, many, have worked without recognition: giving people water, distributing food, getting in touch with aid organisations. It was amazing, day and night. People, ordinary people, were very active. Hundreds of displaced people were hosted by families for many days. There was a lot of quick civil society action. There were also many small Islamic NGOs that worked silently, without working much through government institutions. Local NGOs were supported by bigger international NGOs, and were spread across affected areas. The government was very weak, and depended on aid agencies.*

<sup>40</sup> [bit.ly/1nyl36d](http://bit.ly/1nyl36d); 'Former Head of Inquiry Into Gaza War Says He Faced Pressure and Threats', The New York Times, 11 February 2015, <http://nyti.ms/1FPFnMQ>.

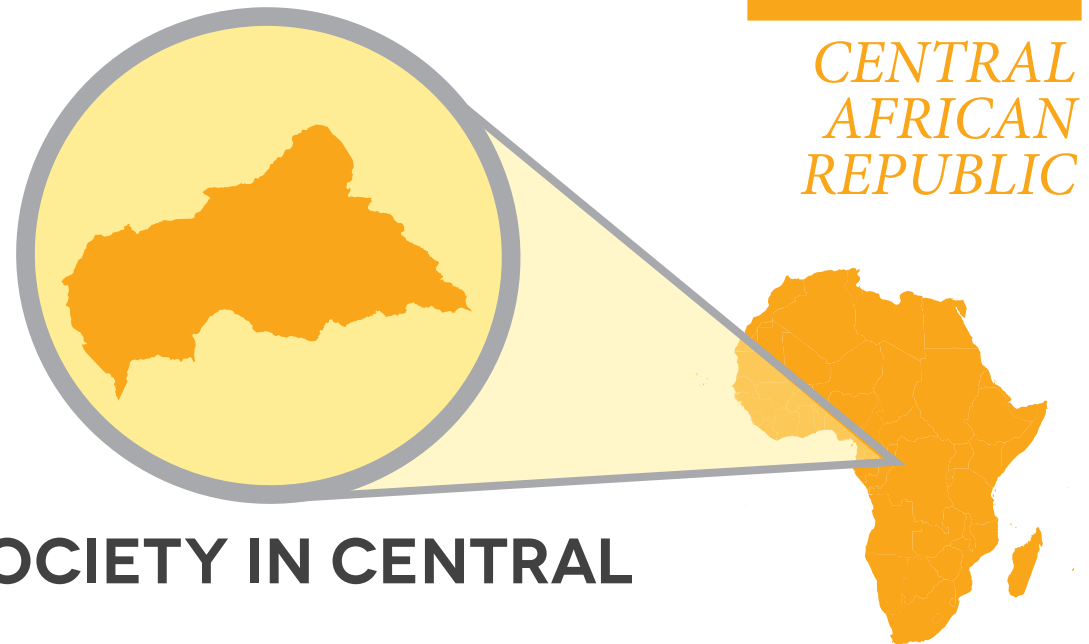
<sup>40</sup> ICCO, 'Humanitarian aid in Gaza is impossible', 2014, <http://bit.ly/1eyMaA8>; Oxfam, 'Gaza Update: Three months on, vital reconstruction has barely begun as winter arrives', <http://bit.ly/13eOB17>.

<sup>41</sup> 'Only five percent of pledged aid reaches Gaza', IRIN, 16 February 2015, <http://bit.ly/17LGw17>; Oxfam, December 2014 op. cit.

*...as of February 2015, only 5% of the promised funds had been delivered which, if sustained, would mean that reconstruction would take decades.*

When asked about what support international civil society can give to local civil society and communities, Najla adds:

*Now, it should be clear that the support needed is mainly political. The Israeli blockade is the problem. The economy is dead. More support for strong civil society that should stand up against the harmful policies, and agreements such as the Gaza Reconstruction Mechanism, are a top priority. Psychological support to affected children is also a big need.*



## CIVIL WAR AND CIVIL SOCIETY IN CENTRAL AFRICA

The past year has seen sustained conflict in both the Central African Republic (CAR) and South Sudan. Conflict forced almost a million people to flee their homes in CAR and displaced 1.5m in South Sudan.<sup>42</sup> Civil society has proved a vocal advocate for peace, demanding more inclusive political dialogue and mobilising community-led efforts to respond to crisis. Civil society's efforts remind us that lasting peace is only possible with the participation of civil society: stability requires inclusivity, which means that peace-building cannot be left only to political or military parties.<sup>43</sup>

<sup>42</sup> Data from UN Office for the Coordination of Humanitarian Affairs (OCHA), Central African Republic, <http://www.unocha.org/car> and South Sudan, <http://www.unocha.org/south-sudan>.

<sup>43</sup> David Kode, *Conflict Resolution in the Central African Republic: What Role for Civil Society*, 2014, the African Centre for the Constructive Resolution of Disputes (ACCORD), <http://bit.ly/1HxKvIq>; ACCORD, 'Central African civil society urges the UN to put CAR as a top priority', <http://bit.ly/1LLdFRn>.

Sectarian violence erupted in CAR in December 2012, after a loose coalition of Islamic rebel forces, known collectively as Seleka, accused the predominantly Christian government of contravening peace agreements. After staging a coup in March 2013, aided by mercenary forces from Chad and Sudan, Seleka rebels sought revenge for decades of marginalisation. The result was a continuous cycle of reprisal violence between Seleka forces and the Christian militia, known as anti-balaka.<sup>44</sup> A new Head of State of Transition, Catherine Samba-Panza, was appointed in January 2014, but this did little to contain the chaos. In 2015 alone, after an upsurge of violence, tens of thousands of civilians were forced to flee to escape the militia on both sides.<sup>45</sup>

In this difficult situation, civil society groups and religious networks are working together to rebuild trust amongst communities, and laying the groundwork for reconciliation from the grassroots.

In 2014, after churches sheltered thousands of Muslims from revenge attacks,<sup>46</sup> an inter-faith forum was formed, comprising the head of the CAR's Islamic community, Imam Omar Kobine Layama, and leader of the Evangelic Alliance, Nicolas Grekoyame Gbangou. The forum has organised regular prayer meetings and gatherings to discuss peace and reconciliation, and the organisers have appealed for funds to create inter-faith schools, hospitals and a national radio station to preach peace, in an effort to bring divided communities back together. In June, the forum launched an inter-religious campaign for social cohesion. The campaign has held debates, sporting and cultural events, and organised visits to internally displaced persons (IDP) camps and reconciliation training for 400 religious leaders.<sup>47</sup>

Sport has played a huge role in civil society's outreach. In December 2014, residents of the Muslim district of PK5, where a series of sectarian attacks had been carried out, played a football match with the predominantly Christian neighbourhood of Fatima. In the same month, a reconciliation camp, dubbed 'It's Enough', culminated in former Seleka fighters facing off against an anti-balaka squad, in the capital Bangui's Municipal Stadium. In a bid to support the government's efforts to achieve national reconciliation and restore peace, the Bangui Peace Marathon, organised by CSO Point d'Appui and the CAR Athletics Federation, included young people from both sides, alongside government officials, politicians and athletes.<sup>48</sup>

Civil society in CAR has also been vocal on the international stage, urging intervention from regional and multilateral actors, and highlighting human rights abuses by both sides. Meanwhile, international CSOs were

*In this difficult situation, civil society groups and religious networks are working together to rebuild trust amongst communities, and laying the groundwork for reconciliation from the grassroots.*

44 'Crisis in the Central African Republic, Parallax World, 20 March 2014, <http://bit.ly/1JY2BFI>.

45 'Central African Republic profile – Timeline', BBC, 22 May 2015, <http://bbc.in/1t9Xl3u>.

46 'War-torn churches shelter Muslims in Central African Republic', The Washington Post, 20 February 2014, <http://wapo.st/1edT99G>.

47 'Central African Republic clerics lobby for peace', IRIN, 31 January 2014, <http://bit.ly/1J8gYEQ>; 'Striving for peace in CAR', IRIN, 7 January 2015, <http://bit.ly/1wTTwzq>.

48 'CAR holds semi-marathon Sunday in Bangui to foster peace', StarAfrica, 8 December 2014, <http://oran.ge/1GFMd8r>.

active in alerting policy-makers, at early stages, to atrocities, helping to convince France and then the UN to commit peacekeeping troops, resulting in a decline in casualties.<sup>49</sup>

In neighbouring South Sudan, which won independence from Sudan in 2011, violence broke out in the capital Juba in December 2013 and has since spread nationwide, reflecting deep fissures within the ruling party, the Sudan People's Liberation Movement (SPLM). Competition for power amongst the ruling elite exacerbated long-standing tensions between the two largest ethnic groups, the Dinka and Nuer. Following a series of political manoeuvres instigated by Salva Kiir, the country's Dinka President, to exclude the Nuer Vice President, Riak Machar, from power, Dinka and Nuer soldiers within the armed forces collided. Both leaders were quick to manipulate ethnic tensions for political gain, leading to widespread ethnically targeted killings. After more than a year of peace negotiations between the government and rebel factions, mediated by regional parties, at the time of writing a deal appears no closer, and an escalation of fighting is feared.<sup>50</sup>

Shortly after the start of the crisis, civil society came together on the Citizens for Peace and Justice platform. The forum has actively sought representation for civil society in the peace negotiations, successfully lobbying the South Sudanese presidency and the Intergovernmental Authority on Development (IGAD), the regional body mediating the negotiations, to acknowledge that civil society needs to be included.<sup>51</sup>

Though their role in the peace discussions taking place in Addis Ababa, Ethiopia, has been limited and in some instances controversial, with the opposition rejecting the IGAD civil society nomination process after they failed to secure a seat for CSOs from opposition-held areas, civil society has continued to demonstrate its solidarity with the peace efforts.<sup>52</sup> Lobbying efforts have persuaded negotiators to incorporate the need for a national reconciliation commission, including CSO representation, into the peace agenda.

However, after almost 18 months, faith in the ability of IGAD talks to find a solution to the crisis is fading. As an alternative, citizens and community leaders are turning to local, community-led attempts to build peace from the ground. Emeritus Bishop Paride Taban leads the Kuron Peace Village peace-building project, which was conceived as a model community bringing together people of different ethnicities and backgrounds. Through the Peace Village, different pastoralist groups, who share a long history of enmity have been encouraged to find means of peaceful co-existence.<sup>53</sup> Despite the continuing conflict in the rest of South Sudan, Eastern Equatoria

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49 International Coalition for the Responsibility to Protect, 'Civil Society and UN Officials Urge Security Council to Authorize a United Nations Peacekeeping Operation in Central African Republic', March 2014, <http://bit.ly/1BqzmRj>; Interview with an experienced worker in advocacy for people affected by conflicts.

50 'South Sudan: Failure to Launch?', Parallax World, 9 January 2014, <http://bit.ly/1GJuoFv>.

51 'S. Sudan civil societies push for inclusion in peace talks', Sudan Tribune, 16 March 2014, <http://bit.ly/1fCXqEv>; 'Government Welcomes Civil Society Participation In Peace Talks', Gurtong, 21 February 2014, <http://bit.ly/1LLfUV4>; Citizens for Peace and Justice Facebook page, <http://on.fb.me/1SGEmfs>.

52 'S. Sudan stakeholders nominate representatives for peace talks', Sudan Tribune, 9 June 2014, <http://bit.ly/1AzHJ1Q>.

53 Kuron Village information, available at <http://www.kuronvillage.net>, <http://bit.ly/1G7kiFV>.



state has remained notably stable, which can in no small part be attributed to the efforts of Bishop Paride and the Peace Village.

There are also national efforts at community-led reconciliation. Frustrated at the lack of progress in negotiations, a National Peace Conference of South Sudan Tribes convened in February 2015 on the theme 'Peace Now! South Sudan Tribes Unite Against War'. Participants were drawn from each of South Sudan's 65 ethnic groups, and included religious and community leaders, traditional chiefs and government officials. Among the resolutions signed by the participants was a call for international sanctions against parties or individuals who refuse to sign or respect a negotiated peace deal.<sup>54</sup>

The examples of CAR and South Sudan are showing that civil society actors can play a critical role in inter-community peace processes. This is particularly true in instances where internationally led political initiatives are failing to address local needs and interests. Grassroots projects can help build bridges between opposing communities and close gaps between local, national and international bodies, but in order to achieve these aims a diversity of civil society initiatives must be recognised as a necessary component of sustainable peace, and adequately supported.

## CIVIL SOCIETY RESPONDING TO AND PREVENTING DISASTER

During the time this report was being prepared, Vanuatu's infrastructure was devastated by Cyclone Pam in March 2015, and over 8,000 lost their lives after a powerful earthquake struck Nepal in April 2015.

Civil society was quick to act: over 100 CSOs were reported as responding in Vanuatu, and over 200 international CSOs were said to be delivering emergency aid in Nepal.<sup>55</sup> But debate quickly moved to questions of the coordination of civil society, and international CSOs' lack of contextual understanding; Vanuatu's government criticised CSOs for lack of coordination, with each other and the government, and accused CSOs of being overly concerned with visibility, while issues of international CSOs not understanding local context were raised in both Nepal and Vanuatu.<sup>56</sup> Nepali CSOs called for an inclusive response, in which the government's

54 'S. Sudan tribes declare support for federalism, call for end to conflict', Sudan Tribune, 22 February 2015, <http://bit.ly/1AChCyE>; 'South Sudan's 64 tribes propose rotational presidency', The New Nation, 3 March 2015, <http://bit.ly/1FPGBrm>.

55 'Cyclone Pam: disaster response teams travelling to Vanuatu as dozens feared dead', The Guardian, 15 March 2015, <http://bit.ly/1HxMHcC>; 'Tropical cyclone Pam: Australia sends humanitarian aid to Vanuatu', The Guardian, 15 March 2015, <http://bit.ly/1PPwn0B>; 'The Predictable Disaster in Nepal', Huffington Post, 6 May 2015, <http://huff.to/1J84ETi>.

56 'Red Cross responds to criticism from Vanuatu government over NGO response to Cyclone Pam', ABC News Radio, 20 March 2015, <http://ab.co/1JWu7jq>;

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responses did not limit human rights, while the government was also accused of blocking the flow of aid, consistent with a pattern in which disasters expose governance and accountability deficits.<sup>57</sup>

These questions are ones commonly raised in the aftermath of humanitarian response; international civil society undoubtedly has an important role to play in Nepal and Vanuatu, but needs to be able to address these criticisms and demonstrate that they are building local civil society capacity, using resources responsibly and helping to improve on the governance and accountability issues that disasters reveal.

In Serbia, which experienced severe floods in May 2014, domestic civil society's response was seen in a generally positive light. Floods led to 51 deaths and around 32,000 evacuations, in an event described by Serbia's Prime Minister as their "worst natural disaster in history."<sup>58</sup> Serbian civil society network, Civic Initiatives, in their input to this report, describe the domestic civil society response:

*Civil society showed its potential, including in volunteering resources, and its capacity for fast and efficient response, strategic thinking in the field and partnership with the state. In some cases, local authorities delegated part of their operations to local CSOs, due to their own inability for efficient delivery and their lack of coordination with national authorities. CSO activities were particularly significant for the most vulnerable groups, such as Roma people, children and mothers with small children, and people with disabilities. More than 200 local and national CSOs were engaged in activities of support in flooded areas. CSO flood responses can be divided into three main areas: urgent efforts to help citizens; coordination, including support to the work of local CSOs, and participation by Serbian civil society in international humanitarian meetings; and helping institutions to help, by advocating for changes on national and international levels.*

The Serbian experience corresponds to a pattern noted in the 2011 State of Civil Society Report, in which effective civil society response to emergency helps lead to the opening of more opportunities for civil society: Civic Initiatives has noted new opportunities for CSOs to have a consultative voice in the time since the floods.

In the Philippines, meanwhile, civil society is starting to realise its responsibility to help reduce vulnerability to natural disasters, as our contribution from CODE-NGO indicates:

<sup>57</sup> 'Agencies 'holding up' Vanuatu response, Otago Daily Times, <http://bit.ly/1EzkkZz>; 'Cyclone Pam: Vanuatu slams aid agencies', stuff.co.nz, 19 March 2015, <http://bit.ly/1Go2prL>; Development Policy Centre, 'After the storm, the deluge', 24 March 2015, <http://bit.ly/1FEI0ji>; Huffington Post, 6 May 2015 op. cit.

<sup>58</sup> The International Movement Against All Forms of Discrimination and Racism, 'Nepali civil society organizations demand the Government for inclusive disaster responses', 4 May 2015, <http://bit.ly/1FccPZi>; 'Nepal government criticised for blocking earthquake aid to remote areas', The Guardian, 2 May 2015, <http://bit.ly/1J45wtU>.

<sup>58</sup> Reliefweb, 'Balkans: Floods – May 2014', <http://bit.ly/1Iyw3yO>; 'Prime minister calls Serbia floods 'worst natural disaster' in country's history', Euronews, 16 May 2014, <http://ab.co/1JWu7jq>.

*The Serbian experience corresponds to a pattern noted in the 2011 State of Civil Society Report, in which effective civil society response to emergency helps lead to the opening of more opportunities for civil society.*

*A major challenge faced by CSOs in the Philippines has to do with the impact of climate change and natural disasters, which increasingly present socio-economic and environmental risks to the Philippines. The World Disaster Report 2013 ranked the Philippines as the third highest risk country in terms of exposure to natural calamities, next only to Tonga and Vanuatu. Typhoons hitting the country in the past 10 years have become more frequent and drastic, bringing damage that we have never seen before. Since the impacts of these events adversely undermine any development intervention being implemented in the areas affected by the calamities, it has become a necessity for development CSOs in the country to mainstream disaster risk reduction and management (DRRM) and climate change adaptation (CCA) in our interventions. It is also important that we reinforce our advocacy towards influencing our government at national and local levels to fully implement our DRRM Law and ensure citizen participation in our local government units' crafting of local DRRM plans and budgets.*

*...civil society, from local to international levels, is often the first responder in situations of emergency, including public health emergencies, natural disasters and human induced humanitarian crises, including those caused by conflict.*

## CONCLUSION: CIVIL SOCIETY AND EMERGENCY RESPONSE

The above has offered just a few examples of the ways in which civil society, from local to international levels, is often the first responder in situations of emergency, including public health emergencies, natural disasters and human induced humanitarian crises, including those caused by conflict. International civil society can be effective in rapidly mobilising flexible resources, including from public donations, while local civil society often has crucial trust and understanding of context. When they work together they can be particularly effective. In comparison, governmental bodies are often unable to offer a similarly strong response. This may be because governments are implicated in conflicts, or poor governance has exacerbated the emergency, while intergovernmental agencies are stymied by bureaucracy and deadlocked international politics that play out at the multilateral level. However, sometimes, despite its best efforts, civil society is overwhelmed by the scale of the crisis too. This is when closer collaboration between all parties is most needed.

## FIVE KEY POINTS FOR FUTURE ACTION:

- Civil society response to emergency works best when it builds upon existing and deep track records of engagement with local communities.
- A history of disabling conditions for civil society is a huge barrier against effective civil society response to crisis; long term work needs to be done to improve the conditions for civil society, including in the follow-up to emergencies, to develop future emergency response capacities.
- Civil society often finds itself caught between different parties in conflict, and more must be done to assert and adhere to a norm that all sides in a conflict should respect civil society's political neutrality and independence, and uphold their right to deliver essential humanitarian services and report on human rights violations, where they encounter them.
- Issues of coordination and cooperation, including between local and international CSOs, are inevitable; relations need to be built on mutual respect, while mechanisms need to be put in place to anticipate and resolve any conflicts that may arise.
- Flexibility in the use of resources is crucial and so needs to be built in, but at the same time, issues of transparency and accountability in the use of resources, which are likely to arise, need to be anticipated.

# 2 STANDING UP FOR OUR- SELVES: CIVIL SOCIETY MOBILISING

*Civil society mobilisation happens whenever people come together to seek change and call decision-makers to account, whether on the streets or online.*

As CIVICUS has consistently maintained, civil society is much more than a collection of organisations. Civil society mobilisation happens whenever people come together to seek change and call decision-makers to account, whether on the streets or online. In the past few State of Civil Society Reports, we have observed that people are rejecting models of governance that they see as failed, and the established forms of political participation that they see as irrelevant to their lives. The patterns of protest that erupted in 2011, when people demanded that broken models of governance and politics change in many Middle East and North African (MENA) countries, and in Europe and the US, have persisted, and spread to different contexts.

In some countries, such as Greece and Spain, the momentum of anti-austerity protests has translated into new forms of electoral politics that have challenged established parties: Syriza in Greece capitalised on a support base galvanised by the protests since 2011 to win control of government in 2015, and in Spain the anti-austerity Podemos ('we can') party, which explicitly takes inspiration from 2011's Indignados movement, made gains in the May 2015 municipal elections, including taking the mayoralty of Barcelona.<sup>59</sup>

Meanwhile, fresh protests have come in Brazil, where we reported how people took to the streets in 2013 and 2014 in the 2014 State of Civil Society Report. In March 2015, hundreds of thousands of people marched in cities all over the country, against President Dilma Rousseff, following a corruption scandal at Petrobras, the state-owned oil company.<sup>60</sup> Those who marched in Brazil were, however, very different to those who did so in previous years: this was an older, wealthier crowd, and some expressed support for reactionary politics and the return of military rule, causing some pro-government supporters to dismiss the marches as a coup attempt, although President Dilma recognised people's right to protest.<sup>61</sup> But what this did have in common

<sup>59</sup> 'Spanish politics: Restless and resentful', The Economist, 3 January 2015, <http://econ.st/1HNWwIU>; 'Spain's 'Yes we can'', DW, 8 April 2015, <http://bit.ly/1Ayukrj>; 'Left Coalition Wins Barcelona, Spain's Main Parties Lose Ground', Telesur, 24 May 2015, <http://bit.ly/1SDI75x>.

<sup>60</sup> 'Big protests in Brazil demand President Rousseff's impeachment', BBC, 16 March 2015, <http://bbc.in/1CkmTnD>.

<sup>61</sup> 'Brazil's Right Wing's Undermining of Democracy', Telesur, 14 March 2015, <http://bit.ly/1BIXS74>; 'Update: Brazil's Right Wing March for Impeachment of President', Telesur 15 March 2015, <http://bit.ly/1ckl3pO>; 'Damage control: Brazil's government reacts to protests', BBC, 16 March 2015, <http://bbc.in/1Feh1rw>.

with previous protests is that it too suggested a withdrawal from conventional politics and a loss of trust in established politicians, creating a legitimacy crisis for political elites.

One thing we might conclude from the past few years is that it is hard to predict where mass mobilisations might break out next. A year ago, Burkina Faso and Hong Kong did not stand out as potential protest hotspots. What does seem to be holding true, however, is the pattern of how protests spread, as characterised in the 2014 State of Civil Society Report: protests tend to mushroom from an initial focus on small, local issues into addressing larger, national level issues, often connected with frustration about lack of voice and visible corruption; they generally involve young, often well-educated people; they are usually marked by a high degree of self-organisation and a lack of hierarchical structure, with heavy use of social media; they tend to look to previous protests as sources of inspiration; and they often flare up more intensely when initial protest is met with heavy handed security force response.

## HONG KONG: “PAIN IS TEMPORARY. WE ARE FIGHTING FOR A PERMANENT DEMOCRACY”<sup>62</sup>

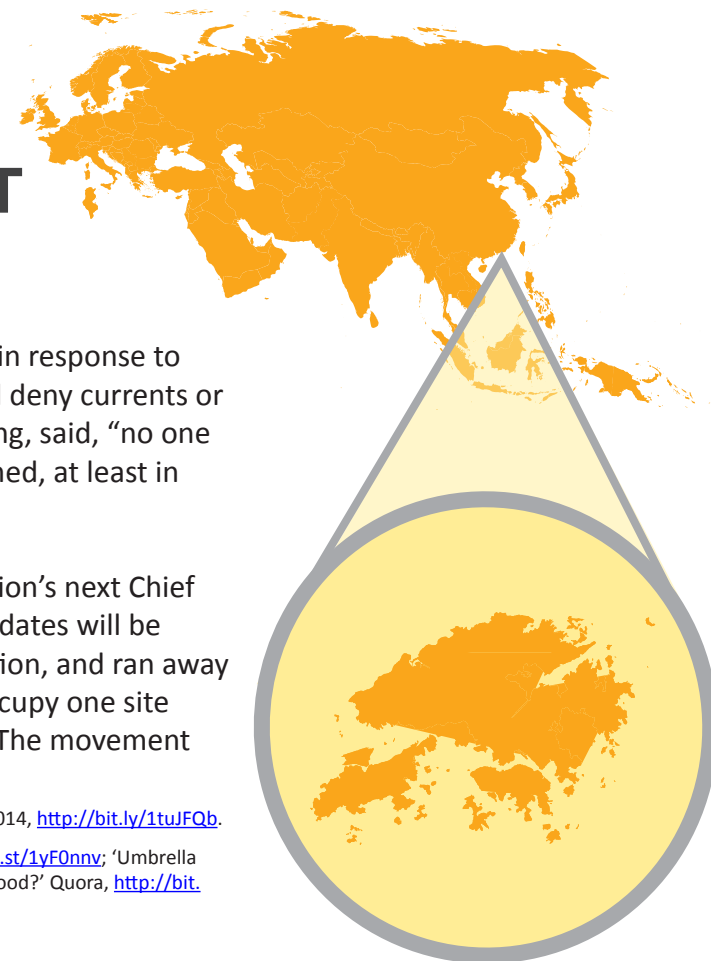
Many of the above characteristics could be seen in Hong Kong in 2014, even though, partly in response to accusations of being foreign led, protest leaders were keen to focus on domestic issues, and deny currents or inspiration or learning from elsewhere. For example, one of the protest leaders, Joshua Wong, said, “no one has inspired me,” although others were prepared to acknowledge that much had been learned, at least in terms of tactics, from the Occupy movement and previous protests in Taiwan.<sup>63</sup>

In Hong Kong, a key protest demand was that the election of the Special Administrative Region’s next Chief Executive in 2017 be held under universal franchise. Currently China’s proposal is that candidates will be selected and vetted by a nominating committee. Protests quickly outgrew their initial intention, and ran away from the organisers. What started out as Occupy Central with Love and Peace – a plan to occupy one site – burst its banks and spilled into three sites, under the banner of the Umbrella Movement. The movement

<sup>62</sup> Quotation taken from: ‘Hong Kong police drive out pro-democracy protestors in violent clashes’, The Guardian, 1 December 2014, <http://bit.ly/1tuJFQb>.

<sup>63</sup> ‘Hong Kong’s students want you to stop calling their protest a ‘revolution’, The Washington Post, 4 October 2014, <http://wapo.st/1yF0nnv>; ‘Umbrella Movement and Hong Kong Protests (Fall 2014): How do the Umbrella Hong Kong protesters address the logistical problems of supplying food?’ Quora, <http://bit.ly/1FceZrU>.

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gained early public support, with some initial heavy handed policing, including the use of tear gas and pepper spray, fuelling further participation in protest.<sup>64</sup>

Umbrellas became the visual symbol of the movement, starting out as practical protection against tear gas, and then finding form in sculptures and other protest art. As in previous protests, online means were used to plan protest and communication messages, including high use of the HKGolden forum. This helped protests to spread: at their peak, an estimated 100,000 people were taking part.<sup>65</sup>

Another characteristic of the Hong Kong protests, which they share with other recent movements, is that demands and responses were multiple and complex, and resist easy analysis. Underneath the umbrella, there was considerable diversity, in both tactics and goals. The movement remained loose, encompassing different students' groups, such as the Scholarism movement, formed in 2012 to resist state attempts to make education more 'patriotic', but also reaching across other movements and opposition parties. The tactics were mostly non-violent, civil disobedience tactics, but not entirely: the Civic Passion group did not adhere to these principles when they carried out forced entry to the Legislative Council Complex, while police violence produced some violent protestor reactions in December 2014. An element of xenophobic, anti-mainland Chinese sentiment among some protestors must also be acknowledged.<sup>66</sup>

Ultimately, the protests can be seen as having petered out. Heavy handed initial police tactics became more careful, as the state seemed keen not to have a Tiananmen Square moment, and to some extent protest became a war of attrition. Protestors acknowledged feeling fatigued, and given persistent disruption to daily life, initially supportive public opinion swung towards wanting the protests to end, although this should not be conflated with public opposition to democracy.<sup>67</sup>

Given this, the question arises again of how protest success is defined. Protests may not achieve all their aims, but this does not mean they are wholly unsuccessful. As in previous cases, including Ukraine, as noted above, part of the value of protests is in connecting previously disconnected people and increasing their awareness of and commitment to action. Protests act as schools of active citizenship, as an anonymous Hong Kong civil society activist we interviewed attests:

*Another characteristic of the Hong Kong protests, which they share with other recent movements, is that demands and responses were multiple and complex, and resist easy analysis. Underneath the umbrella, there was considerable diversity, in both tactics and goals.*

64 'Here's what's next for Hong Kong's embattled democracy movement', Global Post, 5 December 2014, <http://bit.ly/1LLxSr6>; Brookings, 'Hong Kong: Examining the Impact of the "Umbrella Movement"', 3 December 2014, <http://brook.gs/1GFTQf8>.

65 'Occupy Central leaders surrender to Hong Kong police', 3 December 2014, <http://bit.ly/1PPALNi>.

66 'Tracing the history of Hong Kong's umbrella movement' ABC RN, 28 October 2014, <http://ab.co/1wKm4ky>. The Guardian, 1 December 2014 op. cit.

67 'Hong Kong's Summer of Love and the Umbrella Generation', The Huffington Post, 3 December 2014, <http://huff.to/1FPKGfi>; 'Hong Kong protests have produced no real winners', The Guardian, 1 December 2014, <http://bit.ly/1BqIANF>.

*Protests may not achieve all their aims, but this does not mean they are wholly unsuccessful.*



*The protests cannot be described as a success with regard to their demands, but one major impact is that they have awakened a certain part of civil society, the younger generation in particular, that used to be passive and indifferent to social and political issues.*

Most protestors did not belong to any organised group, becoming involved as individuals, and many were young: research published by the *Ming Pao* newspaper found that over three quarters of protestors were aged between 18 and 39, and 37% were under 24. Further, many were new to any kind of protest movement.<sup>68</sup> A further encouraging aspect is the strong role women played in the protests, including in organising protest and being on the frontline. Stereotypes of women as submissive and oriented towards good careers or good marriages were challenged.<sup>69</sup> We have perhaps seen the birth of the ‘umbrella generation’ who have been brought out of relatively affluent individual isolation into collective action, while previously disparate opposition groups may have identified common ground.<sup>70</sup> A generation has identified a fundamental point of disagreement, on which their rulers evidently do not want to give ground. A protest march, with umbrellas prominent, of around 10,000 people in February 2015 showed that the commitment to seek change has not gone away.<sup>71</sup>

Another key impact of the Hong Kong protests could be that they have focused global attention on an issue that was receiving little notice. A second interviewee, also anonymous, draws attention to the value of internationalising the issue:

*The international community must stand in solidarity with the people of Hong Kong and put pressure on the government to listen to the voices of its people. Civil society groups around the world should continue campaigns calling on the Chinese government to respect the autonomy of Hong Kong and to stop interfering in its political processes. The people of Hong Kong have a right to decide on how their leaders are elected. International civil society should also amplify the voices of local civil society groups in Hong Kong and report on the restrictions imposed on freedom of expression and assembly, and raise human rights concerns in gatherings of civil society groups and meetings with governments and United Nations representatives.*

*A further encouraging aspect is the strong role women played in the protests, including in organising protest and being on the front-line. Stereotypes of women as submissive and oriented towards good careers or good marriages were challenged.*

68 CIVICUS, ‘Hong Kong Activists Calls on Government to “Listen to the Voices of its People”’, 8 October 2014, <http://bit.ly/1QcIWz7>.

69 ‘The Umbrella Movement marks a coming of age for Hong Kong’s “princess” generation, Quartz, 14 November 2014, <http://bit.ly/1x4NHDR>.

70 The Huffington Post, 3 December 2014 op. cit.; ‘We’ll be back, vow defiant Hong Kong democrats as main protest is broken up’, The Guardian, 11 December 2014, <http://bit.ly/1LLy2P4>.

71 ‘Hong Kong democracy protestors return to the streets’, The Guardian, 1 February 2015, <http://bit.ly/1HFbtX9>.



## BURKINA FASO

# CITIZENS SPARK TRANSITION IN BURKINA FASO

In October 2014, Burkina Faso saw a 'Lwili Revolution' (named after a local bird), when widespread protests broke out, stirred by a controversial bill to extend President Blaise Compaoré's 27 years in office. On 30 October, protestors stormed Parliament, demanding the President's resignation. Within days, Compaoré had stepped down and the military had suspended the constitution. These dramatic events left commentators asking if the 'Arab Spring' had finally swept across the Sahara.<sup>72</sup>

It's important to note, however, that Sub-Saharan Africa has never been a protest-free zone, and these were not the first protests in Burkina Faso's recent history: 2011 saw demonstrations over the death of a student while in police custody, which quickly developed into protests against rising food prices and unemployment. Discontent was subdued only when Compaoré dismissed his government and replaced top military leaders. More broadly, over 90 'popular uprisings' have been recorded in over 40 African countries since 2005.<sup>73</sup>

As in so many African countries, despite a decade of largely positive economic growth, citizens have seen precious little trickledown effect. Many saw the move by Compaoré to extend his tenure as an effort to protect

*As in so many African countries, despite a decade of largely positive economic growth, citizens have seen precious little trickledown effect.*

<sup>72</sup> 'The Fiery Fall of Burkina Faso's 'Beautiful Blaise'', Foreign Policy, 5 November 2014, <http://atfp.co/1Lly49z>.

<sup>73</sup> 'Student's death triggers Burkina Faso unrest', Financial Times, 18 April 2011, <http://on.ft.com/1PPDkic>; 'Burkina Faso's uprising part of an ongoing wave of African protests', The Washington Post, 2 November 2014, <http://wapo.st/1OLx57Z>.



the corrupt business interests of his inner circle. With 60% of the population aged under 25 and facing poor employment and income prospects, popular resentment towards political elites finally boiled over.<sup>74</sup>

International complacency and calculations of self-interest had also played a part in maintaining elite power. This is also the case when it comes to Ethiopia, discussed in the next section. Burkina Faso and Compaoré were viewed by many international partners as bastions of stability in a volatile West Africa. Compaoré garnered a reputation as a regional peace-maker, through his mediation in various West African crises, including in Côte d'Ivoire, Mali and Togo, although Compaoré's alleged involvement in conflicts led others to draw parallels with the French notion of a '*pompier pyromane*', a pyromaniac fireman gaining credit for extinguishing fires he helped start.<sup>75</sup>

The government of France, a long-standing friend of the government, was forced by the ferocity of the protests in October 2014 to recognise Compaoré's defeat, ushering the deposed leader into exile in Côte d'Ivoire.<sup>76</sup> But with the intervention of the military, what started as a popular uprising began to resemble a military coup, as Lieutenant Colonel Zida proclaimed himself head of state. Demands by citizens for political and economic reforms seemed to have ended with Burkinabe citizens swapping one dictatorship for another.

The people, however, would not be denied, and on 3 November 2014 thousands gathered in the same revolutionary square where they had protested against Compaoré, La Place de La Nation, to call for the military to hand power to a civilian government. These popular demonstrations, alongside pressure from the AU, prompted the army to announce the creation of a unity government, with the promise that it would operate for one year, to be followed by a general election in November 2015.<sup>77</sup> The interim cabinet draws from civil society, different political parties and the military. Former Ambassador to the UN, Michel Kafando, a civilian leader with no clear political affiliations, was appointed interim transitional President.<sup>78</sup>

But February 2015 brought further protests, over the unresolved issue of the army's role in politics. Mass protests sparked again in the capital Ouagadougou, against the influence of the Regiment of Presidential Security (RSP), following calls by the RSP to remove the transitional Prime Minister, Isaac Zida.<sup>79</sup> Seen as

*With 60% of the population aged under 25 and facing poor employment and income prospects, popular resentment towards political elites finally boiled over.*

74 Afrobarometer, *Policy Brief No. 1: After a Decade of Growth in Africa, Little Change in Poverty at the Grassroots*, October 2013, <http://bit.ly/1KrIjQN>; 'Power struggle in Burkina Faso after Blaise Compaoré resigns as president', The Guardian, 1 November 2014, <http://bit.ly/1wNcPwp>.

75 Institute for Security Studies, 'West Africa after Compaoré', 12 December 2014, <http://bit.ly/1wGYFRN>; Foreign Policy 5 November 2014 op. cit.

76 'France helped Compaoré flee Burkina Faso unrest, Hollande says', France 24, 4 November 2014, <http://f24.my/10o9dX7>.

77 'African Union gives Burkina Faso two weeks to end military rule', France 24, 3 November 2014, <http://f24.my/1Qcoai9>; 'Army promises unity government as thousands protest in Burkina Faso', France 24, 3 November 2014, <http://f24.my/1d19Zj7>.

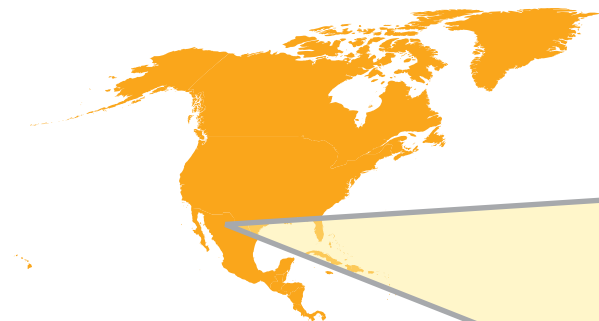
78 'Transitional government appointed in Burkina Faso', France 24, 24 November 2014, <http://f24.my/1ckMvos>; 'Burkina Faso declares Michel Kafando interim president', BBC, 17 November 2014, <http://bbc.in/1uGXbUS>.

79 'Protestors demand scrapping of Burkina Faso presidential guard', Reuters, 7 February 2015, <http://reut.rs/1KrnCmN>.

a hangover from the Compaoré regime, the RSP was also accused of using lethal force against the largely peaceful protests of 2014, when at least 24 people were killed and 600 injured after security forces opened fire without warning.<sup>80</sup> The attempt by the RSP to remove Zida raised concerns that security forces were planning a further coup. After several days of protests, the people won out once more, as the guard pledged not to interfere further in the transition. This does not appear to have placated protestors, with civil society continuing to call for the RSP's dissolution.<sup>81</sup>

The transitional government remains precisely that – transitional – and civil society must play a critical role if Burkina Faso is to be brought to democratic transition and military takeover averted. Civil society now needs to be supported to play this role.

## MEXICO: FROM THE 43 TO 4 MILLION



*MEXICO*

Something stirred in Mexico in 2014 that seemed new. Mexico's US-backed 'war on drugs' has for years come at a heavy price in human lives. The US has long given financial support to try to combat drug trafficking across the border, and under the Mérida Initiative, which has run since 2008, the US government provides resources for anti-drug law enforcement and some related human rights work, to an estimated tune of US\$3bn since 2008. Successive Mexican governments have ramped up the rhetoric about getting tough on drug trafficking. The result has been an egregious and sustained assault on human rights: it is estimated that 100,000 people have been killed in the drug war, and a further 25,000 'disappeared'; under current President Peña Nieto, between December 2012 and June 2014 alone, 57,899 died in drugs-related violence.<sup>82</sup> And yet

<sup>80</sup> Amnesty International, 'Burkina Faso: Military shooting of protestors must be investigated', 14 January 2015, <http://bit.ly/1PPEAIC>.

<sup>81</sup> Reliefweb, 'The changing of the guard: Burkibabé civil society says no to coup by stealth', 25 February 2015, <http://bit.ly/1ez5eyn>; 'Thousands protest Burkina Faso's presidential guard', France 24, 8 February 2015, <http://f24.my/1AvyY9p>.

<sup>82</sup> Drug Policy Alliance, 'Bill Clinton Apologizes to Mexico for the Drug War, Now It's President Obama's Turn to End It', 12 February 2015, <http://bit.ly/1Fcl1ZA>; #USTired2, 'Drug War, Militarization, Violence and Human Rights Violations under the Peña Nieto Government', <http://bit.ly/1FEQx5A>.

the war on drugs has had no discernible impact on the circulation of drugs in the US: the US State Department acknowledges that 90% of cocaine in America still comes through Mexico and Central America.<sup>83</sup>

In 2013, the US State Department acknowledged concerns about human rights abuses, and impunity, by government and military officials.<sup>84</sup> These concerns were loudly echoed in March 2015 by the UN Special Rapporteur on Torture:<sup>85</sup>

*Torture and ill treatment during detention are generalized in Mexico, and occur in a context of impunity.*

Mexico's war on drugs impacts most adversely on its poorest communities,<sup>86</sup> and activists, human rights defenders and journalists put themselves at risk of death or 'disappearance' when they come into contact with the webs of corruption that link local politicians and security forces with organised crime gangs.

Despite its 2013 expression of concern, the US government has continued to back Mexico's approach. Although some Mérida Initiative funding is supposed to be linked to human rights performance, support has not been reduced and in 2014 the US gave Mexico a positive human rights assessment. In any case, Mexico's government has pushed back against human rights concerns as an incursion on sovereignty.<sup>87</sup>

So perhaps when 43 students from a teacher training college 'disappeared' en route to a protest in the city of Iguala in Guerrero state on 26 September 2014, it could have just presented one more distressing statistic to add to the tally. To this day, what happened to the 43 is not known: the version of events that the state presented, that the 43 were killed and their remains found, is disputed, but it seems clear that, after being arrested by police they were handed over to members of the Guerreros Unidos drug gang, highlighting the collusion that exists at the local level between police and organised crime, and the connections of both with the local mayor, since removed from office, against whom the 43 intended to protest.<sup>88</sup>

*Mexico's war on drugs impacts most adversely on its poorest communities, and activists, human rights defenders and journalists put themselves at risk of death or 'disappearance' when they come into contact with the webs of corruption that link local politicians and security forces with organised crime gangs.*

83 US Department of State, *2013 International Narcotics Control Strategy Report (INCSR) – Honduras through Mexico*, 5 March 2013, <http://1.usa.gov/1c96kPc>.

84 #USTired2, op. cit.

85 UNIFEED, 'Geneva / HRC Torture 2', 11 March 2015, <http://bit.ly/1EzrST>.

86 'Britain's welcome for Mexican president is worrying', *The Guardian*, 25 January 2015, <http://bit.ly/1EhU8aX>.

87 HRW, 'Mexico/US: Obama Should Press Peña Nieto on Justice', 5 January 2015, <http://bit.ly/1DACKVm>; 'Obama meets Mexican counterpart amid calls to act tough on human rights abuses', *The Guardian*, 6 January 2015, <http://bit.ly/1FERija>; 'Obama backs Mexican government amid calls to suspend military aid', *The Guardian*, 7 January 2015, <http://bit.ly/1lqdfxk>.

88 'What has happened to the missing Mexican students, and why does it matter?', *The Telegraph*, 4 March 2015, <http://bit.ly/1FPP0Lu>.

But for many, the disappearance of the 43 proved a tipping point. Mass protests were held across Mexico in November and December 2014, with December protests provoking police violence.<sup>89</sup>

As with other mass protest events, social media offered a vital arena for dissent. When, in December 2014, the Attorney General, Jesús Murillo Karam, who has since resigned from office, ended a press conference about the 43 with the expression “Ya me canse” (I am tired) he inadvertently started a meme: #Yamecanse became the main protest Twitter hashtag, trending over a sustained period of time and being mentioned over four million times. Murillo had inadvertently echoed the thoughts of millions of Mexican citizens, tired of everyday corruption and violence. The spread of the hashtag, while viral, was no accident. A group of activists set up the <http://yamecanse.mx> website, used the hashtag to call for protests, and ensured that it kept trending. When the Yamecanse hashtag stopped trending, they started another hashtag, #Yemecanse2, which also went viral. The activist group brought together the expertise of professionals from broadcast media and advertising, and shot videos in English as well as Spanish to reach an international audience. The group saw themselves as involved in a cyber battle with the government that called for constant effort, as the government tried to promote alternate hashtags to push Yamecanse down, suggesting a model of how a civic movement can form around skills that give them an online advantage in promoting action.<sup>90</sup> Online dissent was backed by offline protest: protest caravans took the message from town to town, and were frequently flagged down by people who wanted to express their support.<sup>91</sup>

The action went international, spreading to the large Mexican diaspora in the US, where protests were held during the President’s January 2015 visit, calling for the end of the Mérida Initiative.<sup>92</sup> The march of thousands in Mexico and the US on the four month anniversary of the ‘disappearances’ suggests that momentum has been sustained.<sup>93</sup> On the President’s visit to the UK in March 2015, Amnesty International staged a protest, as did UK-based groups of Mexican citizens, including the London branch of the Yo Soy 132 social movement, established in 2012 and inspired by Occupy and the Spanish 15-M movement.<sup>94</sup>

In common with other movements, the focus of protests grew, encompassing the larger underpinning issues of corruption and state failure in the provision of key public goods, such as education and healthcare: the

- 89 ‘Mexico missing students: Capital sees mass protests’, BBC, 21 November 2014, <http://bbc.in/1FERQ4I>; ‘Mexico missing students: Thousands march in protest’, BBC, 2 December 2014, <http://bbc.in/1J4nix6>; ‘Mexico missing students: Protestors clash with police’, 15 December 2014, <http://bbc.in/1zYi4ku>.
- 90 ‘I am tired’: the politics of Mexico’s #Yamecanse hashtag’, BBC Trending, 9 November 2014, <http://bbc.in/1vzhAHe>.
- 91 ‘Mexico missing students: Travels on the protest caravan’, BBC, 20 November 2014, <http://bbc.in/1BqSCy7>.
- 92 ‘43 Cities Stage Symbolic Protest Demanding U.S. Stop Funding Mexican Drug War’, The Huffington Post, 3 December 2014, <http://huff.to/1BqSYoD>; HRW, 5 January 2015 op. cit.
- 93 ‘Mexico marks four months since 43 Ayotzinapa students disappeared’, Al Jazeera, 26 January 2015. <http://alj.am/1FcmxL9>.
- 94 Amnesty International, ‘Mexico state visit to UK: ‘Stop torture piñata’ stunt at Mexican embassy – Mon 2 March’, 26 February 2015, <http://bit.ly/1BqTaEk>; ‘UK Must Confront Mexico on Torture, Activists Say’, Newsweek, 3 March 2015, <http://bit.ly/1AvCTD2>.

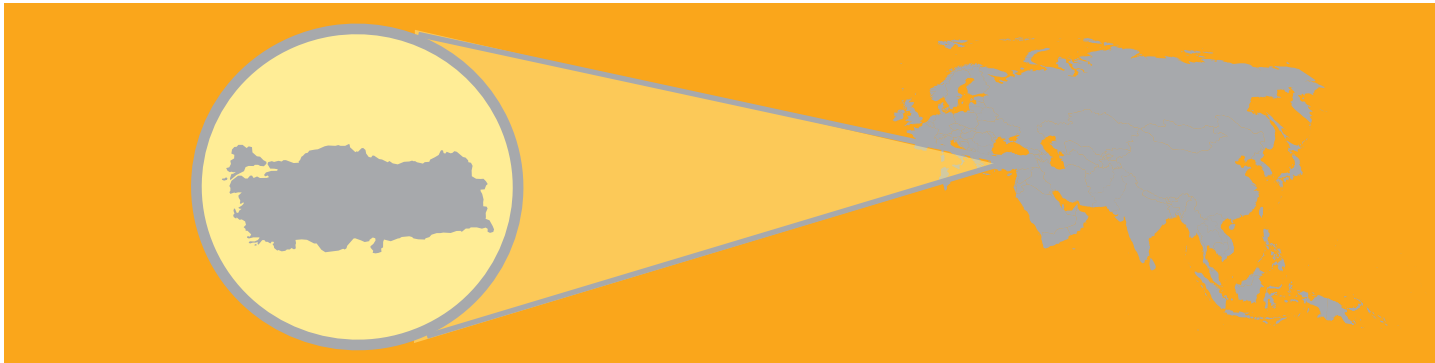
*#Yamecanse became the main protest Twitter hashtag, trending over a sustained period of time and being mentioned over four million times.*

*Online dissent was backed by offline protest: protest caravans took the message from town to town, and were frequently flagged down by people who wanted to express their support.*

'disappearance' of the 43 became a symbol of a broader vacuum at the heart of the state. Protests had a huge impact on the President's popularity, but there was also strong resistance to attempts by opposition politicians to co-opt protest momentum to their own ends.<sup>95</sup> In Guerrero state, the protests led to calls for popular local government, as an alternative to a government seen to have failed to fulfil its part of the fundamental social contract, of guaranteeing the safety of citizens; this was followed by the direct occupation of a number of town halls, with some local mayors forced to vacate their offices. These actions should not be idealised: in a number of places, militias formed to defend local populations, and while some of these placed emphasis on local self-organising and building resilience against organised crime, others were more akin to vigilante groups, with links to drug gangs.<sup>96</sup> But the fact that a number of local protest groups are seeking to prevent National Congress elections taking place in July 2015 suggests an attempt to make a decisive break with failed politics. Local alternatives may be closer to the essence of democracy than a politics centred around the performative function of elections, in which elites compete to secure personal and lucrative shares of resources.

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## SO, WHAT HAPPENED NEXT IN TURKEY?



## TURKEY

Turkey saw one of the recent high watermarks of civic action in 2013, discussed in the 2014 State of Civil Society Report, as a campaign to defend a rare public green space in central Istanbul turned into a much wider show of defiance against an increasingly autocratic government. As discussed in the next section, Turkey's government responded by making it harder to demonstrate in public, giving police new powers and closing down large swathes of the internet. But this does not mean that the momentum of protest has dissipated. The Third Sector Foundation (TUSEV) suggests that Turkey is following the pattern noted above, of people moving from high profile protests to sustained, alternative engagement:

<sup>95</sup> 'Are the missing students protests turning into a Mexican spring?', The Week, 19 December 2014, <http://bit.ly/1JWHu3g>.

<sup>96</sup> 'Mexican firebrands call for self-rule: 'It's time for the people to take power'', The Guardian, 16 January 2015, <http://bit.ly/14IOFKW>.

*The Gezi Protests of 2013 were arguably the largest wave of protests in recent Turkish history. After Gezi, new forms of mobilisations have emerged to counterbalance and challenge power. Local neighbourhood assemblies were established throughout Turkey following the Gezi protests, solidifying the resistance in neighbourhoods and providing living examples of face-to-face direct democracy. Citizens encountered new modes of activism to raise their voices over their concerns and put pressure on decision-makers, outside of the formal modes of civic participation.*

*In the presidential and local elections held after the Gezi protests, citizens have made demands that elections be more accountable and transparent. Oy ve Ötesi Girişimi (the Vote and Beyond Initiative) was formed, and regardless of political affiliations and ideological backgrounds, volunteers of this initiative mobilised via social networks. After receiving training, these volunteers acted as independent election observers. They have relied on personal networks and used the power of technology and communications to do so. During the local elections held in March 2014, over 26,000 volunteers took part and covered almost 95% of the votes cast. The Vote and Beyond Initiative has now registered as an association, and for the 2015 Turkish General Election, they aim to reach 120,000 volunteers in 45 cities throughout Turkey to observe 62% of the total vote.*

Hakan Atam, of the Helsinki Citizens Assembly, adds:

*During the 2013 protests a large number of young people in Turkey have shown that they will not tolerate the repressive policies of the conservative government and they will defend their rights and secular way of life, even though the government wants to impose its conservative policies... It has shown that there is still a social dynamic against repression, which was seen as defeated and lost after the 1980 coup d'état. One face of the 2013 protests is hope that protests have created.*

The response to the murder of Özgecan Aslan in 2015, discussed in the section on gender activism below, further demonstrates that the potential for civic mobilisation in Turkey remains strong.

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# A CIVIC RESPONSE TO BLACK MARGINALISATION IN THE US

Large scale protests are not confined to the global south. The US saw an apparent epidemic of deaths of young black men at the hands of the police in 2014 and 2015, provoking outrage among many, and exposing deep-rooted inequalities, lack of accountability and impunity. Outrage was seen on the streets and, following the new established trajectory of modern protest movements, protests grew from one location to many, and matured from a focus on immediate issues to raising more profound questions about the nature of American society and democracy.

The present wave of outrage was sparked by the deaths of Eric Garner, killed when held in a chokehold by five police officers in New York in July 2014, and of Michael Brown, shot dead by police in Ferguson in August 2014.<sup>97</sup> This disturbing trend continues to the present day, with the police shooting in the back of Walter Scott in North Charleston fortuitously caught on camera in April 2015, and later that month, the death in custody of Freddie Gray in Baltimore, sparking riots.<sup>98</sup> That these were not the only examples in the period covered by this report suggests a sustained, disturbing pattern of human rights abuses: campaigning group We, the Protestors' interactive map highlights that over 300 black people were killed by police in the US in 2014.<sup>99</sup>

The response, as in Baltimore, and initially in Ferguson, has sometimes been violent, on both sides. We see time and again around the world that the mishandling of protest situations by security forces only serves to heighten tensions and recruit protest supporters. So it proved in Ferguson, where police responses included apparent arbitrary arrests, the crass destruction of an impromptu memorial and violent handling of initial protests, including police violence against journalists.<sup>100</sup> The imposition of a local state of emergency, with nightly curfews, extended pre-trial detention, and deployment of military reserve forces, was disturbingly similar to the reaction to protest seen in Thailand in 2014, falling short of the example we might expect a democratic superpower to set.<sup>101</sup>

97 'Eric Garner and the NYPD's History of Deadly Chokeholds', The Atlantic, 4 December 2014, <http://theatlantic.com/1RqhShn>; 'Why Did Michael Brown Die In Ferguson?', The New Yorker, 11 August 2014, <http://nyr.kr/XdOgxd>.

98 'The Shockingly Familiar Killing of Walter Scott', The Atlantic, 8 April 2015, <http://theatlantic.com/1ckRohg>; 'Baltimore riots: Looting, fires engulf city after Freddie Gray's funeral', CNN, 28 April 2015, <http://cnn.it/1J8w2AF>.

99 Mapping Police Violence, 'The National Police Violence Map', <http://mappingpoliceviolence.org>

100 CIVICUS, 'CIVICUS Condemns Crackdown on Peaceful Protests in Missouri, USA, 14 August 2014, <http://bit.ly/1Fco04d>; 'Ferguson Police Use Tear Gas On Al Jazeera America Team', Huffington Post, 14 August 2014, <http://huff.to/1qaf9J5>; 'Police to Al Jazeera journalist near Ferguson: 'I'll bust your head'', Al Jazeera, 19 August 2014, <http://alj.am/1lfig6A>.

101 CIVICUS, 'CIVICUS Condemns Judicial Harassment of Baltimore Protestors', 30 April 2015, <http://bit.ly/1Eurlee>.



*The US saw an apparent epidemic of deaths of young black men at the hands of the police in 2014 and 2015, provoking outrage among many, and exposing deep-rooted inequalities, lack of accountability and impunity.*

Civil society, in various forms, has been active in the US in seeking to prevent protests turning violent, and to try to channel the outrage into participation oriented towards meaningful change.

It's notable that international civil society, more used to responding to human rights abuses in the global south, was part of the reaction in the US. Human Rights Watch documented the use of excessive force, while Amnesty International brought human rights observers to Ferguson, gave training in non-violent protest and reminded justice officials of their human rights obligations.<sup>102</sup>

At the same time, that response by large scale CSOs may have highlighted an initial absence of local level civil society. It has been argued that the case of Ferguson in particular revealed a profound dysfunction, with the city essentially organised as an economic operation in which white-dominated justice officials extract excessive fines from black citizens, but where the black community was not strongly organised in response, with a lack of local civic leadership and institutions.<sup>103</sup> This can be argued to have left a leadership vacuum, filled partly by opportunists and well-meaning but not always well-informed celebrities, which does not offer a good basis for either nuanced discussion or reasoned response.<sup>104</sup> It perhaps says something about how marginalised a community is, if it is initially incapable of mounting its own response without external help.

However, as protest continued, and spread to multiple sites across the US, action was sustained mostly by informal, grassroots groups, who worked hard to keep protest mostly peaceful. Some of these were long-established, such as the Organization for Black Struggle, founded in 1980, but many were set up in response to recent events, particularly following the acquittal of George Zimmerman in 2013 for shooting dead Trayvon Martin in Florida, such as Black Lives Matter and the Dream Defenders, and after the Michael Brown killing, such as Hands Up United and We, the Protestors. These are now in the process of consolidating as campaigning groups.<sup>105</sup> Interestingly, Hands Up United have made connections that are not normally brought out, with their leader locating them within a broader movement of oppressed and marginalised people, including LGBTI people and people living in poverty.<sup>106</sup> There have also been collaborations between community groups and faith groups, for example, on the Hands Up Sabbath campaign, which brought people of different faiths together in protest and solidarity.<sup>107</sup> These groups and collaborations built towards an organised weekend of

102 HRW, 'US: Respect Rights of Ferguson Protestors', 19 November 2014, <http://bit.ly/1yr0zIY>; Amnesty International, *On the Streets of America: Human Rights Abuses in Ferguson*, 2014, <http://bit.ly/1wtRZIC>.

103 'A City Where Policing, Discrimination and Raising Revenue Went Hand in Hand', The New York Times, 4 March 2015, <http://nyti.ms/1Gn8Kaf>; 'After Ferguson: No, the US is Not 'Congenitally Racist'', Spiked, 28 November 2014, <http://bit.ly/1KAJMWQ>; 'Ferguson shows failure at every level', CNN, 28 November 2014, <http://cnn.it/1HOfX4z>.

104 Spiked, 28 November 2014 op. cit.

105 'Eric Garner: Why #ICantBreathe is trending', BBC, 4 December 2014, <http://bbc.in/1QcxskZ>.

106 'Why do you march? Young protestors explain what drives them – Part 2', PBS Newshour, 8 December 2014, <http://to.pbs.org/1GbZdhy>.

107 Gamaliel, *Hands Up Sabbath: A Toolkit Remembering Ferguson*, <http://bit.ly/1BqWTS>.

*Civil society, in various forms, has been active in the US in seeking to prevent protests turning violent, and to try to channel the outrage into participation oriented towards meaningful change.*

*Interestingly, Hands Up United have made connections that are not normally brought out, with their leader locating them within a broader movement of oppressed and marginalised people, including LGBTI people and people living in poverty.*



resistance in October 2014. What was significant here is that the potential for violence was largely averted: what had started as a violent reaction became a deeper, peaceful, organised protest.<sup>108</sup>

As for protest tactics, as might be expected, social media was important, with the use of the #blacklivesmatter and #icantbreathe hashtags, this latter relating to Eric Gardner's death.<sup>109</sup> Offline tactics included public 'die ins', in which participants pretend to fall to the ground dead, a visibly striking, low budget tactic first used during Vietnam War protests, along with the adoption of the slogan 'Hands up, don't shoot', in the wake of Michael Brown's shooting, and tactics borrowed from the classic non-violent disobedience of the civil rights protests of the 1960s, such as when 100 different religious leaders linked arms and marched in step until arrested.<sup>110</sup>

A further intriguing aspect of the civic response was how social media enabled the making of unexpected connections of international solidarity. Palestinians used Twitter to show support with protestors, and shared practical advice, such as how to deal with tear gas, using the hashtag #palestine2ferguson. This support was reciprocated, with Ferguson protestors visiting Palestine in early 2015, making explicit connections between oppression in very different contexts.<sup>111</sup> People also turned to the international arena for redress: Trayvon Martin's mother testified to the UN Committee on the Elimination of Racial Discrimination in August 2014, and Michael Brown's parents to the UN Committee Against Torture in November 2014. A delegation from Ferguson also took a report on human rights violations to the UNHRC that same month.<sup>112</sup>

This emphasis on social media and low budget, easy to imitate protests does not mean that grassroots organising worked without resources: it seems that the support of the Gamaliel Foundation, an institution supported by global philanthropist George Soros, played a critical role in developing community organising capacity. Even though it has been operating for almost 30 years to build participation and accountability capacities, its support became controversial when seized upon by right-wing commentators, who accused

*Offline tactics included public 'die ins', in which participants pretend to fall to the ground dead, a visibly striking, low budget tactic first used during Vietnam War protests, along with the adoption of the slogan 'Hands up, don't shoot'.*

108 "We say no more': Protestors kick off 4 days of 'resistance' over Ferguson case", CNN, 10 October 2014, <http://cnn.it/1J8yvv3>; 'Thousands to gather in Ferguson for 'weekend of resistance'', The Guardian, 10 October 2014, <http://bit.ly/1xznJGF>.

109 'Protestors use hands-up gesture defiantly after Michael Brown shooting', LA Times, 12 August 2014, <http://lat.ms/1pqTRdM>.

110 'The Power of Die-in Protests', Political Violence @ a Glance, 24 March 2015, <http://bit.ly/1C7g2uD>; 'Protests in US over chokehold death case', Al Jazeera, 4 December 2014, <http://bit.ly/15PvVu8>; 'Clergy among dozens arrested on final day of 'Ferguson October' protests', The Guardian, 14 October 2014, <http://bit.ly/1H0djZI>.

111 'Palestinians share tear gas advice with Ferguson protestors', Al Jazeera, 14 August 2014, <http://bit.ly/1J74rqL>; 'Palestinians tweet tear gas advice to protestors in Ferguson', The Telegraph, 15 August 2014, <http://bit.ly/1pz1v5A>; 'Twitter-savvy Palestinians express solidarity with Ferguson protestors', HAARETZ, 27 November 2014, <http://bit.ly/1KrDndk>; 'The Fascinating Story of How the Ferguson-Palestine Solidarity Movement Came Together', AlterNet, 18 February 2015, <http://bit.ly/1J7Lpro>.

112 'Sybrina Fulton and Ron Davis Discuss Policing and Race at UN Review in Switzerland', The Root, 19 August 2014, <http://bit.ly/1n5JiIA>; 'Michael Brown's Parents Advocate For Human Rights To U.N. Committee Against Torture', The Huffington Post, 11 November 2014, <http://huff.to/1LLyJYL>; #FergusonToGeneva website, <http://fergusontogeneva.org>.

*This emphasis on social media and low budget, easy to imitate protests does not mean that grassroots organising worked without resources.*

Soros of funding people to foment riots.<sup>113</sup> This is consistent with a pattern discussed in the next section of this report, where attempts are made to delegitimise sources of funding to attack civil society movements.

Looking forward, support for grassroots organising will remain important in building capacity to renegotiate power relations in cities where majority communities feel marginalised. International solidarity and support can play a role in helping to develop that local civic capacity, in the US, just as elsewhere.

## A YEAR ON FROM #BRINGBACKOURGIRLS

As noted earlier, Boko Haram, Nigeria's jihadist network, have built their reputation by carrying out spectacular human rights abuses, feeding on the resulting media coverage.<sup>114</sup> On 14 April 2014, Boko Haram committed one of the most outrageous of their recent series of high profile crimes, kidnapping at least 300 schoolgirls in north east Nigeria. This sparked widespread, international outrage, expressed through the #BringBackOurGirls hashtag, which became one of the top trending hashtags of 2014, used in over five million tweets, with the support of major figures such as Michelle Obama, Hillary Clinton and Nobel laureate Malala Yousafzai, and globally known celebrities.<sup>115</sup>

But the #BringBackOurGirls campaign, a year on, seems a failure: while some kidnapped girls have escaped, no coherent rescue operation appears to have been mounted, and there is a lack of clear information about the conditions in which the girls are being held. Not only have the girls not come back, but worse, Boko Haram continued its war on human rights, with an estimated 2,000 women and girls kidnapped between the start of 2014 and April 2015.<sup>116</sup> Also problematic is the thought that, if media coverage is a key part of how Boko Haram projects itself as a threat, its leadership may have been delighted with the international infamy they gained.

Apart from the marking of the one year anniversary, social media's gadfly attention moved on elsewhere, and it's hard to resist the conclusion that we can overestimate social media's power: that superficial 'clickitivism', while giving the retweeter a sense of fulfilment, may not lead to sustained engagement, a more educated public and real change, something we discuss further below.

<sup>113</sup> 'George Soros funds Ferguson protests, hopes to spur civil action', The Washington Times, 14 January 2015, <http://bit.ly/156OZUj>; 'Billionaire George Soros funded Ferguson riots', Communities Digital News, 30 January 2015, <http://bit.ly/1KALYh5>.

<sup>114</sup> See also Chatham House, *Nigeria's Interminable Insurgency? Addressing the Boko Haram Crisis*, September 2014, <http://bit.ly/1pDsEGf>.

<sup>115</sup> 'Nigeria's Stolen Girls', The New Yorker, 29 April 2014, <http://nyr.kr/1eztErE>; 'What happened to #BringBackOurGirls?', BBC, 24 September 2014, <http://bbc.in/Y2fxCf>; 'Abducted Nigerian girls still missing, a distracted world must remember', LA Times, 7 January 2015, <http://lat.ms/1s8pGv>.

<sup>116</sup> 'Report: Boko Haram Has Abducted More Than 2,000 Since Start of '14', PBS, 14 April 2015, <http://to.pbs.org/1PIVIHa>; 'Remember #BringBackOurGirls? This Is What Has Happened In The 12 Months Since', The Huffington Post, 14 April 2015, <http://huff.to/1EzOhc7>; '#BringBackOurGirls, one year on: "We should all feel shame"', CNN, 14 April 2015, <http://cnn.it/1H3pxy7>.

*On 14 April 2014, Boko Haram committed one of the most outrageous of their recent series of high profile crimes, kidnapping at least 300 schoolgirls in north east Nigeria.*

*...the #BringBack-OurGirls campaign, a year on, seems a failure: while some kidnapped girls have escaped, no coherent rescue operation appears to have been mounted, and there is a lack of clear information about the conditions in which the girls are being held.*

The campaign also posed some disturbing questions about how people think about global politics: why should it be assumed that an external intervention would be the best way to solve the problem? Couldn't a campaign rather have focused on the question of how international support could better enable Nigerian civil society to strengthen its ability to act on the problem? And if presidents and prime ministers hold up Bring Back Our Girls signs on social media, what does it say about the superficial nature of their response, and their lack of power or inclination to do something more meaningful?

However, while internationally these criticisms hold some validity, the agency of civil society in Nigeria, where the Bring Back Our Girls campaign started, was something that was easy to overlook from the outside. Long after the international spotlight faded, Nigerian grassroots activists have kept going, protesting about the issue day after day.<sup>117</sup> The Voice and Accountability Platform organised a series of town hall meetings to promote non-violence, and Nigerian civil society worked from the grassroots to the international level: in November 2014, four civil society groups combined to petition the UN Security Council to impose sanctions on states that do not do enough to stop financing to Boko Haram.<sup>118</sup> Women who have experienced sexual violence have become more able to speak out, and women have been shown to be capable leaders of campaigns, across ethnic or religious divides.<sup>119</sup>

The campaign in Nigeria has fuelled public anger about deep-rooted issues of government corruption and ineffectiveness. The inadequacy of Nigeria's military response, and the way this has enabled Boko Haram to grow, which is linked to corruption, became a scandal in Nigeria.<sup>120</sup> Notwithstanding a badly backfired attempt to hijack the hashtag in a campaign to get President Goodluck Jonathan re-elected, (proving once again that political elites often clumsily fail when they try to co-opt social media campaigns), the issues exposed in the wake of the kidnapping were thought by many to be a factor in the President's defeat in the March 2015 elections.<sup>121</sup> Meanwhile, campaigners faced a range of physical and verbal attacks from government sources, which itself suggests that they rattled the government.<sup>122</sup>

*The campaign also posed some disturbing questions about how people think about global politics: why should it be assumed that an external intervention would be the best way to solve the problem?*

117 'Boko Haram: Oby Ezekwesili says Nigerian Army has violated Human Rights', Daily Post, 28 April 2015, <http://bit.ly/1Br4TCO>; 'Did the #bringbackourgirls campaign make a difference in Nigeria?', The Guardian, 14 April 2015, <http://bit.ly/1PlxKf3>.

118 Insight on Conflict, 'The rise of Boko Haram and the response of civil society', 12 February 2015, <http://bit.ly/1J8GFDN>; 'Civil society groups ask UN to sanction Boko Haram sponsors', Vanguard, 19 November 2014, <http://bit.ly/1FPV3Qi>.

119 '#Bringbackourgirls hasn't brought back Chibok's girls, but it has changed Nigeria's politics', The Guardian, 14 April 2015, <http://bit.ly/1as79SQ>.

120 'Parents Of Chibok Girls Describe Pain of Abduction, Slam Federal Government', Sahara Reporters, 15 April 2015, <http://bit.ly/1dzDDwT>; Insight on Conflict, 12 February 2015 op. cit.

121 'Nigeria's faltering response emboldens Boko Haram', Al Jazeera, 31 January 2015, <http://alj.am/1SDZX8m>; 'How Goodluck Jonathan lost the Nigerian election', The Guardian, 1 April 2015, <http://bit.ly/1xyxsBw>.

122 'The campaigners who won't forget the schoolgirls kidnapped by Boko Haram', The Guardian, 17 December 2014, <http://bit.ly/1Hy6VTQ>.

Boko Haram now seems to be in retreat, with the military campaign having been stepped up with regional support; around 700 of the 2,000 kidnapped women and girls are, at time of writing, thought to have been freed.<sup>123</sup> While social media did not manage to bring the girls back, it still should be understood that a military solution alone cannot end the corruption that enabled Boko Haram to thrive, or the poverty and sense of marginalisation that serves as a recruiting sergeant for the network.

As a result of the movement, Nigeria's civil society campaigners, including women campaigners, have developed skills, profile and confidence in calling their government to account, and expose the failings of government. International focus should be on sustaining this to win the peace, rather than on either enjoying the feel good moment of the next campaign, or lamenting the lack of impact of a hashtag.

## THE ICE BUCKET CHALLENGE: THE COMPLEXITIES OF ONLINE SUCCESS AND CELEBRITY SUPPORT

The ice bucket challenge was another social media-based campaign that commanded widespread attention in the past year. As is not unusual with such campaigns, its origins are somewhat obscure, but it started in the US, and went viral in July 2014, when Pete Frates, a college baseball player diagnosed with the condition called amyotrophic lateral sclerosis (ALS) in the US and motor neurone disease (MND) in the UK, poured ice water over his head and challenged others in his social network to do so. The campaign quickly became huge, gaining widespread celebrity support.<sup>124</sup>

We asked Niel Bowerman, of the Centre for Effective Altruism, to explain what enabled the ice bucket challenge to grow so quickly, and whether it was part of a trend:

*One of the reasons why it worked well is that it used 'growth hacker' techniques: each person who took part would then recruit the next three people to take part. This was done in a way that was very visible and social, so that everyone on social media would know that someone had been challenged,*

<sup>123</sup> 'Nigeria launches 'final onslaught' against Boko Haram', Al Jazeera, 17 March 2015, <http://bit.ly/1wXsuhw>; 'Boko Haram Hostages Are Finally Being Freed', Think Progress, 5 May 2015, <http://bit.ly/1G2AqIV>; 'Nigeria's Boko Haram in disarray, say freed captives', The National, 5 May 2015, <http://bit.ly/1HOsqFd>.

<sup>124</sup> 'How the Ice-Bucket Challenge Got Its Start', Wall Street Journal, 14 August 2014, <http://on.wsj.com/1Fiz00Q>; 'Tom Ford, Rihanna, Victoria Beckham, and More Do the Ice Bucket Challenge', Elle, 26 August 2014, <http://bit.ly/1Breh9u>; 'Watch Kim K do the Ice Bucket Challenge – it's great', Glamour, 9 September 2014, <http://bit.ly/1G2KEml>.

*While social media did not manage to bring the girls back, it still should be understood that a military solution alone cannot end the corruption that enabled Boko Haram to thrive, or the poverty and sense of marginalisation that serves as a recruiting sergeant for the network.*

*One of the reasons why it worked well is that it used 'growth hacker' techniques: each person who took part would then recruit the next three people to take part.*

*and they would appear weak if they were not to take part. It used social pressure to get people to take part in it.*

*You can use social media, and viral marketing techniques, to get huge amplifiers on the impact that your campaigning and fundraising can have. This is something we've had the technology to do for quite a long time, but only recently have we learned how to do it really well. We will probably see more of this happening in the future.*

*...the campaign raised questions, around three issues: fundraising, online activism and the role of celebrity support in civil society.*

Support soared through August, and by September 2014 the challenge had reached a staggering 60m social media accounts, over 3.7m ice bucket videos had been shared on Instagram, and in the US over three million people had donated to ALS causes: between the end of July and the end of August, US\$98.2m was donated to the US ALS foundation, while in one week in August, the UK MND Association received over US\$4m, more than ten times the amount it would normally expect in that period. Smaller amounts were raised in Australia and Hong Kong.<sup>125</sup>

On the face of it, and relevant to the theme of this report's other components, on civil society resourcing, the campaign might seem to offer a model of an efficient, low cost approach to fundraising for CSOs. The ALS Association didn't even initiate the campaign, and needed do little to encourage it.<sup>126</sup> A further positive aspect was the campaign's ability to reach young people, who we might not normally expect to mobilise for this particular cause: young people embraced it, donated, and made it go viral by recruiting friends.

However, the campaign raised questions, around three issues: fundraising, online activism and the role of celebrity support in civil society.

One early controversy was around ownership. The ALS Association caught a social media backlash when it attempted to trademark the phrase 'ice bucket challenge', before being forced to back down; they were seen as trying to control the trend, and the funding coming in response to it.<sup>127</sup> The lesson here is that, when a trend goes viral, a loss of control must be conceded. This does not mean that others own a trend; rather, that nobody does. In the UK, cancer charity Macmillan was accused of trying to hijack the trend for its own fundraising, bringing to social media gaze the sometimes ugly reality of fundraising competition between causes: it may be that Macmillan tried to capitalise on the challenge because they felt they had missed an opportunity to benefit

<sup>125</sup> 'How much has the ice bucket challenge achieved?', BBC, 2 September 2014, <http://bbc.in/1rKcfkT>; 'Ice bucket challenge fails to dampen the spirits of British charity', The Observer, 30 August 2014, <http://bit.ly/1rGBIxU>.

<sup>126</sup> 'The Real Ice Bucket Challenge', TIME, 28 August 2014, <http://ti.me/1oqQxKP>.

<sup>127</sup> 'ALS Association withdraws controversial applications to trademark 'ice bucket challenge'', The Washington Post, 30 August 2014, <http://wapo.st/1AvVzTe>.



from the preceding no make-up selfie trend, which started in a similar way and was capitalised upon by Cancer Research UK.<sup>128</sup>

There were also some puzzling aspects to how the challenge was constructed. Initially, it looked like a forfeit: people could either donate, or experience discomfort. While in practice people did both, there may be something troubling in the notion that donating to a cause might be a way of avoiding personal discomfort, rather than a means of demonstrating commitment to its ideas. There was no thematic link between the challenge and the cause: there is no obvious connection between the activity and the debilitating symptoms of ALS, and indeed, the challenge could be seen as insulting, given the years of struggle people diagnosed with ALS endure, and the inability of people in the advanced stages of ALS to perform the task themselves.<sup>129</sup>

Related to this, with many countries experiencing water poverty, some found the challenge's waste of water distasteful, and a handful of public figures refused to join on this basis. WaterAid even experienced some upturn in donations as a consequence.<sup>130</sup> This connects with another critique: that campaigns such as this derive their momentum from the global north, mostly involving global north citizens and celebrities acting in ways that people in other contexts might find insensitive.

The viral nature of the ice bucket challenge, and other such campaigns, meant there was no clear link between the fundraising ask and the use of resources: it was not clear what the money would be used for. This prompts the question of whether there might be challenges in expending large, unbudgeted funding promptly, efficiently and on outputs that those who donated see as legitimate: in the past, failures to do so have caused backlash against CSOs.<sup>131</sup>

There's a still more difficult issue here, which is the question of whether the money raised from this campaign, and others like it, came as an addition to money that people might have donated to causes, or whether it drew from the overall amount of resources people might have given, a practice referred to as 'funding cannibalism'.<sup>132</sup> This raises the question of whether people were making sound and well-informed choices: in an ideal world, people would weigh up the different potential causes that are closest to their concerns, and make decisions on the basis of where their giving was likely to have the greatest impact. In reality, the causes that have the most need, where funding can make the most difference, and where there are efficient CSOs best able

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*...the causes that have the most need, where funding can make the most difference, and where there are efficient CSOs best able to absorb funding and spend it effectively, are not necessarily the causes that attract the most attention or offer the most fun campaigns.*

128 'Cold war: charity defends itself against ice-bucket challenge criticism', Third Force News, 26 August 2014, <http://bit.ly/1Hyd6qN>.

129 'Before you copy the ice bucket', Hilborn, 10 September 2014, <http://bit.ly/1GGs95T>; 'We Need To Do Better Than the Ice Bucket Challenge', TIME, 13 August 2014, <http://ti.me/1pAmBB5>.

130 BBC, 2 September 2014 op. cit.; The Observer, 30 August 2014, op. cit.

131 'Here's What's Happening With the Ice Bucket Challenge Money', TIME, 4 November 2014, <http://ti.me/1FiB6O5>.

132 'The cold, hard truth about the ice bucket challenge', Quartz, 14 August 2014, <http://bit.ly/1GGt9a0>.

to absorb funding and spend it effectively, are not necessarily the causes that attract the most attention or offer the most fun campaigns.

The need, according to Niel Bowerman, is to enable people to make better informed decisions about how they give. While the ice bucket challenge did not look like this, there is some hope for the future:

*These are debilitating diseases that heavily affect people's quality of life, and which are unfortunately incredibly expensive to tackle. Within public health there's a metric, the 'quality adjusted life year', which measures length and quality of life, and is used throughout public health to compare different interventions and different decisions, to compare where we can best improve people's length and quality of life for a given amount of money. The most effective treatment for ALS is very expensive.*

*Let's compare this to other things we could do with this money. In the ice bucket challenge, people raised over US\$100m. For example, we could spend this money on bed nets to tackle malaria. This would be at least 100 times cheaper per year of additional healthy life. If we were to allocate resources within civil society to maximise impact on people's quality and length of life, we would be funding things like malaria nets. If as a donor you have money to spend, you could have much more impact here.*

*The viral nature of this campaign meant that giving is not on the basis of where it's going to have the most impact, but instead on the basis of which viral campaign has taken off on social media. Viral means should not dictate our giving. Instead we should be using evidence-based sources of analyses. There is a rapidly growing body of evidence of where giving can have the most impact. We are likely to see a trend towards more evidence-based giving in the future. As our techniques and ability to analyse a growing body of evidence improve, we are able to say much more about what is working, and this can inform our giving.*

The success of such campaigns may create additional pressure within other CSOs to imitate these hits and invent the next viral fundraiser.<sup>133</sup> But an uncomfortable truth is that it is hard to predict what will go viral, and what will fail; we are still in the early days of understanding these trends, and can only really do so in hindsight. Attempts to mimic the ice bucket challenge mostly failed. There is also a potential danger of 'channel fatigue': that people will grow bored with donating by this method, causing future campaigns to fail.

133 'Viral campaigns like Ice Bucket Challenge hurts other charities', The Guardian, 14 April 2015, <http://bit.ly/1PKUBXr>. We're also grateful to insights from our interview with Neil Bowerman, conducted in March 2015, in shaping this section.



Turning to the online nature of such campaigns, and also those, covered elsewhere in this report, that have heavy social media presence, CIVICUS has long argued that online activism is a valid form of people's participation that should be taken seriously. With a wide range of online participation platforms, it has never been easier to express support for a cause. Online activism matters partly because the numbers are so big: 40m people have an Avaaz account.<sup>134</sup> It also matters because online activism enables young people, in particular, to forge alternate ways of connecting, including internationally. Past State of Civil Society Reports have noted that young people in particular, in many contexts, are rejecting conventional forms and arenas of participation, as reflected in declining rates of participation in most elections, and indeed, disengagement from formal CSOs. In its most optimistic assessment, online activism could offer the potential to build a global cadre of committed, active citizens through alternate means.

There are indeed examples of online campaigns achieving impact. Global platform Change.org claims that 6,000 victories have been achieved through its user-generated campaign platform.<sup>135</sup>

At the same time, there is a need to acknowledge the criticism, renewed in the light of the #BringBackOurGirls and the ice bucket challenge, that much online activism can be shallow; it may not necessarily lead to long term or committed engagement. Social media and civil society fit together well because people want to connect and share, but this can be seen as most likely to lead to change when learning and political commitment is built into sharing. Otherwise, participation may be fleeting, and the danger is that donating money and acting to advance change become conflated, perpetuating the idea that civil society is about charity rather than advancing change. If people feel they have 'done something', they may even be less likely to take further action.

A further critique that can be advanced is that online campaigns essentially promote a free market approach to activism: there are many campaigns, and they must compete through hard-selling,<sup>136</sup> which can lead towards simplification to suit a marketplace in which the most sellable issues succeed. When the edges are smoothed on complex issues, the risk is that issues may become reduced to simple endorsement or donation asks, without leaving people who endorse or donate having learned more and developing potential for action. When they concern countries of the global south, they may reproduce patronising notions that global south countries are to be helped as the passive recipients of global north support.

Many of these difficulties can be seen with the ice bucket challenge: there was no public education or advocacy ask embedded in the message.<sup>137</sup> All people were asked to do was carry out the stunt, donate, and publicise

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134 Open Democracy, 'Beyond clicktivism', 17 November 2014, <http://bit.ly/1ezKmae>.

135 Open Democracy, 17 November 2014 op. cit.

136 Micah White, 'Clicktivism: the pollution of activism with the logic of Silicon Valley', <http://bit.ly/1HWPpQA>.

137 Hilborn, 10 September 2014 op. cit.

it. This meant that the campaign was not oriented towards change, apart from a change in charity revenues. Ultimately the ice bucket challenge could be seen as 2014's version of the Kony 2012 campaign, which also generated huge publicity and caused those who participated to feel virtuous, but which didn't lead to change, and ultimately harmed the CSO involved.<sup>138</sup>

It can also be argued that the metrics of judging the success of online activism are too narrow, relying heavily on indicators such as numbers of hits, follows and forwards. These indicators, of themselves, tell us little about whether real social change is being advanced.<sup>139</sup> There is also a challenge that many campaigns are reactive, with the petition as the default response, as this suggests being event-driven. While civil society's ability to mobilise rapidly in response to emerging challenges is one of its great strengths, we should not lose sight of the need to be strategic, and the importance of civil society defining its own agendas, rather than only reacting to the agendas of others.

Perhaps it is better to see much of online activism as an indicator of potential: it suggests that there is a willing audience who have taken a positive first step, some of whom could be reached and worked with to have their activism capacity further developed so that they can be enabled to take pathways to deeper participation. This also suggests that CSOs running campaigns need to campaign across the spectrum: to employ a joined-up mixture of outreach methods that combine online and offline approaches. Progress in educating citizens about social justice issues could be established as an indicator of success in online campaigning, as well as the number of clicks and amount of dollars raised.

Connected to viral, online campaigns is what seems to be a rise in celebrity involvement in civil society causes. In many countries, we live in cultures that fascinate over celebrities, and celebrities now have unmediated access to huge audiences on social media to reproduce their fame. Given this, it's not hard to see why civil society causes might seek celebrity endorsement. If all causes compete for visibility and resources, then celebrity support offers a shortcut to audiences. There is also evidence that, while celebrity support may not have much impact on fundraising, it can bring other impacts, such as reassuring a CSO's existing supporters that their cause is important, and opening doors to corporate and political leaders that a CSO alone can't access, because leaders like to associate with celebrity glamour.<sup>140</sup>

Among many celebrities prominently involved with civil society in the last year were George Clooney, who in May 2014 announced the expansion of the Satellite Sentinel initiative, which he co-founded, from monitoring

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138 'The 'Kony 2012' Effect: Recovering From A Viral Sensation', NPR, 14 June 2014, <http://n.pr/1qyxuRb>.

139 Micah White op. cit.

140 'Celebrity Advocacy Has Its Limits', The New York Times, 26 August 2014, <http://nyti.ms/1JX0QVU>; 'Who celebrity advocates are really targeting. And it's not you.', IRIN, 13 February 2015, <http://bit.ly/17t5QSM>.

conflict build up in Sudan and South Sudan, to also investigating funding flows around human rights abuses; Angelina Jolie, who worked with the UK government and others, including civil society groups, to hold a global summit on sexual violence in conflict, and open a new centre on sexual violence, in June 2014; and Emma Watson, who launched the HeForShe campaign, which seeks to get men and boys to commit to gender equality, in a speech at the UN in September 2014.<sup>141</sup> There was also huge celebrity involvement in the climate change march, discussed further below, #BringBackOurGirls and the ice bucket challenge.

While examples offered above suggest a substantive commitment among those named, stretching further than a reflex re-tweet, in general, there is a need to probe whether celebrities always have a deep and a nuanced understanding of the causes they endorse; otherwise the danger is that celebrity support plays to the issues identified above: of potentially reinforcing stereotypes about the global south, simplifying causes to make them more sellable, or being framed around charity rather than social justice.<sup>142</sup> For example, Bob Geldof's latest revival, in 2014, of the Band Aid charity tune to raise funds to fight Ebola, involving the usual panoply of UK music stars, drew criticism for being patronising and perpetuating global north stereotypes of Africa as somewhere that can only be saved by external, charitable intervention.<sup>143</sup> Perhaps partly in response to this, it seems we are now seeing a move towards campaigns working more with national-level celebrities who come from and therefore resonate better in different global south countries.<sup>144</sup>

As we concluded in the 2014 State of Civil Society report, one of the key problems with global governance is that an insufficient diversity of opinion is able to obtain access and influence, and there is insufficient accountability about who has influence in global governance processes. Given this, the opening of UN and other global platforms to Hollywood stars, as well as billionaire philanthropists, can be read as a symptom of, rather than an adequate response to, dysfunctional global governance. Of course, such concerns may overestimate the power of glamour: the public may lack a strong understanding of causes celebrities support, wanting escapism rather than deep engagement. This then leads back to the question, hard to answer, of what impact is generated by celebrity engagement in civil society causes.

A further practical challenge, for CSOs seeking to enlist celebrities to a cause, is the potential for backlash against a celebrity to cut across a message. George Clooney, for example, won praise for his committed and

<sup>141</sup> Satellite Sentinel Project, 'George Clooney Announces Expansion of Satellite Sentinel Project, 21 May 2014, <http://bit.ly/RUnWVo>; UK Government, 'Global Summit to End Sexual Violence in Conflict', June 2014, <http://bit.ly/1c7csaM>; 'Emma Watson's He For She UN Speech On Gender Inequality, Conscious Magazine, 2014, <http://bit.ly/1KCB3n4>.

<sup>142</sup> 'Transnational Celebrity Activism in Global Politics: Changing the World? A Review by Susan Froetschel', YaleGlobal Online, 2011, <http://bit.ly/1SEaVL2>; New York Times, 26 April 2014 op. cit.

<sup>143</sup> "We got this, Bob Geldof, so back off", Al Jazeera, 18 November 2014, <http://bit.ly/1wP58o2>; 'Band Aid 30 backlash: Celebrity charity model losing lustre, CBC News, 20 November 2014, <http://bit.ly/1vsntf4>; 'Ebola Survivor Calls Band Aid 30 Song 'Cringeworthy'', TIME, 9 December 2014, <http://ti.me/1FFbqXL>.

<sup>144</sup> IRIN, 13 February 2015, op. cit.

*...there is a need to probe whether celebrities always have a deep and a nuanced understanding of the causes they endorse.*

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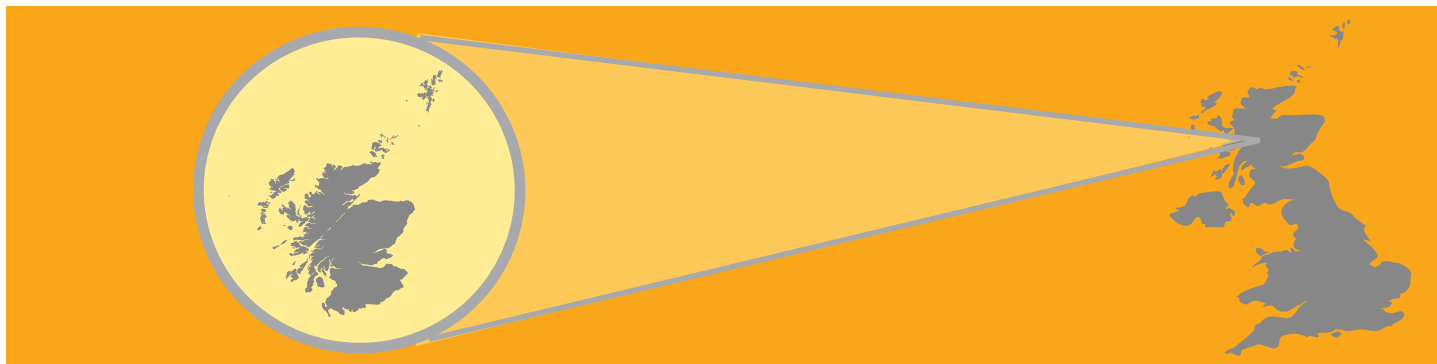
sustained involvement in raising awareness about Sudan's atrocities in Darfur, and his support for South Sudan's independence, but he then became a scapegoat for criticism in the US when people associated him with South Sudan's descent into civil war.<sup>145</sup> Celebrity-led fundraising also risks disrepute when less of the money raised goes to causes than the public might expect. Some CSOs have caught criticism when exposed as paying celebrities for endorsement, which, in the public mind, sends the wrong messages about the voluntary nature of civil society.<sup>146</sup> This can be seen as a consequence of the competition between causes, and the premium placed on celebrity involvement to give a cause an edge.

What seems clear here is that celebrity support can help civil society. Given that civil society starts at a disadvantage, in terms of access to power and resources, compared to governments and the private sector, celebrities can offer a short-cut, but they need to be well integrated, and well-informed. Celebrity support is no magic bullet, and is unlikely to compensate for a lack of strategy, or a poorly designed message that fails to connect with the public.

145 'Confronting George Clooney's Critics on South Sudan', The Daily Beast, 7 October 2014, <http://bit.ly/1cl9Y9c>.

146 'Celebrity Charities: Good For Image, But What About Good Works?', Forbes, 30 June 2010, <http://onforb.es/1FQ1NgU>; 'Eva Longoria, Two "Philanthrocapitalists" and the Dangers of Hollywood Charity: THR Investigates', The Hollywood Reporter, 4 February 2015, <http://bit.ly/1za2tWm>; 'Barnado's criticised for £3,000 payment to Made in Chelsea star', Third Sector, 16 February 2015, <http://bit.ly/1zHpikF>.

*Celebrity support is no magic bullet, and is unlikely to compensate for a lack of strategy, or a poorly designed message that fails to connect with the public.*



## SCOTTISH CIVIL SOCIETY GETS OUT THE VOTE

The story of the large-scale civic mobilisations of the past year is not merely one of protest or social media activity. One place where democratic politics were firmly embraced by an active civil society was Scotland, where on 18 September 2014, voters, including newly enfranchised 16 to 17 year-olds, went to the ballot box for a historic referendum on Scottish independence. Voter turnout of 84.5%, in a referendum that produced a vote of 55.3% against Scottish independence, set a record for any UK election since 1918, when the franchise was first extended to women.<sup>147</sup>

Part of the referendum's significance was that the huge upsurge in political engagement was particularly prominent amongst young people, a generation frequently believed to be politically apathetic. The youngest category of voters, aged 16–24, had a confirmed turnout rate of 68%, remarkably high compared to recent UK elections.<sup>148</sup> Young people not only voted, but were active in political debate. In a 2014 survey conducted by the Economic and Social Research Council, over 70% of 14 to 17 year-olds reported that they had discussed the referendum with friends, classmates and family, and 64% had followed the debate on social media.<sup>149</sup> Billy Hayes, General Secretary of the Communications Workers Union, commented:

<sup>147</sup> 'Scottish Independence Voter Turnout Breaks UK Records', International Business Times, 19 September 2014, <http://bit.ly/1tx0M6Z>.

<sup>148</sup> Intergenerational Foundation, 'How did young people vote in the Scottish referendum?', 4 October 2014, <http://bit.ly/1tCyTpE>; 'General election turnout 1945–2015, UK Political Info, <http://bit.ly/1y2RqnN>.

<sup>149</sup> Applied Quantitative Methods Network, *Briefing: Results from the 2014 survey on 14–17 year old persons living in Scotland on the Scottish independence referendum*, <http://bit.ly/SrJDMs>.

*What the Scottish Referendum has shown is that young people are more than willing to get involved in political debate if what they are voting on means something to them, and we must seize this opportunity for engagement.*

This high level of engagement, particularly amongst a group conventionally seen as politically disengaged, suggests that, while traditional, party-based politics may be being rejected, people want to engage with issues that they care about, and not just around issues of identity, but on social justice, which was the ground the Scottish nationalist cause claimed.<sup>150</sup> The Scottish referendum can be located in a trend where groups that feel peripheral and marginalised are seeking greater autonomy, including the Catalan independence movement, Somaliland's self-determination campaign and the Quebec sovereignty movement. In a more globalised world, a quest for local identity and self-determination can be seen as a response to globalisation's transfer of democracy away from citizens to transnational elites, and to be making use of the communication opportunities globalisation creates.

It is not surprising that civil society groups were heavily involved in the Scottish referendum debate, given that one of civil society's roles is to help amplify the voices of the otherwise marginalised. The success of the 'Yes' campaign, in developing momentum, if not in winning a vote that was always unlikely, was down to the participation of a broad spectrum of grassroots campaigners, including people knocking on doors after work; the organising of a Radical Independence Conference to demand a new social contract; and the Third Sector for Yes campaign, a vocal participant in the debate, which united many civil society personnel in the belief that, although independence represented an unknown quantity, it also presented an opportunity to construct a more socially just Scotland.<sup>151</sup> Across Scotland, citizens have demonstrated that they do not merely have a place in the political arena: they want to help shape that arena.

The votes have been cast, but the energy of a freshly motivated population has been sustained. After two years of grassroots campaigning, an unprecedented 97% registration of eligible voters,<sup>152</sup> and an upsurge in youth activism, a lapse into political apathy seems unlikely, as a surge in the vote for the Scottish nationalist cause in the subsequent UK election of May 2015 suggests. Civil society is helping to sustain this civic energy and to take forward concerns raised by the referendum debate. Following the referendum, the Smith Commission was established to develop plans to realise commitments on further devolution of powers to Scotland. Many CSOs came together to develop common inputs from this, and hundreds of inputs came from CSOs.<sup>153</sup> Further,

150 Georgia Gould, *Wasted: How Misunderstanding Young Britain Threatens Our Future*, 2015 (London: Little, Brown)

151 Waging Nonviolence, 'The Radical Independence Conference's promise of "another Scotland"', 27 November 2013, <http://bit.ly/1Aw4kwj>; Waging Nonviolence, 'Grassroots campaigning turns Scottish independence vote into a cliffhanger', 18 September 2014, <http://bit.ly/1HOGYEK>; 'Scottish independence could make space for charities' principles', The Guardian, <http://bit.ly/1ATapgt>.

152 '97% of eligible Scots registered to vote in independence referendum', The Scotsman, 11 September 2014, <http://bit.ly/1AAFYWS>.

153 Scottish Council for Voluntary Organisations' response to Affinity Group of National Associations (AGNA) questionnaire.

*It is not surprising that civil society groups were heavily involved in the Scottish referendum debate, given that one of civil society's roles is to help amplify the voices of the otherwise marginalised.*

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many political activism and civil society groups continue to capitalise on the dynamism engendered by the referendum, including So Say Scotland, a democracy project, which has redoubled its efforts to make Scotland ‘a global hub for democratic innovation’; the artists for ‘Yes’ group, National Collective, which have continued “the Yes campaign’s legacy of a politically engaged electorate, regardless of the result” of the referendum; and Common Weal, a movement with a political and economic vision of a better Scotland, which gained over 1,000 members following the vote.<sup>154</sup> The Scottish referendum shows that civil society groups can play a healthy role in growing and underpinning democracy, when they are enabled to do so.

## CIVIL SOCIETY AND ELECTIONS: UPDATES FROM MALAWI AND SRI LANKA

In the very different context of Malawi, the positive roles civil society can play in elections was also seen, as described in our interview with the Centre for Human Rights and Rehabilitation (CHRR):

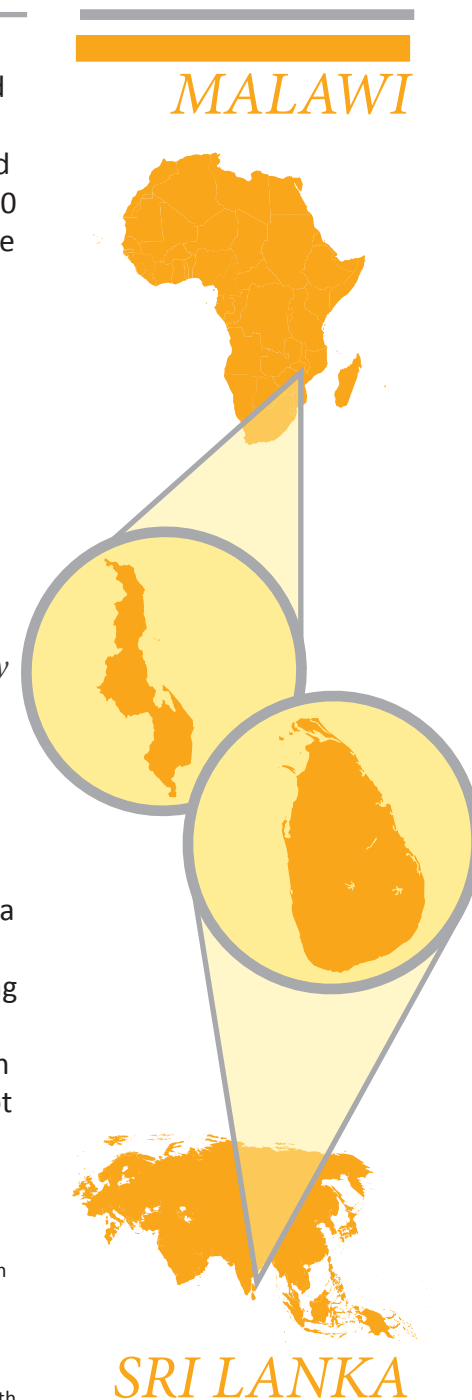
*Though operating on limited funding, CSOs managed to conduct voter and civic education in many parts of the country. The Malawi Electoral Support Network, an umbrella of CSOs with a stake in elections, played a remarkable role during the vote counting through setting up a parallel vote tabulation mechanism that sampled a number of polling centres across the country to ascertain the credibility of results.*

Similarly, Sri Lanka saw a potentially landmark election in January 2015, in which President Mahinda Rajapaksa was voted out after ten years in office. Rajapaksa led the brutal conclusion of the long-running conflict in northern Sri Lanka, in which government forces killed tens of thousands of civilians in the final months, leading to accusations of war crimes and the setting up of a UNHRC enquiry.<sup>155</sup> Under Rajapaksa, conditions for civil society grew gradually worse. To give just two examples from many, in June 2014, a government spokesperson issued threats against anyone intending to give evidence to the enquiry, while in July 2014, CSOs were told not to hold press conferences, issue press releases or help train journalists.<sup>156</sup>

<sup>154</sup> So Say Scotland, ‘A Scotland where Everyone has A Say’, <http://www.sosayscotland.org/story>; National Collective, <http://nationalcollective.com>; Common Weal, <http://www.allofusfirst.org>.

<sup>155</sup> ‘Who is Mahinda Rajapaksa? Hero or war criminal? Sri Lankan leader stands accused’, The Independent, 14 November 2013, <http://ind.pn/1GGFniY>; UN Human Rights Council, ‘OHCHR Investigation on Sri Lanka’, <http://bit.ly/1BUQ110>.

<sup>156</sup> CIVICUS, ‘Sri Lanka: Worrying Developments for Civil Society’, 31 July 2014, <http://bit.ly/1d110zG>; CIVICUS, ‘Submission on Sri Lanka to the Commonwealth Ministerial Action Group (CMAG)’, September 2014, <http://bit.ly/1JX81NR>.





Despite this pressure, civil society groups were active, in educating voters and observing the election.<sup>157</sup> CSOs that engaged ahead of the election, and coordinated their approaches, included the Campaign for Free and Fair Elections, the Centre for Monitoring Election Violence and People's Action for Free and Fair Elections, supported by a regional network, the Asian Network for Free Elections.<sup>158</sup>

The Centre for Monitoring Election Violence ran a social media campaign, #IVotedSL, which included clear information on how to vote, produced infographics and podcasts in different languages, and ran an election day violence map, providing real-time information on election-related incidents.<sup>159</sup> On election day, hundreds of people replaced their social media avatars with #IVotedSL images and posted pictures of their ink-stained fingers to prove they had voted. Meanwhile People's Action for Free and Fair Elections produced locally disaggregated reports on election violence, while the Campaign for Free and Fair Elections tracked abuse of state resources in the election. One strong piece of evidence that voter education was successful was a decline in the number of rejected ballots.<sup>160</sup>

Civil society also played a vital role in observing the election, a contribution recognised by the Commonwealth observer group.<sup>161</sup> On election day, the Centre for Monitoring Election Violence deployed 4,500 field monitors, risking intimidation and violence, while for the first time, People's Action for Free and Fair Elections was allowed to observe vote counting.<sup>162</sup>

A key piece of learning from the Sri Lankan elections is that civil society's efforts built on years of preparation: the Centre for Monitoring Election Violence has worked on elections since 1997. It is still too early to say, of course, whether the new presidency will make good on promises to improve the space for civil society, given that the new President only split away from President Rajapaksa shortly before the election, and a Rajapaksa comeback cannot yet be ruled out.<sup>163</sup> But what the example of the Sri Lankan election shows us is that resilient, committed and expert civil society engagement can make a difference; it now falls on Sri Lankan civil society to continue to exercise vigilance over the new regime, and to seize what opportunities arise.

*A key piece of learning from the Sri Lankan elections is that civil society's efforts built on years of preparation.*

<sup>157</sup> Global Network of Domestic Election Monitors (GNDEM), 'CaFFE, CMEV and PAFFREL Mobilize for Milestone Sri Lanka Election, 30 January 2015, <http://bit.ly/1RqL3Rh>.

<sup>158</sup> GNDEM, 'Sri Lanka: Monitors Urge Gov't Action Against Post-Election Violence', 26 January 2015, <http://bit.ly/1AAhKY1>.

<sup>159</sup> Centre for Monitoring Election Violence (CMEV), 'Presidential Election 2015: Election Day Violence', on Google Maps, <http://bit.ly/1Aw79xN>.

<sup>160</sup> GNDEM, 30 January 2015 op. cit.

<sup>161</sup> Commonwealth Secretariat, 'Sri Lanka Presidential Election 2015 Interim Statement', 10 January 2015, <http://bit.ly/1Ksl7k6>.

<sup>162</sup> CMEV, 'Presidential Election 2015. Statement at the Conclusion of Polling', 8 January 2015, <http://bit.ly/1FcNtun>.

<sup>163</sup> CIVICUS, 'Sri Lanka: Put Civil Society at the Heart of the New Presidential Agenda', 27 January 2015, <http://bit.ly/1J9253A>; 'Maithripala Sirisena Sworn In As Sri Lanka's New President After Stunning Election Upset', 9 January 2015, <http://huff.to/1eA0gS2>; 'Sri Lanka's Mahinda Rajapaksa Hopes for Comeback', The Diplomat, 24 February 2015, <http://bit.ly/1FFjApD>.

# THE DARK SIDE OF IDENTITY POLITICS: A RISE OF THE FAR RIGHT?

In many European countries, and in contrast to the progressive experience of the debate on Scotland's future, identity-based politics is coalescing around far right positions. In Europe, dissatisfaction with established political arrangements is expressing itself partly in growing antipathy to the European Union (EU), and to immigration and Islam. The May 2014 European Parliament elections saw the EU rocked by a 'Eurosceptic Earthquake', with the far right Danish People's Party (DFP) gaining the greatest number of votes, France's far-right National Front claiming victory with 24 seats, and Eurosceptic party UK Independence Party (UKIP) placing first in the UK. Neo-Nazi affiliated parties, including the National Democratic Party of Germany (NPD) and Greece's Golden Dawn (XA) entered the European Parliament.<sup>164</sup>

At its peak, Germany's far right Pegida (Patriotic Europeans Against the Islamisation of the West) movement commanded the headlines, with large numbers of people taking part in weekly demonstrations. Following the Charlie Hebdo attacks, discussed further below, an estimated 25,000 people marched in Dresden in January 2015.<sup>165</sup> Pegida, which started as a Facebook page in October 2014, quickly transitioned into a formal organisation, registered in December 2014.<sup>166</sup> Part of what was disturbing about the rise of Pegida is that it offered a more respectable and mainstream face for previously isolated far-right groups, for which Pegida acted as a coalition, and it is notable that alongside the public protests came a sharp rise in violent attacks against hostels for asylum seekers.<sup>167</sup> A danger when the far-right rises is that mainstream parties can take more extreme positions to shore up their vote, as France's UMP has been accused of doing in response to continuing support for the once marginal National Front,<sup>168</sup> risking the normalisation of regressive discourse.

There is, however, a danger of over-stating the impact of Pegida. While it spread from its Dresden base to be reproduced in other German cities and further afield, these iterations were always smaller than those in Dresden.<sup>169</sup> There are several instances, in Germany, Norway and Sweden, of Pegida protests being vastly outnumbered by protests opposed to them, while an attempted protest in response to terrorist shootings

*In many European countries, and in contrast to the progressive experience of the debate on Scotland's future, identity-based politics is coalescing around far right positions.*

<sup>164</sup> 'Eurosceptic 'earthquake' rocks EU elections', BBC, 26 May 2014, <http://bbc.in/SDmdoe>; 'The far right in the 2014 elections: Of earthquakes, cartels and designer fascists', The Washington Post, 30 May 2014, <http://wapo.st/1jBFKlt>.

<sup>165</sup> 'Record turnout at Dresden PEGIDA rally sees more than 25,000 march', DW, 12 January 2015, <http://bit.ly/1RqOLdy>.

<sup>166</sup> German companies, organizations and businesses index, <http://bit.ly/1PQfqmQ>.

<sup>167</sup> 'The End of Tolerance? Anti-Muslim Movement Rattles Germany', Spiegel Online International, 21 December 2014, <http://bit.ly/1sZls9f>; 'Prying into Pegida: Where Did Germany's Islamophobes Come From?', Spiegel Online International, 12 January 2015, <http://bit.ly/1ybdkWh>.

<sup>168</sup> 'Front National set for large gains in French local elections', The Guardian, 29 March 2015, <http://bit.ly/1PQfW4p>.

<sup>169</sup> 'Estimated 15,000 join 'pinstriped Nazis' on march in Dresden', The Guardian, 15 December 2014, <http://bit.ly/1BOMTWN>.

*A danger when the far-right rises is that mainstream parties can take more extreme positions to shore up their vote.*

in Copenhagen, Denmark in February 2015 attracted only around 50 people, in contrast to thousands who marched to mourn the victims and support free speech.<sup>170</sup> With the loss of its leadership, Pegida appears to be following a trajectory familiar to far-right organisations, of fragmentation: February 2015 saw a marked decline in protest participation in Dresden, with only around 2,000 attending, and only 500 participating in the rally of a splinter group.<sup>171</sup>

Notwithstanding this, such movements seem to be tapping into a growing corner of public concern about immigration and Islam. In 2014, a poll found that 34% of Germans shared Pegida's view that Germany is becoming increasingly Islamic, and a 2015 poll stated that 57% of non-Muslim Germans see Islam as a threat.<sup>172</sup> Views expressed by Pegida supporters and protestors that they feel unrepresented by mainstream politics and the mainstream media, with their highest stated motivation being dissatisfaction with the current political system,<sup>173</sup> connect with those expressed by followers of more progressive causes.

While progressive nationalism in Scotland differs from the Islamophobic backlash in Germany, they seem to share some common impulses: people, even if misguided, are responding to globalisation when they see themselves as on the wrong side of it, and rejecting established political elites, perceiving that formal political competition among traditional parties masks a fundamental agreement on the large issues. Islamophobic backlash can also be seen as fallout from the failure of the international system over Iraq and Syria, and the corresponding burgeoning of conservative political Islam in those countries, which has produced an increase in the numbers of people from Iraq and Syria seeking asylum, particularly in Germany.<sup>174</sup> The European politics of austerity, which have seen the poorest people pay disproportionately for the mistakes of financial elites, which have instead received state support, have also stoked feelings of marginalisation: if people see their states as unilaterally renegotiating the social contract, for example, by reducing the social safety net, they will make their own alternatives, or look for alternatives beyond the mainstream. Civil society needs to offer a response to these politics of failure.

*The European politics of austerity, which have seen the poorest people pay disproportionately for the mistakes of financial elites, which have instead received state support, have also stoked feelings of marginalisation.*

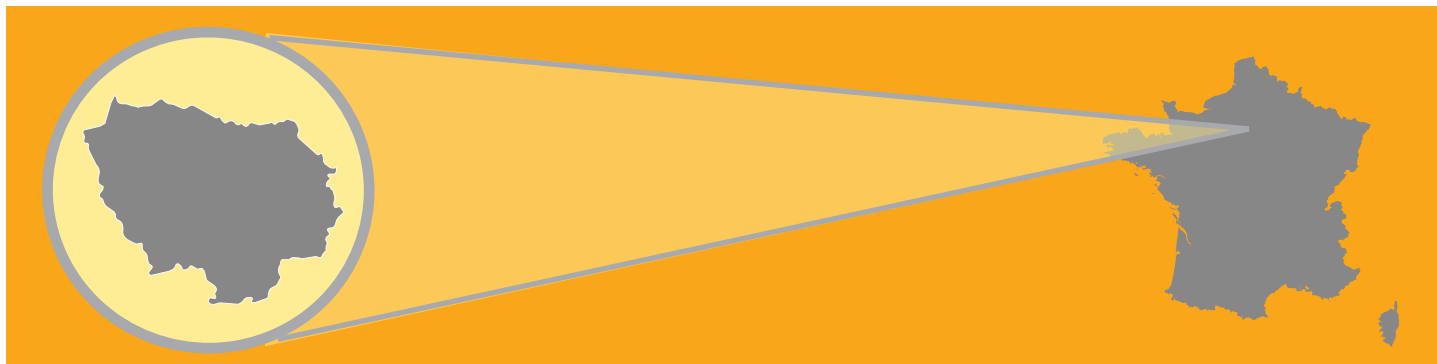
170 'Anti-racists swamp first Pegida rally in Sweden', The Local, 10 February 2015, <http://bit.ly/1ARX9ha>; 'Pegida sees 'complete failure' in Norway', The Local, 10 February 2015, <http://bit.ly/1Bry9cG>; 'German anti-Islam protests: Biggest Pegida march ever in Dresden as rest of Germany shows disgust with lights-out', The Independent, 5 January 2015, <http://ind.pn/1wRHhHz>; 'Copenhagen shootings: thousands march in solidarity with victims – pictures', International Business Times, <http://bit.ly/1Ksqb87>.

171 'German anti-islam group PEGIDA loses second leader in a week', Reuters, 28 January 2015, <http://reut.rs/1FFpirN>; 'Pegida Anti-Islam March In Germany Only Draws 2,000 Hopefully Signalling Their Demise', The Huffington Post, 11 February 2015, <http://huff.to/1FQbhZJ>.

172 'The End of Tolerance? Anti-Muslim Movement Rattles Germany', Spiegel Online International, 21 December 2014, <http://bit.ly/1sZls9f>.

173 'Politisch heimatlos', Frankfurter Allgemeine, 17 December 2014, <http://bit.ly/1AwdjOH>; 'Wort im Mund umdrehen', Der Tagesspiegel, 18 December 2014, <http://bit.ly/1J5bcE2>.

174 The Independent, 5 January op. cit.



## PARIS

## MILLIONS MARCH AFTER PARIS ATTACKS

The response in France to the Charlie Hebdo shootings also shed light on these evolving complexities, not least around freedom of speech. The terrorist attacks on the French satirical magazine left 12 people dead, and resulted in an extraordinary show of public strength as millions took to the streets across Europe and further afield, and the solidarity hashtag #JeSuisCharlie topped Twitter, becoming one of the most widely used in history.<sup>175</sup> Public demonstrations came to a head on 11 January 2015, when over three million people marched in different locations in France, including an estimated 1.6m in Paris.<sup>176</sup> The print run for the following edition of the magazine was an unprecedented seven million, as people queued to buy it to demonstrate solidarity.<sup>177</sup>

This public show of defiance for terrorism, and mourning of its victims, seems to have become a generalised response to terrorist attacks, seen in Copenhagen in February 2015, as discussed above, and in Tunis, Tunisia, in March 2015, when thousands turned out following a terrorist attack on a museum.<sup>178</sup> These demonstrations have also consciously imitated and localised the Je Suis Charlie slogans.

But across the world, responses pointed to a troubling global faultline: while many Islamic organisations condemned the attacks, the publication of the magazine's next issue, with a cartoon cover of the prophet Mohammed, saw people across a wide arc of West African and MENA states protest against the magazine. Five people died in protests in Niger.<sup>179</sup> In the global north meanwhile, the far-right insisted on a redundant debate about whether mainstream media were prepared to republish cartoons many find offensive, and predictably,

*...while many Islamic organisations condemned the attacks, the publication of the magazine's next issue, with a cartoon cover of the prophet Mohammed, saw people across a wide arc of West African and MENA states protest against the magazine.*

175 'Paris Charlie Hebdo attack: Je Suis Charlie hashtag one of the most popular in Twitter history', The Telegraph, 9 January 2015, <http://bit.ly/1xU6nHs>.

176 'Paris attacks: Millions rally for unity in France', BBC, 11 January 2015, <http://bbc.in/1C2Uo9L>.

177 'Charlie Hebdo now printing 7 million copies', CNN Money, 17 January 2015, <http://cnnmon.ie/1BrBGYv>.

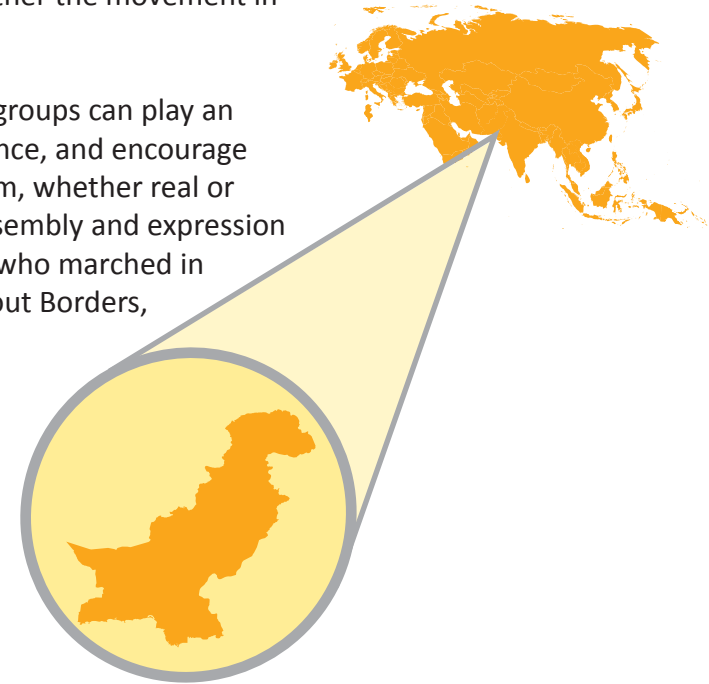
178 'Tunis Bardo Museum attack: Thousands join protest march', BBC, 29 March 2015, <http://bbc.in/1D5WRDz>.

179 'Five killed in second day of Charlie Hebdo protests in Niger', Reuters, 17 January 2015, <http://reut.rs/1BITkAH>.

attacks on Islamic soft targets ensued.<sup>180</sup> Others were uncomfortably caught between condemning the attacks and deploring the target of the magazine's satire, finding themselves unable to say 'Je Suis Charlie', sparking a continuing debate about whether there is a 'right to offend', regardless of target, and whether the movement in response to the attacks was inclusive or divisive.<sup>181</sup>

It is in difficult and polarised times, when nuances become crowded out, that civil society groups can play an essential role of building and maintaining spaces for encounter and dialogue about difference, and encourage respect for difference. But the irony is of course that the response to the threat of terrorism, whether real or exaggerated, often entails restricting the essential civil society freedoms of association, assembly and expression that need to be upheld for civil society to play its full role. That some of the world leaders who marched in solidarity in Paris also repress the media at home was an irony not lost on Reporters Without Borders, amongst others.<sup>182</sup>

## RECLAIMING SPACE: CIVIC RESPONSE TO TERRORISM IN PAKISTAN



Both these trends –a positive civic response to terrorism that brings civil society together, and a state response to terrorism that disables rights, can be observed in recent events in Pakistan. In December 2014, the Taliban attacked a school in Peshawar, the capital of Khyber Pakhtunkhwa, leaving an estimated 145 people dead, 132 of them children.<sup>183</sup> The Taliban claimed that the attack, on an army school (which educates civilian children as well as the children of army members) was in retaliation for military attacks, including drone attacks, on their network.<sup>184</sup>

<sup>180</sup> 'Dozens of Hate Attacks Target French Muslims', OnIslam, 13 January 2015, <http://bit.ly/1HypWoX>.

<sup>181</sup> Open Democracy, 'On Charlie Hebdo, freedom of speech, terrorism, and the value of lives, 8 January 2015, <http://bit.ly/1xWM3VO>; Open Democracy, 'No, we're not all Charlie Hebdo, nor should we be', 9 January 2015, <http://bit.ly/1i40tGy>; Open Democracy, 'Charlie Hebdo and the Right to Offend', 21 January 2015, <http://bit.ly/1JXhggQ>; 'What Je Suis Charlie Has Become', The Atlantic, 30 January 2015, <http://theatlantic.com/1BzCIRE>.

<sup>182</sup> Reporters Without Borders, 'RWB Condemns Presence of "Predators" in Paris March, Calls for Solidarity with "All Charlies"', 11 January 2015, <http://bit.ly/1w8zYY3>.

<sup>183</sup> 'Children massacred in Pakistan school attack', Al Jazeera, 17 December 2014, <http://bit.ly/1A2WS8W>.

<sup>184</sup> Global Voices, 'In Between Images of the Peshawar Attack, a Thought About Pakistan's Army Public Schools', <http://bit.ly/1wZFh2l>.

Ahead of the attack, it was already clear that Pakistan's civil society was caught between hard-nosed government and intolerant fundamentalists, as Mohammed Ismail of the Pakistan NGOs Forum told us in August 2014:<sup>185</sup>

*Islamic fundamentalists are threatening civic space as they continuously attack human rights defenders (HRDs). Many HRDs relocated to Islamabad from Peshawar as they feared their lives were under threat. Nobel award-winning women's rights activist Malala Yousafzai was not acknowledged by the Pakistani government; CSOs from various political backgrounds gathered and paid their tributes to her. Malala was subject to a smear campaign in the social and electronic media, where she was accused of being a 'Jewish spy' and a 'Western agent' attempting to destroy Pakistan and Islam. There is no doubt that the civic space for CSOs and HRDs is shrinking... The right wing policies of Prime Minister Sharif's government and his favourable stand towards Islamic fundamentalists are encouraging him to take actions that oppress civil society in Pakistan. Imran Khan [a former cricketer and divisive political figure] is also providing space for religious extremists and the Taliban in the Province of Khyber Pakhtunkhwa, where his party is in power.*

Pakistan's citizens and civil society are, unfortunately, no strangers to extremist attacks that seek to make political capital out of soft civilian targets. CSO staff, particularly female staff, are often the target of threats and attacks from extremists and militants.<sup>186</sup> But even people apparently hardened to violence were shocked by the December attacks. Widespread public revulsion spread quickly through social media.<sup>187</sup> In the words of Qamar Naseem, of women's organisation Blue Veins:

*People called it the 9/11 of Pakistan. This incident is one of the defining moments in the history of Pakistan, where the Pakistani government, civil society, militants and Islamist apologists have to define where they stand, and have to shift their policies and look back at attitudes, behaviours and actions. Civil society was the first to come out and condemn the attack, hold demonstrations, and ask government to take responsibility for their failure to protect innocent children. Civil society across Pakistan have reinforced their demand for government action to bring these people to court and bring them to justice, and asked government to put an end to fundamentalism within government,*

*Pakistan's citizens and civil society are, unfortunately, no strangers to extremist attacks that seek to make political capital out of soft civilian targets.*

<sup>185</sup> Full interview available at: CIVICUS, 'Nawaz Sharif Must Provide Support to CSOs Instead of Disabling the Environment they Operate in: an Interview with Professor Mohammed Ismail', 11 August 2014, <http://bit.ly/1AAqAVM>.

<sup>186</sup> From the Pakistan AGNA questionnaire response.

<sup>187</sup> 'Liberals rally to 'reclaim' Pakistan after Peshawar school massacre', The Times of India, 17 January 2015, <http://bit.ly/1HOZH3d>.



*and make efforts to deradicalise this society once again. Civil society has started campaigns on non-violence.*

One such campaign was the Reclaim your Mosques movement, which saw people travel from across Pakistan to stage demonstrations and sit ins outside the Red Mosque, a large, state-supported mosque in Pakistan's capital, Islamabad, where a prominent imam, Maulana Abdul Aziz, was seen as an apologist for extremism and had refused to condemn the attack, while the government was seen as weak for not taking action against him.<sup>188</sup> The movement grew, with demonstrations spreading to other cities, and people making public and social media statements condemning the attack and calling on the government to exercise zero tolerance for extremists. Aziz eventually apologised and condemned the attack, while the government issued a warrant for his arrest.<sup>189</sup> Protests continued in February 2015, including in response to the slow progress of official investigations, and the Peshawar Bar Association demanded a judicial probe.<sup>190</sup>

The attacks, and the response to them, provoked a period of self-questioning within civil society, but also helped to galvanise shared civil society action, amongst a civil society that is often divided, according to Qamar Naseem:

*Civil society was always active, but the impact of these attacks on civil society was double edged: civil society realised their failures in promoting inclusion. We cannot only blame government, but civil society's failures as well. Civil society has failed to play its watchdog role. Our activities and initiatives did not affect government policy as they should have. These attacks have united civil society. There needs to be more working in collaboration. All civil society actors, as well as CSOs, have a role, and there should be more platforms where people come together.*

However, the governmental response to the Peshawar attacks sought to limit civil society space, at precisely the moment when civil society could best play a role in fostering pluralism and demonstrating civic alternatives to terrorism, given that many in civil society had long called for action on extremism.<sup>191</sup> The formulation of a

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<sup>188</sup> 'Reclaim Your Mosques', The Nation, 20 December 2014, <http://bit.ly/1clu6lc>; 'Following warrants: 'Reclaim your mosque' activists press for Aziz's arrest', The Express Tribune, 27 December 2014, <http://bit.ly/1FQg7pP>; Global Voices, 'From #ReclaimYourMosques to #ReclaimPakistan, Pakistanis Call for an End to Extremism', 31 December 2014, <http://bit.ly/1PQmi3M>.

<sup>189</sup> 'Rendering apology: Maulana Aziz bows to society's pressure', The Express Tribune, 21 December 2014, <http://bit.ly/1zMxxir>.

<sup>190</sup> 'Parents protest at Army Public School in Peshawar against 'sluggish investigation'', The Express Tribune, 7 February 2015, <http://bit.ly/1KB9llk>; 'Parents protest slow probe into Peshawar school attack', The Hindu, 9 February 2015, <http://bit.ly/1EArl4v>; 'Peshawar Bar demands judicial probe into APS attack', The News, 25 February 2015, <http://bit.ly/1Qd4GKi>.

<sup>191</sup> CIVICUS: Anti-Terrorism Measures in Pakistan: Authorities Urged to See Civil Society as Partners not Opponents, 20 January 2015, <http://bit.ly/1LMZNGu>.



national plan of action in the wake of the attacks included plans to monitor and restrict funding to CSOs. The situation is undoubtedly complex in Pakistan, which has a large number of faith-based CSOs, some of which conceal extremist identifications behind a mask of humanitarian work, and where religious schools, some of which inculcate extremism, register under the same regulations as CSOs. But the perverse fact that non-extremist CSOs are the most transparent and visible parts of civil society counts against them, as it makes it easier for the state to regulate them and interfere. In December 2014, the state government of Khyber Pakhtunkhwa deregistered 3,000 out of 4,000 registered CSOs without providing any reasons why. Many CSOs know that they are under observation.<sup>192</sup>

The Pakistan NGO Forum also draws attention to a related danger to the funding of CSOs, a common challenge that will be returned to in the next section:

*The government has started to introduce new laws to take control over CSOs' funding. The main target will be rights-based and advocacy organisations. Some CSOs' foreign currency accounts have already been closed down by the State Bank.*

In the wake of the attacks, CSOs are ready to work with the government to eliminate extremism. But they also need to know that the government is serious about doing this, which implies that the government needs to work with civil society's forces of moderation. As Qamar concludes:

*Civil society has to be partnering with others – nationally, internationally and locally. Our role is not only to criticise government; civil society has to work in a strategic manner. We should be telling government that it is our government, it is our country. I love my country more than a paid soldier.*

## CONCLUSION: CIVIC MOBILISATION

As the above shows, people are mobilising in the most unexpected places. Protest is not a luxury: in many places around the world, people are rejecting established politics and modes of participation in which they are denied real voice and power. People are far from apathetic; rather they are looking for, and forging, new ways of mobilising, and causes to rally behind that are being ignored by political elites. Citizens are reaching tipping points, and once the tipping point has passed, protest is going viral. But the viral nature of many protests does not mean that these are out of control. In the above examples, violence is rare, and far more common is for citizens and civil society groups to take responsibility to limit violence, self-police and develop demands.

*Protest is not a luxury: in many places around the world, people are rejecting established politics and modes of participation in which they are denied real voice and power.*

192 Text in this paragraph draws from an interview with Qamar Naseem, conducted in March 2015.

Online activism is an essential and growing part of how people are mobilising to seek change, but it still needs to be understood better, and seen as the start of a participation journey that leads to change, rather than an end in itself. At the same time, even when progressive movements fall short of their aims, the impact on developing the future participation and activism capacities of citizens and civil society groups is important and should not be underestimated. Most people are engaging in ways that are instinctively inclusive, and embrace principles of solidarity and collective action. But the methods and tools available for mobilisation may equally be taken up by regressive forces that seek to undermine human rights, in the many societies where inequality is increasing and communities are polarising: the purpose of mobilisation, and who is mobilising, are more important than the method.

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## FIVE KEY POINTS FOR FUTURE ACTION:

- We need to come up with new and better indicators for predicting and anticipating civic action tipping points, so mobilisations can be supported and tap into available learning earlier. As part of this, we need to research, understand and document better the breakdowns in the social contract, and the failures in governance, that lead to people mobilising.
- The connections between online and offline activism need to be better understood and more strongly connected, so that people can be encouraged to deepen their participation. Better connections are also needed between new civic mobilisations and existing CSOs.
- We need new metrics for assessing the impact of mass civic action, and be better at capturing and sharing the learning from success stories.
- Civil society has a crucial role to play in encouraging tolerance, reducing prejudice and winning the argument against regressive voices, but it can only do so fully if the conditions for civil society are made more enabling.
- Resourcing support for mass civic action needs to be carefully handled, to avoid the accusation that protest is something being fomented from abroad.

# 3 CIVIL SOCIETY UNDER PRESSURE

## WORSENING RELATIONS BETWEEN GOVERNMENTS AND CSOS

Pakistan is, alas, not the only country in which civil society finds its ability to respond to the major challenges of the day constrained by government suspicion of its activities. We believe that in many countries relations between the state and civil society are getting worse. As part of our research for this report, we carried out an annual survey of members of the Affinity Group of National Associations (AGNA), a peer-learning network of national-level CSO networks convened by CIVICUS. It is striking that of the 22 responses received, only in one country – Poland – is the relationship between civil society and government assessed to have improved in the last year, with a new law on association currently before parliament that CSOs worked with the Office of the President to develop. It is hoped that the law will make it easier to establish and register CSOs, and reduce government interference over CSOs.

Much more common, unfortunately, are reports of worsening relationships between government and CSOs.

Argentina, for example, has become politically more polarised as the presidency is in conflict with other arms of the state. Corruption allegations have surrounded the highest levels of government, while the suspicious death in January 2015 of Alberto Nisman, a prosecutor who accused the President Cristina Fernández de Kirchner of a cover-up, sparked protests of 400,000 people in the capital, Buenos Aires.<sup>193</sup> In this context, and with elections approaching in October 2015, it is sadly predictable that the government has become less tolerant of civil society's right to ask difficult questions. The Argentinian Network for International Cooperation (RACI) reports:

*There are tensions from state agencies, especially at the national level, towards some CSOs that present different ideas and criticism of government actions. The year has seen the closure of some CSOs, as a means by the state to silence some critics, as well as certain speeches aimed at discrediting*

*We believe that in many countries relations between the state and civil society are getting worse.*

193 'Who Killed the Argentine Prosecutor? 400,000 March for Justice in Buenos Aires as Controversy Grows', Democracy Now!, 19 February 2015, <http://bit.ly/1FkbGjp>; 'Argentine politics: Silent, but seething', The Economist, 21 February 2015, <http://econ.st/1zTf9Bi>.

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*civil society. This situation is generating mistrust by society towards CSOs, something that didn't exist in the period immediately before, where CSO-state relations were more fluid.*

An enduring paradox of civil society repression is that, while elections are supposed to be an occasion where democracy is asserted, they often become moments when nervous governments strengthen their grips on civil society. In Nicaragua, approaching elections are seen by civil society as less an opportunity to celebrate democracy than a driver of state pressure, as noted by Kepa Nicaragua, who point to:

*...a hostile context, where spaces for citizen participation have been reduced, and for CSOs, the ability to exist as autonomous organisations with capacity to fulfil their role is getting more difficult than ever. General elections will be held in 2016, and therefore political hazards might increase. The main challenge is to keep alive autonomous CSOs.*

In Jordan, there is a sense that the legal environment for civil society is tightening, a familiar indicator of worsening relations, in the view of Partners-Jordan:

*We cannot speak about the challenges for civil society in Jordan without mentioning the legal processes. The registration procedures and regulations and forms of registration are becoming harder and complicated. The procedures to get approvals for funding have changed recently. Approval to receive funding now needs to go to multiple ministries, including the Ministry of Planning, and then the Prime Ministry, a process which can take three or four months. Governmental employees responsible for registration, approving funds or following up on the work of CSOs lack knowledge of the laws, and experience in working with CSOs, and the laws are also broad and vague. Government employees judge according to what they think and feel and decisions are not based on clear procedures, which makes processes not clear for CSOs.*

In India, where beneath official rhetoric about the role of CSOs as partners in development, lies an often testy and difficult civil society-state relationship, particular attention is also being paid to the funding that CSOs receive. This is consistent with a broader international trend where states seek to interfere with the receipt of funding to limit the independence and functioning of CSOs, or use the receipt of foreign funding to paint CSOs as agents of foreign powers. Voluntary Action Network India (VANI) relates that:

*There have been systematic attacks on civil society through threats, notices and selective leaks to the media. The Reserve Bank of India has recently sent 'secret circulars' to banks asking them not to process inflows of certain organisations unless the donations have the 'prior approval' of the home*

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*An enduring paradox of civil society repression is that, while elections are supposed to be an occasion where democracy is asserted, they often become moments when nervous governments strengthen their grips on civil society.*

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*In India, beneath official rhetoric about the role of CSOs as partners in development, lies an often testy and difficult civil society-state relationship.*

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*ministry. A leaked Intelligence Bureau report to the Ministry of Home Affairs revealed the targeting of some CSOs for receiving foreign funds and being blamed for undertaking anti-national activities. The report stated that civil society has stalled the gross domestic growth of India by 2-3%. This was not just a blow to some organisations, but to civil society as a whole, as it showed that the state apparatus can use its machinery out of resentment towards genuine rights-based work. Further, this secret report was selectively leaked to the media, which blew the issue out of proportion by negatively tarnishing the image of civil society. Such unnecessary attacks on civil society take away from the crucial role we play in national development, curbs civic participation in India, and violates our freedom of expression.*

Bolivia demonstrates a different challenge: that in an environment of limited funding, CSOs that receive state funding risk being instrumentalised by the state, as UNITAS describe:

*The largest challenge for Bolivian civil society is to keep, or perhaps retrieve, a level of independence from state agencies, as there is a high level of co-option of civil society by the government. Civil society needs to reaffirm the liberty of expression and freedom of association, and articulate bigger and better channels for citizen participation.*

The above themes are ones that recur in the case studies below of countries where civil society is facing particularly heavy attack. But it doesn't have to be this way. Uruguay has attracted widespread praise for its implementation of progressive social policies, and the grounded approach to governing of its President, until February 2015, José Mujica.<sup>194</sup> We asked Anabel Cruz and Analía Bettoni of the Communication and Development Institute (ICD) whether this progressive approach to social policy had also improved the conditions for civil society:

*We can say that, in general, the relationships of CSOs with the central and local governments in Uruguay are free of tensions, and CSOs work in an enabling environment in terms of freedom of association, assembly and expression. People are free to form their own organisations according to common interests, and there are no limitations to peaceful assembly. Different organisations have of course different degrees of relationship with the state: while trade unions have traditionally strong influence, other smaller CSOs may not have the same capacity of exerting pressure.*

*Bolivia demonstrates a different challenge: that in an environment of limited funding, CSOs that receive state funding risk being instrumentalised by the state.*

194 'Jose Mujica: The world's 'poorest' president', BBC, 15 November 2012, <http://bbc.in/1mZL7uG>.

*The national government has been in the hands of the Broad Front Party since 2005. Since then, a series of reforms have been implemented in the economic and social field, including the establishment of new mechanisms for relationships with and participation of civil society. Participation in the planning and execution of public policies has taken on new forms and responsibilities, and organisations have been convened to integrate new mechanisms for consultation, or to execute social policies traditionally in state hands.*

This is not to say, however, that some challenges do not remain:

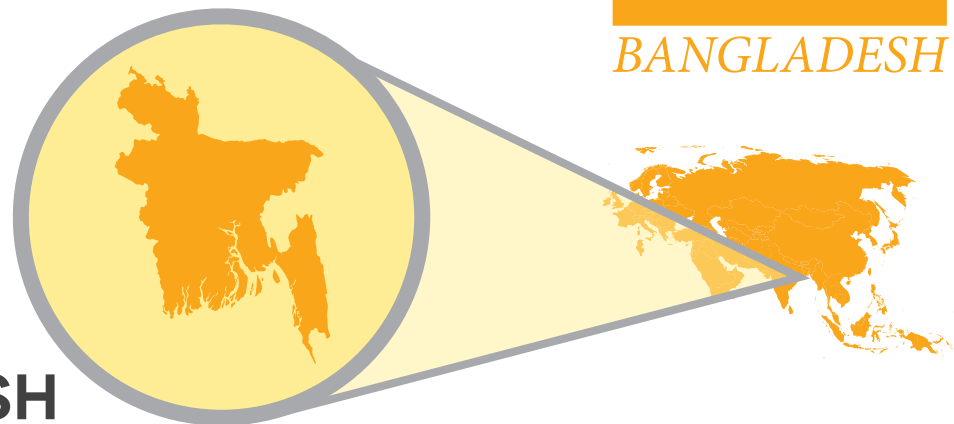
*Although there have been important steps forward, many difficulties are also acknowledged by CSOs in terms of getting a real voice, influencing public policies, presenting proposals and being heard in decision making processes.*

*At local level, we can find cases of genuine collaboration between CSOs and local governments, while in some cases, disagreements between CSOs and the national government have been present in recent years, such as legislation to legalise abortion, for which women's groups have been striving for 25 years. The disagreement saw the veto of a law approved by Parliament by Tabaré Vázquez during his first term and the approval of a more conservative law during the presidency of José Mujica.*

The example of Uruguay, while not perfect, shows that positive relations between government and civil society can be built and strengthened over time in countries of the global south, even when there is disagreement on critical social issues. Progressive governments respect and enable the fundamental civil society rights of assembly, association and expression. Other countries have much to learn from the Uruguayan model, and more must be done to document and share this progressive practice in the global south.

*The example of Uruguay, shows that positive relations between government and civil society can be built and strengthened over time in countries of the global south, even when there is disagreement on critical social issues.*





## CIVIL SOCIETY IN POLARISED CONTEXTS: SPOTLIGHT ON BANGLADESH

In politically polarised contexts, civil society often finds itself torn between two political camps, accused of disloyalty by both, and struggling to maintain and assert its independence and party political neutrality. Previously we've reported on this situation in Venezuela, where democracy suffered a further setback in March 2015, when the President was given the power to rule by decree for a period.<sup>195</sup>

In Malawi, colleagues at CHRR discussed earlier civil society's constructive role in recent elections, but they also note how polarised, highly contested elections have impacted on civil society:

*Tripartite elections emerged as the key issue in 2014/15 on the part of Malawian CSOs. The much-disputed results revealed the divisions of Malawian civil society along political lines. While some CSOs described elections as free, fair and credible, others punched holes in them due to their associated irregularities, and went on to demand a presidential vote recount. There was no common ground on which CSOs could stand as regards the poll results.*

Another context where civil society must work in conditions of political polarisation currently is Bangladesh, which saw renewed political violence in early 2015, including the murder of three bloggers who challenged religious conservatism: Avijit Roy in February 2015, Washiqur Rahman in March 2015 and Ananta Bijoy Das in May 2015.<sup>196</sup>

Adilur Rahman Khan, of Bangladeshi human rights organisation Odhikar, reports on the difficult situation civil society faces:

*In politically polarised contexts, civil society often finds itself torn between two political camps, accused of disloyalty by both, and struggling to maintain and assert its independence and party political neutrality.*

<sup>195</sup> 'Venezuelan Assembly gives initial approval for expanded presidential powers', Al Jazeera, 12 March 2015, <http://alj.am/1JaUamo>.

<sup>196</sup> 'Third Bangladeshi blogger hacked to death', Al Jazeera, 12 May 2015, <http://bit.ly/1JFH7HY>.



*Bangladesh's recent political confrontation has two ingredients, both of which have their origins in the recent past.*

*Firstly, on 30 June 2011, the present Awami League-led grand alliance government, holding an absolute majority in Parliament, passed the 15th Amendment Bill to the Constitution of the People's Republic of Bangladesh, without any referendum or public consultation, and ignoring protests from various sectors of society, including the main opposition grouping and other political parties. Before the 15th Amendment, a Judgment passed by a majority of the Judges of the Appellate Division of the Supreme Court had concluded that the next two general elections could be held under a caretaker government, something that had been a normal political procedure in Bangladesh, but this is no longer possible after the passing of the 15th Amendment.*

*Secondly, flawed 10th Parliamentary Elections were held on 5 January 2014. These elections were rejected by most registered political parties, including the main opposition Bangladesh Nationalist Party (BNP) and its alliance, the Left Democratic Alliance and others. The opposition alliance called for boycotting and resistance of these elections. As a result of the boycott, 153 candidates from the ruling alliance were elected uncontested, out of 300 constituencies, even before elections were held. This is unprecedented in a democratic electoral system.*

*Given this high level of political polarisation, Odhikar and other civil society groups, which are struggling to survive by keeping their independent position, are repeatedly urging the government and the (out of parliament) main opposition alliance to reach a negotiated settlement, including an agreement to hold fresh elections under a neutral government. Civil society groups are also organising roundtable meetings and press conferences, monitoring human rights violations committed by both sides, and demanding that they stop violence and state repression, including extrajudicial killings, custodial torture and enforced disappearance.*

*CSOs that work on civil and political rights and monitor human rights violations by the state are facing pressure from the Prime Minister's Office through the NGO Affairs Bureau (NGOAB). The government is also concerned about CSOs that work with human rights defenders and the families of victims of violence, and is creating obstacles for CSOs that address workers' rights and the condition of workers in the ready-made garments sector. For example, the NGOAB has stopped giving*

*clearance to Odhikar to operate our EU funded project on the Optional Protocol to the Convention Against Torture, and has stopped those of our activities that are funded by the Embassy of the Kingdom of Netherlands and the Finnish NGO Foundation for Human Rights. When the responsible persons at the government level call civil society a ‘cancer’ and ‘traitor’, and move to curtail our capacity to criticise the government in power, it becomes very difficult to continue to operate ‘legally’ and ‘openly’.*

The restriction of the receipt of civil society funding is an increasingly common tactic used by governments to limit the voice and role of civil society, as discussed further below.

## CIVIL SOCIETY UNDER ATTACK, BUT FIGHTING BACK

In some countries, we believe we are seeing a full-on assault on fundamental civil society rights. In 2014, CIVICUS documented significant restrictions of civil society rights in at least 96 different countries. Past State of Civil Society Reports have analysed that there are particular regional clusters where the attack is most severe: broadly, MENA, Sub-Saharan Africa, post-Communist states in Central Asia and Eastern Europe, and South East Asia.

The report of Maini Kiai, UN Special Rapporteur on the rights of freedom of peaceful assembly and of association, published in January 2015,<sup>197</sup> gives a comprehensive breakdown of challenges faced in the exercise of fundamental civil society rights in 2014. Particularly worrying is the Special Rapporteur’s conclusion that the world is seeing a “democratic recession”, indicating an increasing gap between governments that deny democracy and publics that continue to demand and expect it. This suggests that repressive governments are trying to normalise a climate of debate where the rights of assembly and association are seen as dangerous, and something that needs to be reined in.

While attacks on civil society are nothing new, we believe we are now seeing a conscious, mutually-reinforcing attempt by repressive states to create and propagate repressive norms about people’s participation, in which the notion that human rights are a barrier to stability and development is being made more acceptable. We believe an arc of repressive states is sharing tactics and inspiration to support each other. Notable here is the comment from Hungary’s Prime Minister Viktor Orban, in July 2014, that Hungary seeks to become an “illiberal

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197 UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, January 2014 op. cit.

state”, citing approvingly the examples of China, Russia and Turkey.<sup>198</sup> President Orban has practised what he preaches, by borrowing the Russian approach of demonising as foreign agents CSOs that receive funding from abroad, with the government raiding the offices of CSOs receiving funding from Norway in September 2014, as part of a wider crackdown on civil society.<sup>199</sup>

What attacks on civil society tell us as a whole is that civil society, in too many countries, is still only at best something that is tolerated, provided it stays within narrow confines, where it delivers services and adds value to government activities. The argument about the full roles and rights of civil society has yet to be won. We also believe that, in many cases, there are strategic political and economic reasons why other, ostensibly more liberal states, are tolerating abuses in these countries: some of the states below are seen as regionally strategic by powerful states, and some of them provide oil and other important resources.

The methods of attack on civil society vary, but a typical typology of civil society repression includes:

- *the introduction or more intensive application of laws that limit freedoms of assembly, association and expression, including anti-terrorism laws, which can assert a chilling effect even in draft form;*
- *the tightening of registration requirements, which consume civil society energy and resources in compliance, and which proscribe some activities, or give governments powers to make some types of CSOs illegal;*
- *controls on the receipt of funding for CSOs, most usually funding from foreign sources, and related rhetoric that paints CSOs receiving such funding as agents of foreign powers; and*
- *verbal and physical attacks by politicians and other powerful figures that can escalate to detention, imprisonment and assassination.*

Below we offer nine short case studies – on Azerbaijan, Bahrain, Cambodia, Egypt, Ethiopia, Kenya, Sudan, Turkey and Thailand - where members of the CIVICUS alliance have reported on or experienced attacks and constraints in the past year. We believe it is demonstrable that the conditions for civil society have worsened in these countries, and that the main agency that is worsening conditions, in these cases, is the state.

At the same time, there is a need to note that central governments are not the only aggressors. Attacks come from a range of sources, and it is important to disaggregate these. As the example of Mexico, above, suggests, local politics can be as deadly for civil society as national politics, and often it is from the shadowy nexus between unaccountable and corrupt politics, security forces and businesses and organised crime, that threat

198 ‘Orban Says He Seeks to End Liberal Democracy in Hungary’, Bloomberg Business, 28 July 2014, <http://bloom.bg/1G5I2DZ>.

199 CIVICUS, ‘Global Civil Society Alliance Condemns NGO Crack-down in Hungary and Calls on New European Commission to Act’, 9 September 2014, <http://bit.ly/1JaV567>; Amnesty International, ‘Hungary: Authorities must end unprecedented crackdown on NGOs’, 2 February 2015, <http://bit.ly/1G7ng77>.

comes. Civil society activists most often come under threat when they challenge interests that need access to land and resources, such as energy companies, extractive industries, large scale agriculture and property development, and illicit concerns such as drug trafficking. For these interests, local populations and the exercise of their rights is a problem, and so CSOs and activists that try to defend those rights are a threat to be tackled. The CSOs, activists and journalists most at risk are those that challenge these interests, expose corruption and raise difficult questions.

Activists for land rights, for example, often come under attack because they confront commercial interests. Recent killings of land rights activists have been reported in Honduras, Indonesia, Peru, the Philippines and Thailand,<sup>200</sup> to name but a few. Overall, Global Witness reports that 116 land rights activists were killed in 2014, 87 of them in Latin America, with Brazil accounting for the most killings.<sup>201</sup> In some countries, the attack comes from extremist religious groups, as the examples given earlier of Iraq, Pakistan and Syria suggest, and women HRDS and LGBTI activists come under particular threat, as discussed further below.

## AZERBAIJAN: CONDITIONS WORSEN AHEAD OF ELECTIONS

In Azerbaijan, where the presidency was passed from father to son in dynastic fashion over a decade ago, and where the economy depends heavily on oil export, little dissent is tolerated. Although parliamentary elections are padded by pseudo-opposition parties and nominally independent candidates loyal to the ruling elite, Azerbaijan seems to be conforming to the pattern where repression increases ahead of elections, due in November 2015.<sup>202</sup>

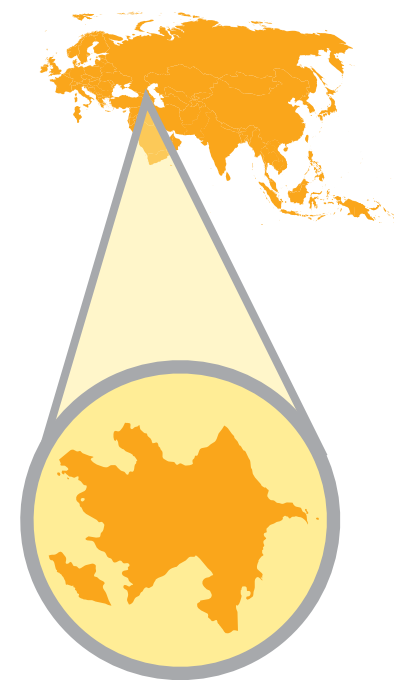
Azerbaijan also corresponds with the trend of governments targeting the financing of civil society as a way of cutting off the viability of CSOs that raise difficult issues: since May 2014, the government has frozen the bank accounts of at least 50 CSOs, and in many cases those of their staff members as well. In early 2015, the NGO Law was amended, and now systematically impedes the access of CSOs to domestic and foreign funding; CSOs must now apply to the government to licence foreign donors or approve any funded project. The aim of this

**200** Amnesty International, 'Attacks Continue against Honduran Rights Activists', 20 November 2014, <http://bit.ly/1J77o4V>; Rights and Resources Initiative, 'RRI Condemns the Murder of Indra Pelani, Land Rights Activist Beaten to Death by Guards Contracted to Asia Pulp and Paper (APP)', 4 March 2015, <http://bit.ly/1SFRQrP>; Global Witness, 'Peru's Deadly Environment', 17 November 2014, <http://bit.ly/1d2W24f>; CIVICUS, 'Allegations of Corporate Complicity in Attacks on Activists in Philippines', 10 December 2014, <http://bit.ly/1JaWqda>; GRAIN, 'Thailand: Farmers and rights groups decry land activist killing', 16 February 2015, <http://bit.ly/1Btd5Co>.

**201** Global Witness, 'How Many More?', 20 April 2015, <http://bit.ly/1yK1seH>.

**202** This section draws from 'Joint letter re: Addressing the human rights situation in Azerbaijan at the 28<sup>th</sup> Session of the UN Human Rights Council', signed by CIVICUS and other international CSOs, 23 February 2015, available at CIVICUS, <http://bit.ly/1wjJZbG>.

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is to make the funding of any work critical of the government impossible. Several international CSOs with long track records of working in Azerbaijan have been forced to leave or suspend operations.

As in other repressive states, laws around treason, tax evasion and violence are also being misused to arrest and imprison civil society activists. The past year has seen numerous spurious arrests and detentions, including the arrest of nine members of the youth activist group, NIDA Civic Movement, in October 2014. Founding member of the movement, Turgut Gambar, tells us:

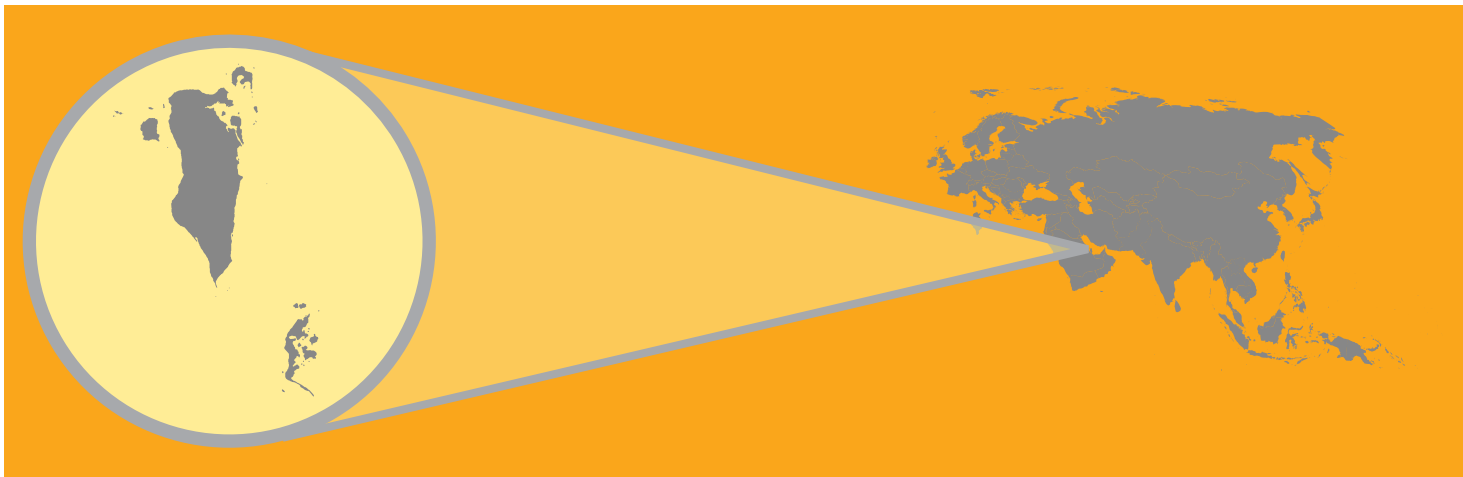
*The latest crackdown, which began in 2013, and has dramatically escalated in recent months, has been unprecedented in its magnitude and scope. Scores of people from different politically and socially active groups, including youth activists, political party leaders and members, CSO leaders, religious activists, journalists and bloggers, have been subject to imprisonment and harassment. In addition to the escalating persecution of activists, the authorities have adopted a number of restrictive laws to regulate the activities of NGOs.*

Azerbaijan is also a country where civil society activists face repercussions when they try to claim their rights in international arenas: some activists have been detained and imprisoned in apparent retaliation for taking appeals to the Council of Europe and European Court of Human Rights.

Turgut Gambar suggests the motivations behind the state's crackdown, and gives us hope that the young people of Azerbaijan will overcome repression:

*The authorities do not want young people to be active; they feel it threatens their current monopolisation of power and politics... The government understands that people in the country are frustrated due to ubiquitous corruption, high levels of unemployment, poor quality of social services, constant violation of human rights and generally low living standards. They also see that around the world, including in the former Soviet Union, people are taking to the streets to protest against corruption and authoritarianism and oust dictatorships in their countries. The government of Azerbaijan thinks instilling fear in the people will help to keep them in power. But they should understand that only by addressing the grievances of the people can it help to reduce growing popular dissatisfaction in the country.*

*As in other repressive states, laws around treason, tax evasion and violence are also being misused to arrest and imprison civil society activists.*



## BAHRAIN

### BAHRAIN: THE CRACKDOWN CONTINUES

The crackdown on civil society continues in Bahrain, where activists have been jailed, and abused while in prison.<sup>203</sup> Bahrain occupies a strategic position in the Middle East for the US and its allies, and its ruling minority enjoys the support of Saudi Arabia's monarchy, and by extension, the reluctance of global north powers to criticise. However, notable recently was some evidence of US-Bahrain friction in 2014, with US Congressman James McGovern refused access to Bahrain, and an apparent move by Bahrain to cultivate closer ties with Russia as an alternative, indicative of the danger posed by an emerging network of repressive states.<sup>204</sup>

While the government established the Bahrain Independent Commission of Inquiry (BICI) in 2011, in response to the suppressed people's uprisings of that year, there has been no action in 2014 or 2015 on its findings of torture and mistreatment of people in detention, and as of August 2014, we estimated that at least 13 people who had been noted by BICI as suffering mistreatment remained in jail. Nabeel Rajab, President of the Bahrain Centre for Human Rights, is one person amongst many who has experienced persistent repression and harassment. After completing a two year sentence in May 2014, during which he experienced mistreatment, Nabeel was handed another six month sentence in January 2015 for insulting public institutions on Twitter. As a result of these draconian acts, Bahrain's prisons are now dangerously overcrowded.<sup>205</sup>

<sup>203</sup> This section draws from: CIVICUS, 'Bahrain: Free Nabeel Rajab Immediately and Unconditionally', 10 October 2014, <http://bit.ly/1cmLtlv>; 'Joint letter to King Hamad of Bahrain', signed by CIVICUS and other international CSOs, 25 August 2014, available at CIVICUS, <http://bit.ly/1M5btUh>; CIVICUS, '16 NGOs Urge International Community to Pressure Bahrain to Drop Charges Against Nabeel Rajab', 20 January 2015, <http://bit.ly/1AvvWBd>.

<sup>204</sup> 'US congressman refused access to Bahrain', The Hill, 23 August 2014, <http://bit.ly/1LPEfsM>.

<sup>205</sup> Bahrain Center for Human Rights, 'Bahrain: Bahrain's Prisons At Their Breaking Point', 23 March 2015, <http://bit.ly/1PRWWIU>.

*In politically polarised contexts, civil society often finds itself torn between two political camps, accused of disloyalty by both, and struggling to maintain and assert its independence and party political neutrality.*



Bahrain is now finding new ways to repress citizens, moving from direct attacks to more subtle forms, including by tightening the legal framework to give a veneer of legality to its acts. For example, a new law has been introduced imposing a seven year sentence for the crime of publicly insulting the king, and in February 2015 the government revoked the citizenship of 72 people, including blogger Ali Abdulemam, who lives under political asylum in the UK.<sup>206</sup>

Under such circumstances, how could any election be free and fair? But Bahrain, in common with many autocratic states, continues to perform the rituals, if not the substance, of democracy. With the king holding executive powers, parliament has no real say, and a career in politics is more associated with seeking a lucrative lifestyle than pursuing change, while citizenship requirements mean that the large migrant populations that prop up Bahrain's economy are denied the franchise.<sup>207</sup> Elections remain important to the government to project an international image of normality, but those held in November 2014 instead revealed the rulers' paranoia. The main opposition coalition, Al Wefaq, boycotted the elections, and prominent civil society activists encouraged voters to boycott. Very few candidates from political societies, which take the place of political parties in Bahrain, were elected: most of those elected were independents, perhaps reflecting public discontent with the failure of political societies to provide alternatives, as well as the impact of the Al Wefaq boycott.<sup>208</sup> The response of the government has been to suppress even the once-tolerated Al Wefaq: its leader, Sheikh Ali Salman, who was arrested in July 2014 after meeting the US Secretary of State, John Kerry, was arrested again in December 2014 as a result of making political speeches, and at time of writing is on trial.<sup>209</sup>

The long term challenge for Bahraini society is that sectarian divisions, between the Sunni minority from which the ruling elite is drawn, and the country's Shia majority, marginalised as a result of the rulers' divide and rule approach, are only likely to worsen, given the resentment that is being stored up against the ruling minority, and the lack of open platforms to negotiate differences.

But if external political pressure on Bahrain remains weak, perhaps the alternative from those outside the country would be to target the businesses that continue to work with Bahrain: there is already evidence that financial businesses are switching to other locations in the region, while government debt has increased and its credit rating been downgraded.<sup>210</sup> Greater economic pressure could hasten political change.

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*...if external political pressure on Bahrain remains weak, perhaps the alternative from those outside the country would be to target the businesses that continue to work with Bahrain.*

<sup>206</sup> 'Bahrain's elections are just a red herring', Al Bawaba News, 24 November 2014; Index on Censorship, 'Bahrain revokes citizenship of 72 critical voices', 3 February 2015, <http://bit.ly/1KrvjrP>; Global Voices, 'Ali Abdulemam: 'I Have Not Lost My Identity. I Am Bahraini'', 20 February 2015, <http://bit.ly/1dBerGj>.

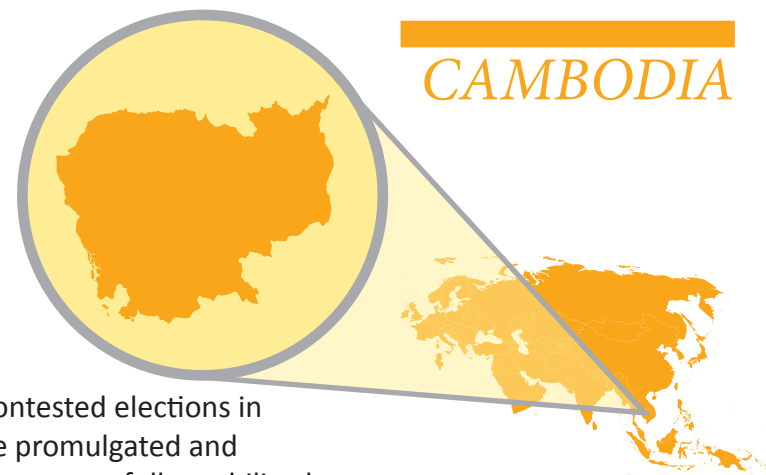
<sup>207</sup> Al Bawaba News, 24 November 2014 op. cit.

<sup>208</sup> 'Bahrain opposition groups announce elections boycott', BBC, 11 October 2014, <http://bbc.in/1eC1Naj>; Citizens for Bahrain, 'Bahrain elections – what happened to the political societies?', 27 November 2014, <http://bit.ly/1ECKRFe>.

<sup>209</sup> 'Bahrain arrests opposition leader over U.S. diplomat meeting', Al Bawaba News, 10 July 2014, <http://bit.ly/1ABxBWz>; Bahrain Center for Human Rights, 'Bahrain: The Beginning of the End for Bahrain's Tolerated Opposition', 26 February 2015, <http://bit.ly/1PRXEzB>.

<sup>210</sup> Bahrain Center for Human Rights, 26 February 2015 op. cit.

# CAMBODIA: LIFE AFTER THE INTERNATIONAL SPOTLIGHT MOVES ON



The situation for Cambodian civil society has worsened since the government won contested elections in June 2013. In 2014, three draft laws affecting the independence of the judiciary were promulgated and rapidly approved, with little transparency. Further, while in past years, civil society has successfully mobilised, domestically and internationally, to delay a repressive draft Law on Associations and Non-Governmental Organisations, it is expected that a new draft will soon be reintroduced.<sup>211</sup>

In June 2014, in a move that underlined the weakness of the international governance regime, Cambodia rejected key recommendations of the UNHRC's Universal Periodic Review (UPR) process, including those on media freedom, pre-trial detention and investigation of excessive violence against protestors.

Chak Sopheap, Executive Director of the Cambodian Center for Human Rights, draws attention to threats that emanate from connections between the private sector and key government figures:

*The overall environment for civil society in Cambodia remains critical, especially for grassroots organisations that work in the provinces. Throughout Cambodia, CSO representatives, human rights defenders and other activists continue to be threatened and harassed by local authorities and private security guards as a result of their work. Judicial harassment, including through the misuse of criminal charges, as well as the abuse of provisional detention, also remains a serious concern and a challenge for independent civil society in Cambodia. The situation is aggravated by the high level of corruption and collusion between the authorities and influential private actors. Secrecy and lack of transparency continue to characterise the law-making process in Cambodia.*

*The situation for Cambodian civil society has worsened since the government won contested elections in June 2013.*

<sup>211</sup> This section draws from: CIVICUS, 'CCHR and CIVICUS Condemn the Cambodian Government's Rejection of Key Recommendations During its 2<sup>nd</sup> Universal Periodic Review', 2 July 2014, <http://bit.ly/1FdSS4a>; CIVICUS, 'Cambodia: Human Rights Situations Remains Critical – CIVICUS Interview with Chak Sopheap (CCHR)', 23 January 2015, <http://bit.ly/1GJvTDI>.

There is also a sense that, with other countries in the region experiencing difficult conditions or transition, such as Myanmar and Thailand, the international spotlight has moved on from Cambodia:

*Due to the improvements registered in the country over the last few years and the worsening situation in other countries in the region, international attention on Cambodia is slowly fading.*

International civil society needs to respond to the situation in Cambodia by bringing the spotlight back onto the country, and being on high alert to mobilise in the face of any attempts at reintroduction of the restrictive draft law.

## EGYPT: TAHRIR SQUARE HOPES CRUSHED

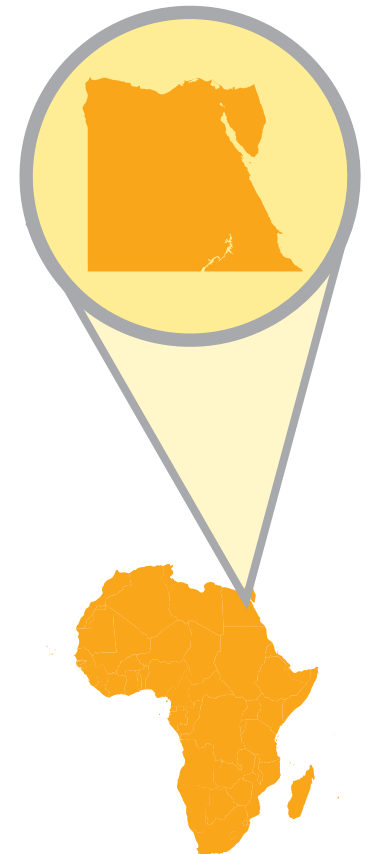
The last year in Egypt has seen one dismal experience for civil society follow another, as the heady days of Tahrir Square are now a distant and hollow memory.<sup>212</sup> The public and state backlash against the brief period of Muslim Brotherhood government that followed the toppling of former President Mubarak has led to a heavily polarised environment. Undoubtedly there is some public support for strong government, translated as military government, but in this climate, the risk is that opposing voices are demonised and protestors seen as disruptive of stability.

In polarised circumstances, it is particularly important that the law is applied impartially, but in Egypt, laws and trials are clearly being used to stifle dissent. The last year offers a litany of people active since the 2011 uprising who are now jailed, including, to name a few of many, women's human rights defender Maheinous El-Massry, jailed for two years in May 2014, prominent blogger and Tahrir Square activist Alaa Abd El Fattah, sentenced to five years in February 2015, and youth activist Ahmed Douma, handed a life sentence for anti-military protests, also in February 2015, along with 200 others tried in absentia.<sup>213</sup> This is indicative of another troubling trend, of mass trials and speedy verdicts.

<sup>212</sup> This section draws from: CIVICUS, 'CIVICUS Interview with Amal Elmohandes, Director of the Women Human Rights Defenders Program at Nazra for Feminist Studies', 18 June 2014, <http://bit.ly/1d2ZmMI>; 'Joint Letter to Permanent Representatives of members and observers of the UN Human Rights Council re: Universal Periodic Review of Egypt, signed by CIVICUS and other international CSOs, 22 October 2014, available at CIVICUS, <http://bit.ly/1JYsyS0>; CIVICUS, 'Call on Egyptian Government to End All Human Rights Violations – CIVICUS Interview with Hussein Magdy', 19 February 2015, <http://bit.ly/1Rtx6C7>.

<sup>213</sup> Nazra for Feminist Studies, 'Confirmation of the Verdict against Mahienour El-Massry: A New Episode in the Series of Incarcerating Women Human Rights Defenders (WHRDs)... The Verdict Must be Renounced and the Law Needs to be Revised', 21 May 2014, <http://bit.ly/1pfdseC>; 'Prominent Egyptian Youth Activist Gets Life In Prison', Voice of America, 4 February 2015, <http://bit.ly/1cmNDbc>; 'As Egypt Sentences More Activists, Rights Groups Speak Out', Voice of America, 26 February 2015, <http://bit.ly/1FdTGWG>.

EGYPT



There is currently a game of cat and mouse between government and CSOs regarding the laws that regulate civil society activity. The government gave all CSOs until 10 November 2014 to register under a repressive associations law. In response, many registered as not-for-profit companies or law firms, covered by different legislation, only for even more restrictive legislation to be proposed, along with new limitations on the receipt of foreign funding. The proposed new law would make peaceful association in the name of human rights essentially impossible in Egypt, giving the state the power to close down CSOs, choke off their funding and jail their leaders. That this law was proposed even as Egypt was being reviewed by the UNHRC's UPR process indicates the government's contempt for external opinion.

Hussein Magdy of the Egyptian Commission for Rights and Freedoms describes the situation:

*Currently the overall operating environment for civil society in Egypt is dire. The current regime exercises full control over political liberties enjoyed in the public sphere and orchestrates an intensified crackdown on CSOs and HRDs. The authorities have institutionalised arbitrary restrictions on civil society operations by proposing legal provisions that contradict Egypt's international human rights obligations. In the past months there have also been a considerable number of cases where authorities have threatened to close down CSOs. They have also issued harsh prison sentences and pecuniary fines on HRDs for their peaceful advocacy activities. In its current state, it is fair to say that Egyptian civil society is going through a severe human rights crisis.*

*Egyptian civil society feels that the Egyptian government is at war with freedom of assembly, despite its national and international human rights obligations. Any form of public assembly critical of the government is violently dispersed, sometimes at the expense of mass murders and severe injuries to protestors. Security officials responsible for the death of peaceful protestors continue to enjoy impunity, which only further reinforces police brutality. The case of Shaimaa el-Sabagh, who was shot in the back on 24 January 2015 while holding flowers in her hand during a peaceful protest commemorating the 2011 Revolution, is symptomatic of the police's relentless attacks on citizens merely exercising their freedom of association.*

Another disturbing aspect of the post-2011 experience of Egypt has been that, regardless of who is in government, a consistent theme has been the targeting of women HRDs (WHRDs) and women who are active in public space: the election of President Sisi in June 2014 was marked by a spate of gang rapes. In the words of Amal Elmohandes, of Nazra for Feminist Studies:

*Currently the overall operating environment for civil society in Egypt is dire. The current regime exercises full control over political liberties enjoyed in the public sphere and orchestrates an intensified crackdown on CSOs and HRDs.*

*Violations targeting WHRDs and women in the public space have been systematic and uniform throughout the different governments in the past three and a half years.*

There has also been a sharp rise in state surveillance, as Amal goes on to tell us:

*The government and the security sector in particular have been involved in surveillance of activities and behaviour of citizens at least from 2008. New plans will involve more sophisticated methods to monitor the online activities of citizens, and conversations and messages exchanged on mobile phones. These tactics will be extended to target dissenters and those who criticise the actions of the authorities. Such actions by the government will inevitably lead to self-censorship in certain cases and will usher a significant and widespread assault on freedom of expression and on the privacy of citizens.*

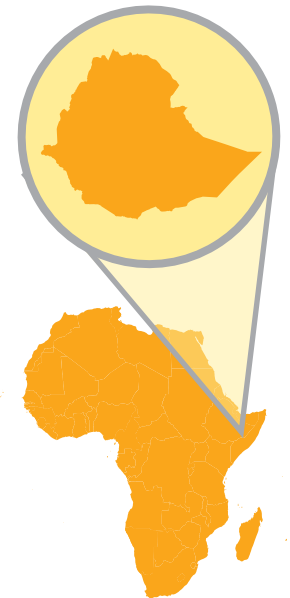
It is hard to find many causes for optimism about the state of civil society in Egypt. Those in jail and those silenced need international support and greater exposure of the conditions under which the heroes of Tahrir Square now languish.

## ETHIOPIA: BLOGGERS AND JOURNALISTS IN THE FIRING LINE

Ethiopia remains a highly repressive state, where civil society activity that would be regarded as legitimate elsewhere is criminalised, the government conflates criticism with terrorism, and where journalists and bloggers are a particular target: at the time of writing, at least 17 journalists and bloggers are known to be imprisoned,<sup>214</sup> and another 20 are said to have fled the country. To give a handful of examples from many, in October 2014, Temesgen Desalegn, journalist and former editor-in-chief of *Feteh* magazine was sentenced to three years in prison, while three other magazine owners were handed sentences of over three years in absentia, and in August 2014 the government accused six weekly newspapers of crimes against the state.

<sup>214</sup> This section draws from: CIVICUS, 'Oral Statement by CIVICUS, Human Rights Situation in Africa, to the African Commission on Human and People's Rights', 28 April 2014, <http://bit.ly/1UNenOR>; CIVICUS, '41 African and International CSOs Call on the Ethiopian Prime Minister to Release Detained Journalists and Zone 9 Bloggers', 28 July 2014, <http://bit.ly/1dBgYQP>; CIVICUS, 'Ethiopia: Crackdown on Dissent Intensifies as Journalists Convicted', 31 October 2014, <http://bit.ly/1KsQHjy>; CIVICUS, "'Push for the Repeal of the CSO Proclamation'" – CIVICUS Interview with Solryana Gebremichael (EHRP)', 12 February 2015, <http://bit.ly/19vt4bH>.

### ETHIOPIA



In the words of Hassan Shire of the East and Horn of African Human Rights Defenders Project:

*In Ethiopia over the last five years we have seen the wholesale disappearance of the human rights community, with countless human rights defenders forced into exile due to heavy-handed and manifestly unlawful state tactics aimed at undermining their work. Throughout 2014, the risks facing journalists and independent human rights voices have reached unprecedented new heights.*

It seems that, consistent with the pattern described above, the conditions for civil society became still worse ahead of the ritual of the May 2015 elections. Soleyana Gebremichael, of the Ethiopia Human Rights Project, comments:

*In the run up to national elections, the increasing trend of arbitrary arrest and detention, politically motivated prosecutions, and intimidation of independent voices within civil society is deeply concerning. Similar trends were notable in the run up to the 2010 national election, in which the ruling party won 99.6% of parliamentary seats.*

Among those currently experiencing the reality of state repression are the Zone9 collective, a group of young bloggers to which Soleyana belongs. At the time of writing, six Zone9 bloggers are facing trial on terrorism charges, along with three independent journalists. Soleyana faces trial in absentia. Some charges carry the death penalty. The group have faced repeated delays in legal proceedings, including long delays in knowing what they were charged with, and have complained about mistreatment while in detention, including torture, sleep deprivation and withholding of food, while family visits have been limited.<sup>215</sup> As part of the justification for the charges they face, the public prosecutor pointed to the collective's involvement in digital security training organised by international human rights groups, demonstrating once again the dangers of civil society being seen as 'foreign agents' in highly repressive contexts.

As with several other countries covered in this report, part of the challenge for civil society in Ethiopia is the relative lack of interest in promoting change of external powers, who see Ethiopia as a stable state in a region where instability, linked to conflict and Islamist terrorism, is a concern. Ethiopia, along with some other African countries such as Rwanda, also shows the limitations of current approaches to development: they achieve strong progress on some development indicators, but largely through a state-led development approach that emphasises economic development, in imitation of the China model.<sup>216</sup> Such models are suspicious of the

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<sup>215</sup> Ethiopia Human Rights Project (EHRP), 'Court Grants the Police More Days to Further Investigate Ethiopian Journalists, Bloggers', 17 May 2014, <http://bit.ly/1LPRj1j>; EHRP, 'Third Adjudgment for Bloggers, Journalists; Still No Evidence', 3 June 2014, <http://bit.ly/1cmOCrW>; EHRP, 'Facts and Documents on Case of Zone9 Bloggers and Journalists', 26 February 2015, <http://bit.ly/1FH4Eye>.

<sup>216</sup> 'Ethiopia and Kenya: Doing it my way', The Economist, 2 March 2013, <http://econ.st/1LNfpKF>.



independence of civil society. As in other states, the restriction of civil society's access to foreign funding, through the application of the 2009 Charities and Societies Proclamation Act, is an indicator of repression.<sup>217</sup> Such states may promise democracy later, and the argument that democracy can be delayed until everyone has enough to eat may seem seductive, but the experience of China's model suggests that democracy is something that repressive rulers endlessly seek to defer.

Soleyana Gebremichael draws attention to the shortcomings of the state-led development model:

*In Ethiopia, which has only one opposition party member in parliament, virtually no independent media and civil society and a highly politicised judiciary, there is very little accountability for the vast sums of money entrusted to the federal government to support democratic and economic development. The maintenance of the status quo in Ethiopia through the provision of huge amounts of donor aid without adequate and effective support for democratic consolidation is a waste of the taxpayers' money.*

Ethiopia's government, like Egypt's, has shown itself to be contemptuous of the international human rights system: it has refused to accept key recommendations of the UPR process, on revising its anti-terrorism measures and on releasing imprisoned activists and journalists. If pressure is to be more successfully exerted, then outside donors need to be pressured to take a new approach to development, including under the forthcoming Sustainable Development Goals (SDGs), that puts human rights and citizen-led accountability at the centre, and powerful governments need to be pressured by their domestic civil society to develop more nuanced understanding of what constitutes stability.

*Ethiopia's government, like Egypt's, has shown itself to be contemptuous of the international human rights system.*

217 'In Ethiopia, Protecting Yourself Online Is a Crime', The Huffington Post, 22 July 2015, <http://huff.to/1FH4TSZ>.

## KENYA: INTERNATIONAL EXPOSURE DRIVES NATIONAL CRACKDOWN

The conditions for civil society in Kenya have worsened appreciably since the present government was formed in April 2013.<sup>218</sup>

The suspension of 510 CSOs, many of them working on rights-based issues, by the NGO Coordination Board in December 2014 was in violation of Kenya's constitution, and rightly brought national and international condemnation. The subsequent reinstatement of 179 CSOs, in January 2015, can be seen to result from this scrutiny and pressure, but it remains the case that the attempt contributes towards fostering a climate of insecurity and fear among CSOs.

The Security Laws (Amendment) Act, seeking to amend 22 other pieces of legislation, and extending state powers over public demonstrations and the publication and dissemination of information, was hurriedly passed in December 2014, in the face of opposition and civil society protests, only for parts of it to be ruled as unconstitutional by Kenya's High Court. This act was preceded by attempts, documented in the 2014 State of Civil Society Report, to limit CSOs to receiving no more than 15% of their funding from foreign sources, establish a central body through which foreign funding would have to pass, and extend state powers over CSO registration and regulation. Attempts were made to introduce these through three series of amendments in 2013 and 2014, with a strong local and international civil society campaign against them, but the fear remains that attempts will be made to introduce such laws again, given the government's track record. Here, the danger is that, even when they fail to pass into law, these attempts exert a chilling effect and encourage a climate of

<sup>218</sup> This section draws from CIVICUS and National Coalition of Human Rights Defenders 'Attacks on Civil Society Undermining Democracy and Development in Kenya', March 2015, <http://bit.ly/1ak4Sty>.

self-censorship, as could also be said of attempts to pass laws to limit media freedom, halted by the High Court in January 2014.

As well as these restrictions emanating from the state, the environment for civil society activists and HRDs seems to be growing more dangerous. Activists are being threatened as they go about their work, and attempts to protest are being disrupted. For example, in September 2014, chair of the Law and Social Development Trust, Wendy Wanja Mutega, was threatened and warned to stop working with an environmental rights groups by unidentified people, while in January 2015 two activists, Irungu Houghton and Bouz Waruku, were arrested and charged with incitement as they staged an 'occupy playground' demonstration to advocate for the rights of schoolchildren. Protestors who attempted to march to parliament in December 2014 were dispersed by security forces, and eight protestors detained on charges of unlawful assembly and incitement to violence.

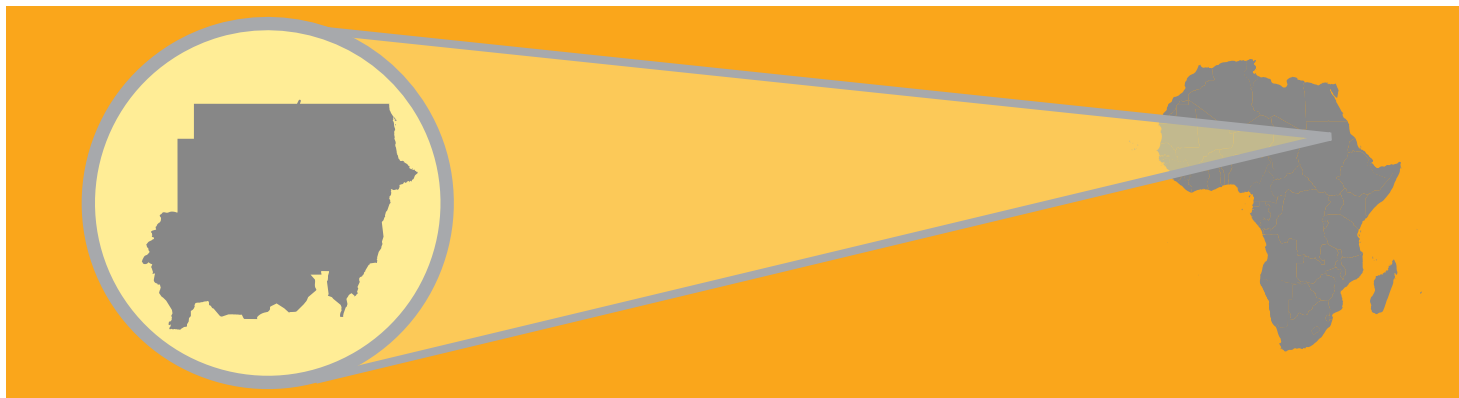
The difficulties faced by potential witnesses in the International Criminal Court's (ICC) now aborted proceedings against President Uhuru Kenyatta are discussed in the next section. Sensitivities about these proceedings being brought against the people in power would seem to be one driver of the government's increasingly negative attitudes towards civil society and the media.

Another influence is concern about al-Shabaab terrorism, emanating from extremist Islamist networks founded in neighbouring Somalia. These concerns naturally run high in Kenya, which has experienced shocking acts of terrorism, such as the attack on the Westgate Shopping Mall in September 2013 that left at least 67 people dead, the murder of 36 quarry workers in northern Kenya in December 2014, and the killing of 147 students at a university in Garissa in April 2015.<sup>219</sup> But again, the point must be made that civil society can be a priceless ally of the government in responding to such attacks, yet civil society's response to terrorism is made harder in climates of repression and restriction. Civil society can play a role in bringing communities together at times of heightened risk of ethnic or religious division, and indeed was quick to react to the April 2015 attack, calling a night vigil to show solidarity, while the power of a free media was demonstrated by an open-source social media initiative that set out to tell the stories of every person killed in the attack.<sup>220</sup> To a government sensitive about its international standing and concerned about terrorism, the argument that civil society can help address these needs to be made more strongly.

*Another influence is concern about al-Shabaab terrorism, emanating from extremist Islamist networks founded in neighbouring Somalia.*

<sup>219</sup> 'Kenya marks anniversary of deadly Westgate mall attack', BBC, 21 September 2014, <http://bbc.in/1wFqp5n>; 'Al-Shabab massacres non-Muslims at Kenya quarry', BBC, 2 December 2014, <http://bbc.in/1vjyuri>; 'Kenya attack: 147 dead in Garissa University assault', BBC, 3 April 2015, <http://bbc.in/1DrBXQW>.

<sup>220</sup> '#147notjustanumber is the hashtag that gives life to each person slain in the Kenya attack', Quartz, 6 April 2015, <http://bit.ly/1FRovoN>; email communication from Action2015/Kenya, April 2015.



## SUDAN

# SUDAN: SPACE SHRINKS AHEAD OF ELECTIONS, AS ARTISTS FIGHT BACK

Sudan and South Sudan split in 2011, following an entrenched civil war which left key territorial issues unresolved in the South Kordofan and Blue Nile regions that border the two states, while conflict in the Darfur region has been going on for 10 years, with the situation appearing to be deteriorating again at the time of writing. Sudan's highly centralised, single-party state, led by President Omar al-Bashir since a 1989 military coup, has faced civil society pressure to answer to its abysmal human rights record but, at the same time, outside powers, such as the AU, are weak. Not for the first time, there is a sense that outside powers prefer autocratic relative stability to the potential instability they fear could result from a change of government.<sup>221</sup>

In response to pressure, in January 2014, al-Bashir called for a national dialogue process, but progress was minimal, and in January 2015 almost all opposition parties withdrew from the dialogue.<sup>222</sup> Most opposition parties also boycotted the April 2015 elections, and some key opposition leaders were arrested, further demonstrating the government's unwillingness to have genuine national dialogue ahead of elections. To no one's great surprise in such circumstances, al-Bashir claimed around 94% of the vote in April 2015.<sup>223</sup>

In the run up to the election, in January 2015, the constitution was amended to give al-Bashir and the National Intelligence and Security Service (NISS) new powers, which were quickly demonstrated in February 2015, when

*Sudan's highly centralised, single-party state, led by President Omar al-Bashir since a 1989 military coup, has faced civil society pressure to answer to its abysmal human rights record.*

221 International Crisis Group, *Sudan: The Prospects for "National Dialogue"*, 11 March 2015, <http://bit.ly/1EHIRRC>.

222 'Sudan opposition to boycott national dialogue', Al Jazeera, 21 January 2015, <http://bit.ly/1CAIRhH>.

223 'Sudan's political opposition unites under new call for democracy', The Guardian, 11 December 2014, <http://bit.ly/1J7mg3g>; 'Sudan elections – what elections?', Al Jazeera, 29 March 2015, <http://bit.ly/1AxRs9o>; 'More of the same': Bashir sweeps Sudan election', Al Jazeera, 27 April 2015, <http://bit.ly/1BtoiTA>.

restrictions were increased on print media, encroaching further on already severely limited space for freedom of expression.<sup>224</sup> On 16 February alone, NISS forces seized an entire print run of 14 newspapers in an effort to prevent the dissemination of news deemed critical of the ruling National Congress Party (NCP). Previous months had seen journalists detained for reporting an opposition leader's speech and newspaper staff beaten in an armed raid on their offices: all told, in 2015 alone, Amnesty International estimates that at least 21 journalists have faced state interrogation.<sup>225</sup> This is despite Sudan's government having agreed in 2011 to accept UNHRC UPR recommendations on freedom of association, assembly and expression.

In these conditions civil society is finding itself squeezed, as Abdel-Rahman El-Mahdi, of the Confederation of Sudanese Civil Society Organisations (CSCSOs), explains:

*Over the last 12 months, relations between civil society and the Sudanese government have worsened. This is reflected in the increasing number of closures of CSOs, the arrest and harassment of civil society leaders, and a negative portrayal of CSOs in the media by leading members of the ruling NCP. The current conditions for civil society in Sudan can be characterised as extremely restrictive, with a high level of personal risk for individuals working within civil society. The degradation and shrinkage of space for civil society is unprecedented. CSOs in Sudan are facing increased closures and their leaders subjected to harassment and oftentimes detention by security forces.*

*Dr Amin Mekki Medani, a well-known human rights defender and President of CSCSOs, was arrested in December 2014 following his return for a meeting in Addis Ababa held under the auspices of the African Union High-Level Implementation panel. Dr Amin continues to be held in detention. In January 2015, three CSOs, the Sudanese Writers Union, Mahmoud Mohamed Taha Center and the National Civic Forum, had their licenses revoked and were informed by national security agents to cease their activities. All three were members of CSCSOs. Restrictive and unconstitutional articles in the 2006 Voluntary and Humanitarian Works Act are increasingly being enforced, curtailing and obstructing the work of independent CSOs that may be perceived as a threat to government and its policies and priorities. This law has become a tool for exercising control over and obstructing the activities of CSOs, especially those that are deemed a threat or non-aligned with government and its policies. The most notorious articles within this law relate to incorporation and registration, receipt of foreign funding, dissolution and control of assets.*

<sup>224</sup> 'Sudan: 'Clamp-Down On Civil Society As Polls Approach' – Sudan Hrs Monitor', All Africa, 10 February 2015, <http://bit.ly/1ABCOxu>; Amnesty International, 'Sudan: Entrenched Repression – Freedom of expression and association under attack', 1 April 2015, <http://bit.ly/1AxRXjD>.

<sup>225</sup> Committee to Protect Journalists (CPJ), 'Sudanese journalist held without charge', 13 June 2014, <http://bit.ly/1FkenkI>; CPJ, 'Armed men raid Sudanese newspaper, beat editor', 22 July 2014, <http://bit.ly/1BtoVMP>; CPJ, 'Sudan security agents confiscate print runs of 14 newspapers', 18 February 2015, <http://bit.ly/1AxSpOR>; Amnesty International, 1 April 2015 op. cit.

*CSOs in Sudan are facing increased closures and their leaders subjected to harassment and oftentimes detention by security forces.*

*This has come as a backlash to increasing recognition by prominent parties, national and international, of civil society as a principal stakeholder in the future of Sudan and the importance of its inclusion in future consultations regarding a comprehensive solution to the problems facing Sudan. As elections neared, CSOs that called for a delay of elections found themselves persecuted by national intelligence. The government is also aware that the national dialogue, which has been derailed, might still come into play over the coming period. CSOs should have a role to play in shaping how an inclusive national dialogue process may be structured as well as voicing the issues and priorities of their constituents, if any meaningful dialogue is to be realised.*

*...al-Bashir's cultural crackdown is nothing new: in the early 1990s the regime shut down Khartoum's libraries and destroyed books.*

The attack on cultural spaces and platforms described by Abdel-Rahman comes in response to a fresh wave of civic dissent, in which Sudan's artists and writers were at the forefront. But al-Bashir's cultural crackdown is nothing new: in the early 1990s the regime shut down Khartoum's libraries and destroyed books. It was not until the 2005 Comprehensive Peace Agreement with South Sudan that the Sudanese Writers Union was able to regain its legal status; now it finds itself targeted again, alongside the monthly used book sale and gathering, Mafroosh, which has been credited with reviving Sudan's literary scene.<sup>226</sup> Mamoun Eltlub, a prominent Sudanese writer, who restarted and managed the Union and spearheaded Mafroosh, has led the effort to nurture cultural, discursive space. Eltlub also founded the arts and culture collective Work Culture Group and is an active political critic and commentator, who has in the past paid personally for his work, having experienced a year's detention.<sup>227</sup>

Among other examples, the 2014 Toronto International Film Festival showed the film *Beats of the Antonov*. Antonovs are the Russian-made planes used by the Sudanese government to bomb rebel held areas. Hajooj Kuka, the Sudanese filmmaker, presents the perspectives of those affected by war as they navigate the conflict and reaffirm their existence through dance, music and storytelling.<sup>228</sup> Meanwhile, with their collaborative campaign *Art vs. War*, Nabta Culture Centre and the National Group for Cultural Policies have tried to raise awareness of the devastating cost of conflict.<sup>229</sup> Their campaign compares government expenditure on arts and war, juxtaposing images of soldiers, camouflage and Antonovs with art supplies and musical instruments. Beginning on social media, the campaign has grown to posters and t-shirts, and works in refugee camps to encourage cultural exchanges between people from the centre, and from conflict-affected border regions.

226 'Against the Writers Union Shutdown, Read Stories and Poems from Sudan', Arabic Literature (in English), 9 February 2015, <http://bit.ly/1C9Uiel>; 'Long live the struggle of the Sudanese Writers Union', Sudan Tribune, 16 February 2015, <http://bit.ly/1LNiQJr>.

227 'Where are the libraries?' The literary radical fighting Sudan's crackdowns', The Guardian, 12 February 2015, <http://bit.ly/1CZhgL8>.

228 'Beats of the Antonov' Tells the Story of the People of the Blue Nile and Nuba Mountains in Sudan', Indiewire, 29 July 2014, <http://bit.ly/1KsTLdM>.

229 'Sudanese arts centre stands up against war', Africa Review, 28 August 2014, <http://bit.ly/1QeHU4u>.



The government's recent assault on cultural centres is, in a perverse way, a recognition that cultural activism could be the spark that ignites social movements in Sudan. Activist groups, such as Sudan Change Now and Girifna, have campaigned against the three civil wars Sudan has experienced, but these campaigns have never gained real traction or attracted the popular support necessary for impact. With cultural activists battling to open space for dialogue and engendering a culture of political engagement, young people in particular may be able to find innovative ways to express political discontent.

It needs to be understood that the government's campaign against Sudanese civil society reflects not strength, but the ruling party's fragility and defensiveness toward independent voices. Given this, Abdel-Rahman suggests what the outside world could do to nurture Sudanese civil society:

*The international community must take vigorous political and diplomatic measures to support CSOs that come under threat, and get around government restrictions designed to isolate national organisations from the international community. Opportunities need to be provided to young civil society leaders and activists to participate in capacity building and training opportunities organised outside the country, to provide the space and time to reflect and exchange information and experience.*

*The government's recent assault on cultural centres is, in a perverse way, a recognition that cultural activism could be the spark that ignites social movements in Sudan.*

## THAILAND

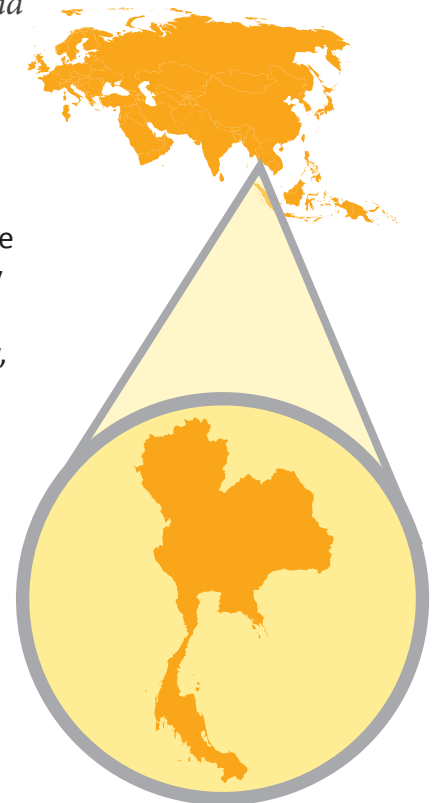
# THAILAND: IN THE SHADOW OF THE JUNTA

In the 2014 State of Civil Society Report, we reported on protests then under way in Thailand. One year on, the situation for civil society has worsened.<sup>230</sup> In May 2014 the introduction of martial law was quickly followed by a military coup, the 11<sup>th</sup> such coup in the past 80 years.<sup>231</sup> Immediately after the coup, the military junta, the National Peace and Order Maintaining Council (NOMC), suspended the constitution, imposed a nightly curfew, banned political gatherings of over five people and imposed strict media controls. The army moved in to clear protest sites and detained protest leaders. Under martial law, which applied until April 2015, the military was allowed to hold people without charge for a week, and more crimes were brought under the jurisdiction of military courts. Over 400 protestors, activists, journalists and academics were questioned in army bases, and many of those detained were only released once they agreed to cease activity.<sup>232</sup> The replacement for martial

<sup>230</sup> This section draws from CIVICUS, 'CIVICUS Brief – Thailand: End Crackdown on Civil Society and Restore Democratic Freedoms', 20 August 2014, <http://bit.ly/1JbgwUR>.

<sup>231</sup> 'Thailand coup: Army seizes control of government to restore 'peace'', ABC News, 22 May 2014, <http://ab.co/1FdX6sx>.

<sup>232</sup> UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, January 2014 op. cit.



law, introduced from April 2015 is, if anything, even more draconian and continues to give broad powers to the military.<sup>233</sup>

In the aftermath of the coup, the junta also warned that calling for protest on social media would bring sedition charges, and military panels were established to monitor media, including social media. By July 2014, all critical reporting and commentary was banned; in August 2014, two people were arrested merely for acting in a play deemed critical of the government. Since the coup, the number of convictions being brought under the ‘lèse majesté’ law, in which criticism of the monarchy is banned, had also substantially increased.<sup>234</sup>

In the face of the crackdown, people have continued to try to find new and imaginative ways to express themselves, for example, by borrowing the three finger salute of rebellion from the Hunger Games film series, or by holding public readings of George Orwell’s 1984, but in turn these harmless acts have been criminalised and made subject to the judgement of military courts. So sensitive is the climate about potential criticism that in November 2014 a cinema chain pulled screenings of the latest Hunger Games instalment, fearing it would catalyse protest. Students have continued to try to stage protests, but they report seeing little hope at present.<sup>235</sup>

The protests that preceded the coup, between two distinct camps, demonstrated that Thai society is polarised and, as in Egypt, there is undoubtedly a part of society that sees strong government as being synonymous with military government. This polarisation makes it hard for civil society to hold onto positions of neutrality in order to claim their rights. As Chalida Tajaroensuk, of the People’s Empowerment Foundation, told us:

*Civil society is polarised, between support for the military government and those not supporting military government. It is difficult to bridge, because of the different political opinion, different analyses and different strategies.*

But ultimately no one, apart from those who want to avoid being held to account, benefits when civil society’s independent voice is repressed, and civil society is unable to play its proper accountability role over those who hold power. Chalida confirms that military rule is greatly restricting the conditions for civil society, with little space for freedom of expression, assembly or association and scant respect for human rights, with rulers drafting complex mechanisms and systems to protect their power and strengthen their ability to control society.

233 ‘Thailand’s New Law Could Be Worse than Martial Law’, The Diplomat, 5 April 2015, <http://bit.ly/1Btt8QG>.

234 CPJ, ‘Thai junta expands media controls’, 21 July 2014, <http://bit.ly/1FHdhly>; HRW, ‘Thailand: Theater Activists Jailed for Insulting Monarchy’, 20 August 2014, <http://bit.ly/1w8FSyd>; HRW, *World Report 2015: Thailand*, <http://bit.ly/1d35jcD>.

235 UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, January 2014 op. cit.; HRW, *World Report 2015* op. cit.; ‘Thai students the ‘last group standing’ in protesting army coup’, Reuters, 16 February 2015, <http://reut.rs/1FHdV2A>.

*In the face of the crackdown, people have continued to try to find new and imaginative ways to express themselves, for example, by borrowing the three finger salute of rebellion from the Hunger Games film series.*

Typically, Thailand's military government has experienced little international pressure to allow civil society to play a proper role. The regional intergovernmental organisation, the Association of South East Asian Nations (ASEAN), has clung to antique notions of non-interference and said nothing about the military crackdown; worse, it even insulted those who are in detention and gave the military a chance to claim false legitimacy by holding a media forum in Thailand's capital, Bangkok, in March 2015.<sup>236</sup> While the government of France has condemned the coup, and the US has scaled back its support, China has played its customary regressive role in continuing to support Thailand's military government.<sup>237</sup>

International civil society needs to help Thailand's civil society to bring their issues to international attention, and Thai CSOs need to work together, including in regional and UN level platforms, to build unity and rise above polarised national politics. As Chalida concludes:

*There is no choice for us but try to continue our work, and look for something that we can do.*

## TURKEY: PRESSURE FOLLOWS PROTEST

Following the 2013 protests, discussed in the previous section and in the 2014 State of Civil Society report, Turkey's government is trying to make it harder for dissent to break out again. We asked Hakan Ataman what has changed in the conditions for Turkish civil society since the protests:

*The government's response to the protest has had negative implications for CSOs. The government uses subtle ways to inhibit the activities of CSOs that documented widespread human rights violations during the Gezi protests and delivered health services and legal aid to victims and survivors. For example, the Social Security Institution imposed an administrative fine on the Human Rights Foundation of Turkey after the foundation's efforts to provide medical help to wounded Gezi protestors in 2013. Recently, the government adopted a new security package which almost abolishes the right to peaceful protest, among other drastic measures.*

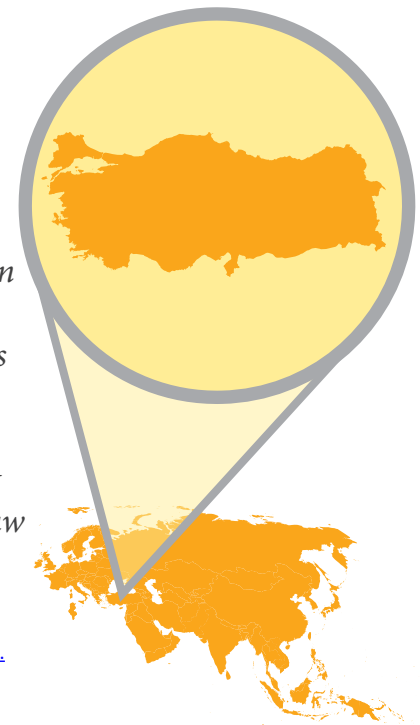
*The widespread human rights violations during the 2013 protests demonstrated that Turkey has not complied with its responsibilities under international human rights law. It showed that the rule of law and democracy is under threat.*

236 'Muted response to Thai coup hints at other nations' limited options', The Conversation, 27 May 2014, <http://bit.ly/1JYyr1D>; 'Thailand's Coup – Will ASEAN Answer?', The Diplomat, 30 May 2014, <http://bit.ly/1ABH53O>; ASEAN, "'Reporting ASEAN" Media Forum to Tell the ASEAN Story', 16 February 2015, <http://bit.ly/1HzXZgD>.

237 HRW, *World Report 2015* op. cit.

*Thailand's military government has experienced little international pressure to allow civil society to play a proper role.*

## TURKEY



TUSEV concurs with this analysis:

*Throughout 2014/2015, arbitrary implementations of the legal framework regarding the freedom of association, and irregularities between legislation and implementation, have been observed. The vague clauses in legislation, such as 'general morality', 'Turkish family structure' and 'public order' create inconsistent and arbitrary interpretation and implementation by different state institutions, and even within the same institution. Some state institutions continue to request court cases for the closure of LGBTI CSOs, basing their legal thesis on the clause of 'general morality'.*

*Although there is no such limitation or restriction in the relevant laws or regulations, the Department of Associations, via administrative orders, or legal opinions issued by the Ministry, restricts freedom of association in some cases. In June 2013, shortly after the Gezi Park Protests, the Department of Associations issued an administrative order to its provincial offices that associations that want to use certain words such as 'platform' or 'council' in their names will not be accepted.*

*Freedom of assembly remains one of the most problematic areas. Throughout 2014/2015, severe measures were taken to restrict freedom of assembly in Turkey, especially when assemblies could turn into anti-government demonstrations. During 2014, thousands of people were on the streets demanding the then Prime Minister Erdogan resign because of a corruption probe that includes three ministers, their sons and high-profile businessmen. In Istanbul and Ankara, police used tear gas, water cannon and plastic bullets to disperse demonstrations.*

*On 13 May 2014, 301 miners died in an accident in Soma. Immediately after the accident, protests started to take place all over Turkey, including in Soma. Across Turkey, extreme measures were taken by the police to prevent protests turning into anti-government demonstrations. Turkish police fired water cannon and tear gas to prevent thousands of protesters from defying the ban and reaching Istanbul's central Taksim Square, the focal point of the 2013 protests. Public transport was halted in Istanbul and Ankara, and 25,000 police officers poured into Istanbul ahead of 31 May 2014, the anniversary of the Gezi Park events. On the anniversary, police officers used water cannon and tear gas against demonstrators, again preventing them from reaching Taksim Square, and shutting off Gezi Park. According to the Progressive Lawyers Association, 126 demonstrators were detained. During the same period, the government introduced new proposals to further restrict freedom of assembly and give extra powers to the police.*

*Throughout 2014/2015, severe measures were taken to restrict freedom of assembly in Turkey, especially when assemblies could turn into anti-government demonstrations.*

*Internet censorship by the government is also common and has increased in the last couple of years. On 10 September 2014, extraordinary authority was granted to the Telecommunications Communication Presidency, extended its TİB to ban websites and remove web content if there are instances of violation of privacy and, if deemed necessary for matters of ‘national security, the restoration of public order and the prevention of crimes’, without a prior court order. The government continues blocking web content and applications, and prohibits access to websites with opposing views. According to Engelli Web’s database on blocked websites, over 67,683 websites were blocked as of March 2015. On 20 March 2014, Twitter was banned throughout Turkey, and a week later YouTube was also banned without a court decision. The reasoning of court decisions to block websites and relevant rulings are not easily accessible. Such non-transparent procedures bring further challenges for those who seek to appeal against decisions.*

*People who work in CSOs are not the sole focus of attacks from autocratic governments, corrupt politicians, venal security forces and ruthless business interests. Wherever CSO activists are being attacked, you can be sure that journalists are too.*

The response to the killing of Özgecan Aslan, discussed in the section on gender activism below, suggests, however, that people’s protests can still break through these restrictions when there is sufficient public anger focused on a particular issue. The challenge is to identify those moments of potential to break through, and to work to connect and support those who become active at such moments, and to continue to demand positive change and essential freedoms.

## ATTACKS ON THE MEDIA COINCIDE WITH ATTACKS ON CIVIL SOCIETY

People who work in CSOs are not the sole focus of attacks from autocratic governments, corrupt politicians, venal security forces and ruthless business interests. Wherever CSO activists are being attacked, you can be sure that journalists are too. Of course, to some extent, any distinction is arbitrary: many civil society activists are targeted for blogging and using social and traditional media in their work. The worst 10 countries in the Committee to Protect Journalists’ (CPJ) 2014 Global Impunity Index,<sup>238</sup> based on the number of unsolved murders of journalists proportionate to population, are Iraq, Somalia, the Philippines, Sri Lanka, Syria, Afghanistan, Mexico, Colombia, Pakistan and Russia: these are countries where it is dangerous for civil society to ask difficult questions of those who hold power. Impunity occurs in the same countries year after year, telling us that media repression is entrenched and systemic. CPJ research also shows that more journalists were in

238 CPJ, ‘Getting Away With Murder’, 16 April 2014, <http://bit.ly/1peMXd2>.



jail in 2014 than in 2013, with China, Iran, Eritrea, Ethiopia and Vietnam having the highest number of jailed journalists.<sup>239</sup>

An analysis of the previous year's CPJ reporting of incidents against journalists reveals several common themes, similar to the ways attacks are made on civil society activists, as noted above. These include:

- the frequent misuse of laws, such as incitement, spreading false information, terrorism, defamation and encouraging protests, often applying either archaic laws, such as criminal as opposed to civil, defamation laws, or new laws introduced under the rubric of fighting terrorism;
- crackdowns coming ahead of elections, and during debates about potential changes to presidential term limits to allow presidents to run again, or on the president's health, both of which are sensitive issues in countries with autocratic presidents;
- journalists being caught between radical Islamist groups and state agencies using anti-Islamist rhetoric.

The subjects that journalists who are attacked, harassed or imprisoned commonly cover include: corruption; connections between politicians, officials, police, organised crime and businesses; economic interests; national security; public protests; and radical Islam.

Further, CPJ analysis confirms the need to focus not only on the central sources of power; CPJ finds that 96% of murdered journalists, in their past year of analysis, are local reporters, typically covering corruption, conflict and politics: it is when media workers unsettle local lucrative power bases and webs of corruption that they risk murder.

The response this suggests is that there need to be more closely coordinated working, joint campaigning and mutual support between CSO workers, individual activists, HRDs and media practitioners, both traditional and local, and stronger international connections. These are not easy to achieve in practice, but such connections will not come about without conscious effort, and resourcing to support them.

## THE BATTLE FOR THE INTERNET

In past State of Civil Society Reports we have alerted that the internet is now a key frontier in the battle for the freedom of expression, and one that requires committed, sustained civil society engagement. States that highly restrict the internet are those where conditions are worse for civil society as a whole: Freedom House's 2014

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239 CPJ, '2014 prison census: 221 journalists jailed worldwide', 1 December 2014, <https://cpj.org/imprisoned/2014.php>.



Freedom on the Net report<sup>240</sup> tells us that internet restriction is worst in China, Iran and Syria, and has recently declined most in Russia, Turkey and Ukraine. These are, sadly, states that are not new to State of Civil Society Reports.

On the whole, Freedom House reports that internet freedom has undergone a further decline, but something is changing: governments are now being more blatant about imposing repressive laws, in a trend that connects with the notion of democratic recession, discussed earlier, where repressive leaders are trying to normalise the rollback of fundamental rights. Freedom House also draws attention to a particular trend of increasing harassment of people who defend women's and LGBTI rights online, and attacks on the cyber security of civil society activists.

Malaysia, for example, is a country we featured in the 2014 State of Civil Society Report, where a long tradition of state repression is meeting an enthusiastic government commitment to new technology.<sup>241</sup> This means that the state now strongly polices social media, which once offered a relatively free space for discussion, compared to the offline world. Malaysia's Inspector General of Police now uses Twitter to warn critical voices to be quiet and threaten them with arrest. Zunar, a well-known cartoonist, was detained in February 2015 for posting critical cartoons on Twitter.<sup>242</sup> Oddly, this patrolling of social media combines with an increase in the application of archaic laws of sedition.

Along with visible crackdowns, repressive governments are taking a leaf out of China's book by hiring armies of paid trolls whose job is to argue in support of the government, and shout down opposing voices: Russia, for example, enlisted these to complement its war with Ukraine, and Israel uses trolls to counter criticism of its violations of Palestinian human rights.<sup>243</sup> Elsewhere, while one of the big internet news stories of the year, the mass leaking of Sony Pictures data, has given rise to conspiracy theories about North Korean involvement that are hard to prove, there can be little dispute that Bahrain's repressive government is up to dirty tricks: the government is using fake identities, phishing links, malware and spyware to try to unearth the identities of activists who need to stay anonymous to avoid detention.<sup>244</sup> Hackers linked to the state have employed similar tricks against exiled Ethiopian activists.<sup>245</sup>

*Along with visible crackdowns, repressive governments are hiring armies of paid trolls whose job is to argue in support of the government, and shout down opposing voices: Russia, for example, enlisted these to complement its war with Ukraine, and Israel uses trolls to counter criticism of its violations of Palestinian human rights.*

240 Freedom House, *Tightening the Net: Governments Expand Online Control: 2014 Freedom on the Net Report*, <http://bit.ly/1zooC5C>.

241 Eldis, 'E-Governance and Service Delivery Innovations in Malaysia: An Overview', 15 March 2013, <http://bit.ly/1PS4I4A>.

242 'Malaysian Police Use Twitter in Crackdown on Dissent', The New York Times, 11 February 2015, <http://nyti.ms/1Afaq3R>; 'What is Malaysia's top cop doing on Twitter?', BBC Monitoring, 6 April 2015, <http://bbc.in/1GgS98g>; 'Malaysia cartoonist charged with sedition over tweets', Al Jazeera, 3 April 2015, <http://bit.ly/1J7zwFk>.

243 Global Voices, 'China Beefs Up '50 Cent' Army of Paid Internet Propagandists', 16 October 2013, <http://bit.ly/1Btyj3e>; 'Salutin' Putin: inside a Russian troll house', The Guardian, 2 April 2015, <http://bit.ly/1r2oEi>; 'Israeli students to get \$2,000 to spread state propaganda on Facebook', The Electronic Intifada, 1 April 2012, <http://bit.ly/1mJEyvj>.

244 Bahrain Watch, 'The IP Spy Files: How Bahrain's Government Silences Anonymous Online Dissent', <http://bit.ly/1JbpMZ5>.

245 'Hacking Team Reloaded? US-Based Ethiopian Journalists Again Targeted with Spyware', The Citizen Lab, 9 March 2015, <http://bit.ly/1C20vPQ>.

What this tells us is that governments see the internet as a key site of contestation for human rights. They are not the only ones. Shadowy hacktivist groups have continued to use the power of embarrassment against unaccountable decision-makers by leaking things we were never meant to see. Sometimes hackers' intentions are noble, but sometimes they're murkier. In Russia, Anonymous International, also known as Shaltai Boltai, hack into state sources to expose state control and freedom of expression restrictions, for example, by leaking the pre-prepared news scripts the government disseminates to TV stations, but their stance is complicated by the fact that they also do paid data-gathering work.<sup>246</sup>

Reactionary terrorist groups are another part of the landscape: in the most high profile recent case, in April 2015, the French TV network TV5Monde was taken off air by hackers claiming connection to ISIL.<sup>247</sup> A further camp in the battle for the internet are the private sector owners of internet infrastructure and gateways: in the US, for example, a handful of large companies have a stranglehold on the speed and flow of information on the internet, and being a small group, are always potentially vulnerable to government pressure.<sup>248</sup> The question of who owns the internet explicitly connects to the question of who gets to restrict it, and also who gets to invade our privacy, which chills freedom of expression.

The light that American whistle-blower Edward Snowden shed on the extraordinarily wide range of the US National Security Agency's (NSA) invasion of privacy, and its previously secret sharing of data with like-minded governments, has given civil society a rallying point. The revelation, in 2015, that South Korean intelligence agencies had asked their South African counterparts for confidential information on Greenpeace International's Director prior to a G20 Summit in Seoul offered an example of why civil society needs to take these issues seriously.<sup>249</sup>

Civil society campaigns used the first anniversary of Snowden's revelations, June 2014, to call for internet governance to be freed from heavy US influence, be internationalised, and made accountable.<sup>250</sup> The Fight for the Future organisation led the launch of the Reset the Net campaign to encourage people to adopt encryption methods to reclaim their internet privacy. It should be noted, however, that the campaign also drew criticism for targeting government surveillance but saying nothing about the private sector's harvesting of data, something

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246 Global Voices, 'Anonymous International' Leaks Kremlin's Instructions to Russian TV, 28 March 2014, <http://bit.ly/1dBrwiN>; 'Meet Anonymous International, the hackers taking on the Kremlin', The Guardian, 7 April 2015, <http://bit.ly/1c5aNTQ>.

247 'French TV station TV5 Monde taken off-air by pro-ISIL hack', Computing, 9 April 2015, <http://bit.ly/1HA4pMC>.

248 'So, who owns the Internet?', Harvard Gazette, 7 January 2014, <http://bit.ly/1aHvRbw>.

249 'Spy Cables: Greenpeace among intelligence targets', Al Jazeera, 24 February 2015, <http://bit.ly/1LAu6z4>.

250 'US Government Cedes Control of the Internet', Forbes, 15 March 2015, <http://onforb.es/1gmneEY>.

made problematic by data behemoth Google's role in backing the campaign.<sup>251</sup> Broad-based alliances need to be built, but in a highly contested arena, decisions about who you choose to work with are political.

Another active civil society coalition is the Global Network Initiative, which brings together globally-oriented CSOs, such as the Center for Democracy and Technology, the Committee to Protect Journalists, Human Rights Watch and the World Press Freedom Committee, along with companies that are members of the Reform Government Surveillance coalition. They are campaigning for internet surveillance reform in the US, on the basis that the US government's disproportionate role in internet governance means that it sets precedents that others imitate.<sup>252</sup> Meanwhile, the Electronic Frontier Foundation has led the development of the Manila Principles, established through an open, collaborative process, which seek to provide a framework where internet intermediaries (access providers, social networks and search engines) can be protected from undue government interference, a key building block for internet freedom of expression.<sup>253</sup>

There are rare examples of governments taking a more progressive approach to the internet, notably Brazil, where in April 2014 a new law, the Civil Rights Framework for the Internet, was passed. The law, long advocated for by civil society and internet freedom activists, introduces new protections for online freedom of expression and neutrality of the internet.<sup>254</sup> Its importance may reach beyond Brazil, offering an example of good practice for other countries.

There will always need to be some regulation on how we use the internet, not least because of the platform it offers to terrorist forces such as ISIL and Boko Haram, and far-right groups such as Pegida, as discussed earlier. But it is now clearly established that international public opinion wants a freer internet: Amnesty International's #UnfollowMe campaign polled 15,000 people in 13 countries in 2015 and found that 71% were opposed to the NSA monitoring their internet use, and almost two thirds want the big internet companies to do more to secure their communications against government access.<sup>255</sup>

There are some recent examples of successful in-country civil society activism: in Argentina, activists defeated a government attempt to monitor social networking sites for potentially disruptive activity, while in Ecuador, the Internet Libre collective lobbied to defeat an amendment to the penal code that would have forced internet

*...it is now clearly established that international public opinion wants a freer internet: Amnesty International's #UnfollowMe campaign polled 15,000 people in 13 countries in 2015 and found that 71% were opposed to the NSA monitoring their internet use.*

251 Reset the Net, 'Edward Snowden's statement in support of Reset the Net', 4 June 2014, <http://bit.ly/1cmYYI8>; 'Reset the Net wants to end NSA snooping, is fine with Google snooping', Pando Daily, 6 June 2014, <http://bit.ly/1Kt0yE7>.

252 Global Network Initiative, 'GNI Joins Diverse Coalition to Call for Significant Surveillance Reforms', 25 March 2015, <http://bit.ly/1Ay1Mho>.

253 EFF, 'Manila Principles on Intermediary Liability', 2015 <http://bit.ly/1HWonnC>; EFF, *The Manila Principles on Intermediary Liability Background Paper*, Version 0.99, 22 March 2015, <http://bit.ly/1FRw7aU>.

254 'Brazil: Learn More About The Brazilian Civil Rights Framework For The Internet (Law No. 12965 Of April 23, 2014)', Mondaq, 10 July 2014, <http://bit.ly/1cmZoOR>.

255 Amnesty International, 'Global opposition to USA big brother mass surveillance', 18 March 2015, <http://bit.ly/1AEhQbN>.

access providers to store user data for six months.<sup>256</sup> And citizens are fighting back by using national and international legal infrastructure, where these are strong: in one current case, Austrian lawyer and activist Max Schrem is taking Facebook to the EU Court of Justice over the storage and usage of users' data.<sup>257</sup> The court has already made its mark: in 2014, it ruled that a 2006 EU directive that users' data could be retained for two years was illegal.<sup>258</sup> In a further example, in April 2015, Amnesty International, Liberty and Privacy International announced that they are taking the UK government to the European Court of Human Rights to challenge their widespread surveillance practices, as revealed by Snowden's leaks.<sup>259</sup> Ahead of this, in February 2015, a special UK court ruled that UK security services acted illegally in concealing how they use NSA data.<sup>260</sup>

A further piece of potentially valuable international infrastructure came into being in March 2015, when the UNHRC appointed a special rapporteur on the right to privacy.<sup>261</sup> It will be important for civil society to engage with and support this new office.

Attention is now focussing on how internet freedom connects to the Sustainable Development Goals (SDGs), not least because there is a growing focus on the key role that open data could play in helping to realise, monitor and exert proper accountability over the SDGs. Some are pushing for the idea that internet freedom as a human right should be recognised in the SDGs.<sup>262</sup>

The internet should be something that helps us realise our rights and progress as a society, rather than something that makes us less secure, and the powerful less accountable. To help realise this, civil society needs to engage in consistent, sustained and committed ways as part of their mainstream practice. Alliances need to be built, private sector partners need to be chosen with care, and engagement needs to be made on multiple fronts – with governments, the internet business and intergovernmental platforms – on multiple issues – including privacy, self-expression and protection from attack – and using multiple levers, such as legal means, the new special rapporteur and the SDGs dialogue. The battle for the internet will continue. Civil society influence could be decisive.

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256 Freedom House, 2014 op. cit.

257 'Facebook data row reaches top Euro court', BBC, 24 March 2015, <http://bbc.in/1Oyla0a>.

258 'ECJ declares data collection rules illegal', The Parliament Magazine, 9 April 2014, <http://bit.ly/1LNu34F>.

259 Amnesty International, 'Amnesty International takes UK to European Court over mass surveillance', 10 April 2015, <http://bit.ly/1Kt1msC>.

260 'In historic ruling, UK surveillance secrecy declared unlawful', The Intercept, 6 February 2015, <http://bit.ly/1D6g0VQ>.

261 EFF, 'UN Human Rights Council Appoints Special Rapporteur on the Right to Privacy', 26 March 2015, <http://bit.ly/1CeLQhk>.

262 Internet Society, 'An Open Internet Is Critical for UN Sustainable Development Goals', 27 April 2015, <http://bit.ly/1DWNHET>.

# WOMEN FIGHTING BACK

Today's most repressive forces, such as ISIL and Boko Haram, are not the first groups in history to target women, but they are doing so with particular brutality, using rape, enslavement, forced marriage and murder as weapons of war.<sup>263</sup> They are reminding us once again that forces that attack human rights usually reserve particular ferocity for women. Around the world, as in the example of Egypt cited earlier, civil society activists are being attacked on the basis of their gender, and, as discussed further below, sexual identity. Meanwhile, another way in which internet freedom of expression is being limited is by online attacks on women's rights activists and prominent women: a recent study found that women, particularly young women, receive more extreme threats, and higher levels of online sexual harassment, than men.<sup>264</sup>

Phumzile Mlambo-Ngcuka, Executive Director of UN Women, has drawn attention to the purpose of this wave of violence, which is to penalise and humiliate women, and deter them from being active. Activists also point to the inadequacy of the international system when it comes to protecting women, with the various instruments that governments have signed, and bodies such as the UNHRC, having insufficient power in practice to constrain attacks on women.<sup>265</sup>

But it is not a one way street. In response to ISIL attacks on women, grassroots activists are offering aid and counselling, and helping women to tell their stories.<sup>266</sup> Women and men are fighting back in huge numbers.

In just one example of many recent attacks on women, in February 2015, Turkish student Özgecan Aslan was beaten to death for resisting a rape attempt. This is not the first such instance in Turkey; the murder of women by men has increased by around 45% over the last two years.<sup>267</sup> Finally, patience snapped. Tens of thousands of people took to the streets in the following days to protest, and 5,000 people attended Özgecan's funeral, where women defied the imam's request to step back for the funeral prayer. Protestors wore black in mourning, and the hashtag #sendeanlat (you too explain), where women shared their experiences of being assaulted, became the third highest trending Twitter topic worldwide. Men showed solidarity, rejecting the notion that male identity should be based on subjugating women, by wearing miniskirts in protest marches, a visible protest

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263 HRW, 'Iraq: ISIS Escapees Describe Systematic Rape', 15 April 2015, <http://bit.ly/1ytQJEY>; 'For ISIS, rape is a calculated strategy', HAARETZ, 19 December 2014, <http://bit.ly/1HWrbB8>.

264 Pew Research Center, 'Online Harassment', 22 October 2014, <http://pewrsr.ch/1rfpq7V>; 'Why Women Aren't Welcome on the Internet', Pacific Standard, 6 January 2014, <http://bit.ly/1DyRnPe>.

265 'Women's human rights defenders under threat – podcast transcript', The Guardian, 10 April 2015, <http://bit.ly/1IQleDX>.

266 'What will it take to stop Isis using rape as a weapon of war?' The Guardian, 17 February 2015, <http://bit.ly/1AhewVW>.

267 'Will #OzgecanAslan change Turkey?', Al Jazeera, 16 February 2015, <http://bit.ly/1B2wyPb>.



symbol borrowed from other contexts.<sup>268</sup> This was important: as the HeForShe campaign, mentioned earlier, makes clear, attempts to challenge gender inequality are much stronger when they have male support. The protests drew parallels with earlier mass anti-rape mobilisations, such as those seen in India in recent years.<sup>269</sup> As in India, the response to Özgecan's death exposed deep rooted problems in society, and shed further light on faultlines between the political establishment and many citizens, and on President Erdogan's increasingly dictatorial rule, given that in November 2014 he stated that women were not the equals of men, and initially criticised the protestors.<sup>270</sup>

The protests against Özgecan's murder can be located within a broader, citizen-led response to resist violence against women. One Billion Rising, for example, is a global citizens' campaign to demand justice for people who experience gender violence, and challenge impunity. In February 2015, the campaign entered its fourth year, with events taking place in over 200 countries. It seeks to build broad solidarity through community-based events, and crucially, can point to ground-level success stories in different countries, such as training rickshaw drivers in gender sensitivity in India, designating harassment-free construction zones in Peru and preventing coercion into sex work in the Philippines.<sup>271</sup>

Although progress may seem difficult, given the scale and breadth of attacks against women, ground is being gained. Recent years have seen a concerted push to raise awareness of and stamp out female genital mutilation (FGM), with civil society active. In the UK, *The Guardian* newspaper launched a new, global campaign against FGM in 2014, showing the potential for responsible media groups to be part of, and work with, civil society, as further demonstrated by a focus on the training of African journalists to improve reporting on FGM issues. A particular aim, as reflected in the theme of the 2015 UN International Day of Zero Tolerance for FGM, which aimed to mobilise health workers, was to inform and empower health workers not to practise FGM.<sup>272</sup> A UK student, Fahma Mohamed, started a campaign to get more information about FGM into schools, attracting 230,000 supporters on Change.org, including Ban Ki-moon and Malala Yousafzai, which resulted in the UK's education minister writing to all teachers about FGM awareness.<sup>273</sup> This campaign has now been taken up in

*...the HeForShe campaign makes clear, attempts to challenge gender inequality are much stronger when they have male support.*

268 'Brutal killing of Özgecan Aslan forces Turkey to face up to rampant violence against women', Today's Zaman, 21 February 2015, <http://bit.ly/1eCGm90>; 'Özgecan Aslan's rape, murder sparks Turkish Twitter protest', news.com.au, 18 February 2015, <http://bit.ly/1FRAbIc>; 'Turkish Men In Miniskirts Defend Women's Rights After Murder Of Student Ozgecan Aslan', The Huffington Post, 23 February 2015, <http://huff.to/1EDyZ1>.

269 'Analysis: Can India's anti-rape moment change a culture?', CBC News, 4 January 2013, <http://bit.ly/1G6CeKs>.

270 'On Erdogan and Muslim Mothers', Al Jazeera, 28 November 2014, <http://bit.ly/1FRAmn5>; 'Turkish women post selfies wearing black as US condemns Ozgecan Aslan murder', The Telegraph, 17 February 2015, <http://bit.ly/1JYHy2u>.

271 One Billion Rising, 'One Billion Rising Global Coordinators – Reports from 2015', <http://bit.ly/1LNCYTy>; 'One Billion Rising: how can public dancing end violence against women?', The Guardian, 13 February 2015, <http://bit.ly/1KCmuji>.

272 'UN calls for FGM zero tolerance after a year in which the world woke up', The Guardian, 7 February 2015, <http://bit.ly/1DlqGQ1>; UN, 'International Day of Zero Tolerance for Female Genital Mutilation', 6 February 2015, <http://bit.ly/1GJeyuv>.

273 'Anti-FGM activist Fahma Mohamed wins young campaigner award', The Guardian, 13 October 2014, <http://bit.ly/1HWxJQk>.

*Recent years have seen a concerted push to raise awareness of and stamp out female genital mutilation (FGM).*



the US, while in Spain health workers have committed to stepping up their scrutiny and reporting of FGM.<sup>274</sup> In December 2014, the UN General Assembly adopted a new resolution to intensify efforts to eliminate FGM, giving civil society another lever to exert advocacy.<sup>275</sup> FGM is far from beaten, but the committed action of civil society, particularly when diverse civil society works together, is showing that seemingly intractable problems of gender inequality can be tackled.

## TWO DIVERGING WORLDS FOR LGBTI RIGHTS?

We are seeing diverging trends in the realisation of LGBTI rights, and the concern must be that the world is dividing into two on this issue, with a global north where LGBTI people are largely becoming more able to realise their rights, and a global south where LGBTI people are experiencing increased repression. While this crude schematic doesn't capture nuances on either side - for example, several Latin American countries are ahead of the curve in recognising same-sex marriage - the concern must be that two quite different worlds are emerging for LGBTI people. We need to resist the notion that rights are something only to be enjoyed in some parts of the world, and are somehow not appropriate in Africa, Asia, the Caribbean and the Pacific.

On the positive side, same sex marriage, which has become a key indicator for progress in the achievement of LGBTI rights, continues to grow in legal standing. In 2014/ 2015 same-sex marriage was legalised in Luxembourg and most of the UK, and is expected to become legal in Slovenia in 2015. In May 2015, Ireland became the first country in the world to approve equal marriage through specific popular vote, when 62% of voters approved a referendum on the issue.<sup>276</sup> Same-sex marriage is now legal in 17 countries, and debates on legalisation of same-sex marriage and civil unions are at an advanced stage across a range of countries. In the US, where same-sex marriage is now legal in most states, there has been a series of legal battles, in which states cross between banning same-sex marriage and allowing it, according to court decisions, but the direction of travel is towards wider legalisation, while US President Barack Obama signalled further progress in realising rights in July 2014 when he passed an order banning LGBTI workplace discrimination.<sup>277</sup>

*We are seeing diverging trends in the realisation of LGBTI rights, and the concern must be that the world is dividing into two on this issue.*

274 'Spain asks parents to sign declaration to protect daughters from FGM', The Guardian, 13 January 2015, <http://bit.ly/1KIEIDL>; The Guardian, 6 February 2015 op. cit.

275 UN, 'Adopting 68 Texts Recommended by Third Committee, General Assembly Sends Strong Message towards Ending Impunity, Renewing Efforts to Protect Human Rights', 18 December 2014, <http://bit.ly/1ABWMrP>.

276 Referendum Ireland results page, <http://bit.ly/1d3Oa2l>.

277 'US: Obama will sign executive order banning LGBT workplace discrimination Monday', Pink News, 18 July 2014, <http://bit.ly/1HX08Wm>.

The legalisation of same-sex marriage represents a remarkable shift in politics and public attitudes since the Netherlands became the first country to do so in 2001. Without sustained LGBTI activism, including through regular LGBTI pride rallies, the recruitment of high-profile supporters and willingness to engage in legal battle, such progress could not have been made.

We're also increasingly seeing, in global north countries, the economic power of the LGBTI community being exerted politically, for example, in the high profile boycott of a hotel chain owned by the Sultan of Brunei, after the Sultan introduced the punishment of stoning for homosexuality.<sup>278</sup> In addition, a number of high-level politicians and heads of global businesses have recently come out,<sup>279</sup> trends that once would have been unimaginable in the alpha-male world of top-level business and politics. Together, these trends suggest that, in some countries, LGBTI status is becoming normalised.

Globally, including at UN level, there is also a sense that institutions are becoming more aware of, and responsive towards, LGBTI rights, as evidenced by the passing of a UNHRC resolution condemning violence and discrimination on the basis of sexual identity and gender identity, in September 2014. Significantly, showing the potential leadership role of Latin American states, Brazil, Chile, Colombia and Uruguay were among the states that sponsored the resolution.<sup>280</sup> The UN's Free & Equal campaign, which seeks to promote public understanding of LGBTI rights, claims to have reached over 1bn people with its positive messages in a year.<sup>281</sup> At a regional level, the African Commission on Human and People's Rights passed a resolution in May 2014 against violence and discrimination, including in anti-gay laws, against LGBTI people.<sup>282</sup>

This does not mean, of course, that LGBTI people in these countries are free from inequality and attacks. Brazil, for example, where same-sex marriage is legal, also has the world's highest LGBTI murder rate, while in Spain, one of the most LGBTI tolerant countries, 40% of reported hate crimes are committed against LGBTI people.<sup>283</sup> At the same time, the reactionary forces that are on the march, from ISIL to the European far right, target LGBTI

*The legalisation of same-sex marriage represents a remarkable shift in politics and public attitudes since the Netherlands became the first country to do so in 2001.*

278 'Hotel cancellations over Brunei 'stone the gays law' reach \$1.5 million', Pink News, 9 May 2014, <http://bit.ly/1iz3S5e>.

279 'Xavier Bettel Is Luxembourg's First Gay Prime Minister', The Huffington Post, 4 December 2013, <http://huff.to/1LO9rJC>; 'Latvia and gay rights: A minister comes out', The Economist, 12 November 2014, <http://econ.st/1eDoril>; 'Leo Varadkar, Irish Cabinet Minister, Comes Out As Gay', The Huffington Post, 19 January 2015, <http://huff.to/1G7HYnf>; 'Apple's CEO Tim Cook has these 7 openly gay leaders to thank', Fortune, 30 October 2014, <http://bit.ly/1LO9QeR>; 'Out at Work: Top 50 LGBT Executives', <http://bit.ly/1LO9QeR>.

280 International Service for Human Rights (ISHR), 'Top UN human rights body condemns violence and discrimination based on sexual orientation and gender identity', 26 September 2014, <http://bit.ly/1HSecTT>; HRW, 'UN: Landmark Resolution on Anti-Gay Bias', 26 September 2014, <http://bit.ly/1u5GXEO>; 'Things are getting better for LGBTI people', Gay Star News, 13 February 2015, <http://bit.ly/1PSGfa2>.

281 Office of the UN High Commissioner for Human Rights (OHCHR), 'United Nations Free & Equal: One Billion Rising', YouTube video, 8 September 2014, <http://bit.ly/1KCH7fx>.

282 ISHR, 'African Commission adopts landmark resolution on LGBT rights', 22 May 2014, <http://bit.ly/1jwDREF>.

283 'Brazil has the highest LGBT murder rate in the world', FourTwoNine, 11 March 2013, <http://bit.ly/1BupJRH>; 'Spain: Anti-LGBT incidents make up 40% of overall hate crimes', Pink News, 12 May 2014, <http://bit.ly/1FIiFov>.

people.<sup>284</sup> It may be a case that LGBTI rights are becoming more visible, and that among some, this makes LGBTI rights more controversial and contested: each step forward creates a backlash. For example, France made same-sex marriage legal in 2013, but then saw a 78% rise in attacks on LGBTI people.<sup>285</sup>

We're still far away from the full realisation of LGBTI rights. There is not one country in the world where LGBTI people have entirely equal rights. Five countries - Iran, Mauritania, Saudi Arabia, Sudan and Yemen - apply the death penalty for homosexual acts, and over 2.7bn people live in countries where their sexuality is criminalised.<sup>286</sup>

In countries that do not respect LGBTI rights, the same tactics that are used to stymie CSOs are applied to LGBTI activist groups. These include legal and regulatory measures. Until a landmark ruling in Kenya's High Court in 2015, for example, LGBTI groups were not allowed to register as CSOs.<sup>287</sup> LGBTI groups also receive heavy police attention: in Uganda in 2014, a US-funded HIV project was raided and threatened with closure for being accused of 'training homosexuals', an act that also shows the regressive impact of LGBTI intolerance on HIV prevention. In follow up, the government said it would introduce new laws to prevent CSOs from 'promoting homosexuality'.<sup>288</sup>

Repressive governments are writing anti-gay prejudice into law, as the governments of Uganda and Nigeria did in early 2014.<sup>289</sup> Uganda's anti-gay law was overturned by its Constitutional Court in August 2014, but moves are afoot to restore it.<sup>290</sup> Russia's law, against spreading 'homosexual propaganda', combined with its law against civil society receipt of foreign funding, have already had an impact: the LGBTI CSO Coming Out has been fined for receiving Dutch and Norwegian funding, and the Side by Side LGBTI film festival fined under the propaganda law. In January 2015, Elena Kilmova, founder of the Children-404 CSO, which provides LGBTI advice to minors, was found guilty under the propaganda law, although this was later overturned on appeal, while in March 2015,

*Five countries - Iran, Mauritania, Saudi Arabia, Sudan and Yemen - apply the death penalty for homosexual acts, and over 2.7bn people live in countries where their sexuality is criminalised.*

284 HRW, 'The Double Threat for Gay Men in Syria', 28 April 2014, <http://bit.ly/1nGRGm1>; 'Another man accused of being gay has been stoned to death by ISIS', Pink News, 13 April 2015, <http://bit.ly/1GJGILp>; 'Spain: Gay couple hospitalised after 'Neo-Nazi' attack', Pink News, 15 December 2014, <http://bit.ly/1AyHzYP>.

285 'Gay rights around the world: the best and worst countries for equality', The Guardian, 30 July 2013, <http://bit.ly/1LOcP7I>; 'France: Watchdog reports 789 percent rise in anti-gay attacks', Pink News, 13 May 2014, <http://bit.ly/1LOcSQy>.

286 'More than 27 billion people live in countries where being gay is a crime', The Guardian, 16 May 2014, <http://bit.ly/1szQhMg>.

287 'Court rules that Kenyan government can't block gay rights groups', Pink News, 24 April 2015, <http://bit.ly/1JZdK5F>.

288 'Ugandan police raid US-funded project accused of 'training homosexuals'', Pink News, 4 April 2014; <http://bit.ly/1h1OZrP>; 'Uganda proposes new law to tackle NGOs promoting 'very bad homosexuality'', Pink News, 28 April 2014, <http://bit.ly/1LOe2eA>; 'Everything you need to know about Africa's anti-gay crackdown', The Week, 30 March 2014, <http://bit.ly/1ACB0UW>.

289 The Week, 30 March 2014 op. cit.

290 'Uganda: MPs to alter parliamentary regulations to allow vote on new anti-gay law', Pink News, 7 August 2014, <http://bit.ly/1FRWjSJ>.

the LGBTI CSO Maximum was found guilty and fined for not accepting the ‘foreign agent’ label for receiving funding.<sup>291</sup> Other trials are in progress.

As we have documented previously, one of the worst things about regressive laws is that other countries imitate them: Kyrgyzstan is introducing an anti-gay law essentially copied from Russia’s in 2013, and actively promoted by Russian anti-gay groups, while a law passed in The Gambia in November 2014 that introduces life sentences for homosexuality has sections apparently copied from Uganda’s law.<sup>292</sup> There are also fears that another copy of Russia’s law will be introduced in Belarus.<sup>293</sup> A draft anti-gay bill has been introduced in Chad, and in Indonesia’s Aceh province, a new law penalises gay sex with 100 lashes.<sup>294</sup>

One of the impacts of such laws is that they help to normalise a climate in which LGBTI people are attacked.<sup>295</sup> Amnesty International found that increased violence and discrimination followed the introduction of Uganda’s anti-gay law, and Human Rights Watch found the same in Russia. LGBTI activists and groups are sadly no strangers to violence: an LGBTI CSO in Kyrgyzstan experienced an arson attack in April 2015, while violence against LGBTI people increased in Liberia in response to Ebola, highlighting the connection between misinformation and stigma.<sup>296</sup> Human Rights Watch documented 56 cases of violence based on sexual identity over a mere five weeks in Jamaica, while Transgender Europe reported that 226 trans people were killed in the last year.<sup>297</sup> The use of the internet and social media to play dirty tricks against activists, as noted above, is also being applied to this sphere: in March 2015 Egyptian police used fake dating profiles to lure transsexual people to arrest, something the Electronic Frontier Foundation report as being practised against LGBTI people across a number of MENA countries.<sup>298</sup>

291 ‘The Crackdown on NGOs in Russia’, Radio Free Europe, <http://bit.ly/1GJlbvB>; ‘Russian LGBT Network, Elena Klimova is Found Guilty of “Propaganda of Homosexuality Among Minors”. Is it Illegal to Help LGBT Minors Now?’, <http://bit.ly/1Flmw1B>; Russian LGBT Network, ‘Elena Klimova was Found Not Guilty Again’, <http://bit.ly/1JZf88k>; Russian LGBT Network, ‘Murmansk LGBT Organization Maximum has been Fined 300 000 Rubles for Refusing to Accept the “Foreign Agent” Label’, <http://bit.ly/1EEJHcx>.

292 Open Society Foundation, ‘Kyrgyzstan’s New Anti-Gay Law Is Even Worse Than Russia’s’, 17 December 2014, <http://osf.to/1zCxIUu>; ‘Moscow anti-gay conference plans spread of ‘gay propaganda’ laws across the world, Pink News, 14 September 2014, <http://bit.ly/YLz7Uz>; ‘Gambian president signs bill to punish gays with life imprisonment’, Pink News, 21 November 2014, <http://bit.ly/1uUOCWZ>.

293 ‘Concerns raised that Belarus may enact anti-gay law similar to Russia’s’, Pink News, 27 July 2014, <http://bit.ly/1AyRf5L>.

294 Amnesty International, ‘Chad: Proposed anti-gay law will fuel homophobia’, 23 September 2014, <http://bit.ly/1Rvw8p8>; ‘100 Lashes: New Law Reveals Indonesia’s Split Personality on LGBT Rights’, Advocate.com, 5 October 2014, <http://bit.ly/1vIASx4>.

295 The Week, 30 March 2014 op. cit.

296 ‘Arson attack on Kyrgyzstan LGBT Centre’, Pink News, 10 April 2015, <http://bit.ly/1HXm83e>; ‘Liberian gay groups ‘under attack’ over Ebola outbreak’, Pink News, 24 October 2014, <http://bit.ly/1HAUs1q>.

297 HRW, ‘Jamaica: Unchecked Homophobic Violence’, 21 October 2014, <http://bit.ly/1ra1BhN>; Transgender Europe, ‘Transgender Europe’s Trans Murder Monitoring project reveals 226 killings of trans people in the last 12 months’, 30 October 2014, <http://bit.ly/1OSaxpu>.

298 ‘Egypt arrests seven trans people for ‘debauchery’ using fake dating profiles’, Pink News, 6 March 2015, <http://bit.ly/1G8bMJF>; ‘Egypt: Grindr warns user ‘police may be posing as LGBT’ after six men sentenced’, Pink News, 26 September 2014, <http://bit.ly/1FSbbAP>; EFF, ‘LGBTQ Communities in the Arab World Face Unique Digital Threats’, 23 April 2014, <http://bit.ly/1s4Vv3l>.

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In response to such anti-gay laws and rhetoric, debate has grown about linking aid from global north countries to LGBTI rights in global south countries: in April 2014 the President of the European Parliament suggested that EU aid should not go to countries that imprison people on the basis of their sexuality, while in December 2014 the US government ended The Gambia's preferential trading status over its anti-gay law.<sup>299</sup> Aid conditionalities are, however, a blunt instrument. The challenge is that they play to a global south critique of LGBTI rights as being neo-colonial impositions, and risk a closer turn towards donors from countries that turn a blind eye to repression, such as China.<sup>300</sup> Russia's government, for example, reportedly banned a number of US donors for supporting LGBTI projects.<sup>301</sup> At the same time, anti-gay campaigners in the global south appear to have no qualms about receiving financial support from global north reactionary groups, particularly US far-right Christian groups.<sup>302</sup>

Nor is the intergovernmental environment as supportive as it could be: there was anger about reports that Russia's government had banned trans people from driving, but this turned out to be based on an outdated list of WHO mental disorders, which includes trans-sexuality, highlighting the need to update the global architecture to drive more progressive norms.<sup>303</sup>

The civil society response must be to resist absolutely the notion that LGBTI rights are for the global north but not the global south, and to reject claims that global north countries are attempting to impose rights that global south citizens don't want. Governments that repress LGBTI rights are governments that suppress civil society and human rights in general. LGBTI repression is a key indicator of a wider disabling environment for civil society and civic participation. For example, another new law being proposed in Uganda would give the government new powers to approve and close down CSOs that are not deemed to be in the public interest; this would cover groups working on LGBTI issues, but also those that seek to hold the government to account over other issues.<sup>304</sup> The governments that voted against the 2014 UNHRC resolution - Algeria, Botswana, Cote d'Ivoire, Ethiopia, Gabon, Indonesia, Kenya, Kuwait, Maldives, Morocco, Pakistan, Russia, Saudi Arabia and United Arab Emirates – are mostly ones with a difficult relationship with civil society.<sup>305</sup>

299 'European Parliament President: Cut aid from African countries with anti-gay laws', Pink News, 1 April 2014, <http://bit.ly/1J8QSBv>; 'US: Gambia stripped of special trade status over anti-gay law', Pink News, 24 December 2014; <http://bit.ly/1JU6WWn>.

300 'Loudly championing LGBT rights could spark a backlash, International Development minister warns', Pink News, 6 March 2015, <http://bit.ly/1BuH5xZ>; 'Robert Mugabe: I prefer Chinese aid, because they don't want Africa to 'embrace homosexuality'', Pink News, 31 August 2014, <http://bit.ly/1ACPAVA>; 'Ugandan ethics minister: 'The whites are spreading pornography and homosexuality'', Pink News, 23 May 2014, <http://bit.ly/1d49Zlp>.

301 'Russia: Putin bans pro-gay American donors from entering Russia', Pink News, 3 May 2014, <http://bit.ly/1d4a4m7>.

302 Southern Poverty Law Center, 'SPLC Report: U.S. groups working to keep criminal statutes barring LGBT sex in Belize and other Caribbean countries', 26 July 2013, <http://bit.ly/1GJUOXN>; The Week, 30 March 2014 op. cit.; 'US: Human Rights Campaign fires back at anti-gay group who branded them 'imperialists'', Pink News, 5 October 2014, <http://bit.ly/1Fkk9mv>.

303 'Russia NOT banning trans people from driving', Pink News, 14 January 2015, <http://bit.ly/1FSblme>.

304 Proposed law in Uganda could be used to shut down all pro-gay charities', Pink News, 21 April 2015, <http://bit.ly/1KtFJso>.

305 African Men for Sexual Health & Rights, 'THE UNHRC VOTES YES! FOR SOGI: African Civil Society Celebrates The Continued Recognition Of Sexual Orientation

*...anti-gay campaigners in the global south appear to have no qualms about receiving financial support from global north reactionary groups, particularly US far-right Christian groups.*

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In response, civil society needs to be inclusive, and CSOs working on other issues need to make common cause with LGBTI activists. This hasn't always been the case: global south LGBTI CSOs often find themselves marginalised within civil society, while some international CSOs compromise on LGBTI rights: a decision by Christian international CSOs World Vision in March 2014 to reverse its ban on hiring gay staff lasted only two days before being withdrawn, after supporters threatened to stop donations.<sup>306</sup>

There is a need to share and promote positive examples of civic action from the global south, to tackle the notion that LGBTI rights are only a global north concern. There are inspiring examples, and these need to be documented and promoted to drive up norms of good practice. For example, in South Africa, the only African country with same-sex marriage, Africa's first out black gay MP was elected in May 2015; in January 2015, for the first time in India, an out transgender person was elected as a mayor; and over 120 LGBTI CSOs came together in Taiwan in October 2014 to demand same-sex marriage.<sup>307</sup> Indeed, there are several civil society mobilisations to demand LGBTI rights in the global south: there are gay pride events, there are attempts to change laws and there are victories, such as the Lesbians, Gays and Bisexuals of Botswana CSO successfully appealing to the High Court to overturn a ban on their registration in November 2014.<sup>308</sup>

International connections of solidarity from global north to global south are valuable, but activists in the global north need to be careful not to play up to the notion that the global north is seeking to impose LGBTI rights. The emphasis must be on helping to enable spaces where LGBTI people in the global south can develop their voices, take on negative discourse and claim their rights. Deeper cultural engagement is needed to understand the potential local levers for change.<sup>309</sup> Finally, given the impressive legal progress made in Argentina, Brazil, Uruguay and some states of Mexico, civil society and public figures from these countries in particular could play a crucial role in reaching out to global southern publics.

*There is a need to share and promote positive examples of civic action from the global south, to tackle the notion that LGBTI rights are only a global north concern.*

And Gender Identity At The United Nations Human Rights Council, 30 September 2014, <http://bit.ly/1KhuKlE>.

306 'World Vision, recovering from gay policy shift, tries to shore up its evangelical base', Religious New Service, 26 June 2014, <http://bit.ly/1FklE45>.

307 'Africa elects its first openly gay black MP', Pink News, 22 May 2014, <http://bit.ly/1PT0aWq>; 'Meet India's first ever out transgender mayor', Pink News, 5 January 2015, <http://bit.ly/1BuJTuL>; 'Taiwan: Thousands campaign for same-sex marriage outside parliament gates', Pink News, 6 October 2014, <http://bit.ly/1BuJXuK>.

308 UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, January 2014 op. cit.

309 ODI, 'Can aid donors help support LGBT rights in developing countries?', 7 July 2014, <http://bit.ly/1jiQnxj>.



## CONCLUSION: CIVIL SOCIETY SPACE

Despite some hard-won success stories, including by gender, LGBTI and internet rights activists, civil society conditions are deteriorating in too many countries. The shrinkage of civic space is no longer something that can be dismissed as a coincidence, or the province of a small group of aberrant states. A fight is on to reverse civic freedoms and human rights that we once believed were firmly established. Regressive norms are being propagated, and hard won democratic rights are being contested and rolled back. Governments are not the only regressive force here: much of the risk to activists comes from sub-national forces, and comes when corruption brings together the interests of people working in politics, government and business. We always need to enquire into, and understand, the drivers of crackdowns on civil society, which are rarely ideological in origin, and more often to do with competition for resources, and a concern by elites to hold onto economic and political power.

We need to defend and argue for civil society to play all of its legitimate roles, including that of acting as a watchdog on power, improving transparency and protecting the rights of the marginalised, and demonstrate the added value that comes when civil society is enabled to do so. But while exposing abuses, civil society must be careful not to propagate a narrative of disempowerment, in which governments and global corporations are presented as all powerful and civil society can only ever be vulnerable to their whims. It is important in civil society to recognise and celebrate our own power, as CIVICUS' annual Global Day of Citizen Action exists to do.<sup>310</sup> The previous section, on civic mobilisation, tells us that opportunities come to expand civic space, and must be seized.

Among response strategies identified is the formation of broad-based alliances between different civil society groups and activists. Many of our alliance members, who work in very difficult conditions, emphasise the value of international solidarity in their struggles, in knowing that they are not alone and that people in different countries are committed to supporting them. Further, while the intergovernmental sphere is dysfunctional, as we concluded in the 2014 State of Civil Society Report, and while working internationally can bring risks, as in the case of Azerbaijan, we believe that international arenas still offer some value for defending civil society, and need to be embraced and strengthened. This includes global forums such as the UN Human Rights Council and regional ones such as the Council of Europe. These offer opportunities for concerted international action between different civil society groups and more supportive governments, and should be embraced as

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<sup>310</sup> Be The Change: Global Day of Citizen Action website, <http://www.civicus.org/bethechange>.

key arenas, not only for defending the rights of CSOs in challenging contexts, but also for strengthening and promoting international norms about the proper role and status of civil society.

## FIVE KEY POINTS FOR FUTURE ACTION:

- International solidarity is critical for civil society when it is under attack, but needs to be exercised in ways that do not play to divides between global south and global north. Wherever possible, we should enable affected parties to speak for themselves in global forums.
- Progressive norms that lead to a more enabling environment for civil society need to be propagated, which implies documenting and sharing good practice where it exists, and campaigning to strengthen the role of international institutions and legal instruments to more strongly protect civil society rights.
- Research needs to shed more light on corrupt connections, which often occur at sub-national levels, between politicians, public officials, security forces, organised crime and businesses.
- Horizontal coalitions need to be formed and strengthened between CSOs of different kinds, and human rights defenders, journalists and internet freedom activists, to defend civil society freedoms.
- Resourcing needs to support both the rapid response of CSOs and activists to threats and attacks, and the longer term development of a more enabling environment for civil society.

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# 3 CIVIL SOCIETY AT THE GLOBAL LEVEL: BROKEN GOVERNANCE, CIVIC SOLUTIONS

The above sections have focused largely on national level contexts where civil society has been active, or where the conditions for civil society have been affected. As part of this, international connections have been shown to be an important part of how civil society works and is supported. But there is, of course, also a need to assess the work of civil society on transnational issues, including the large, cross-border challenges of our time, and how civil society is engaging with, and trying to change, the institutions of global governance.

These issues are covered in more depth in the 2014 State of Civil Society Report, which looked at global governance challenges as its special theme. Our 2014 report laid out the challenges that make global governance dysfunctional: states with poor domestic governance, including those that repress civil society at home, export their democratic deficits when they convene at international tables, where national level political calculus usually prevails. A global governance system that has built up over time is now outdated and not fit for purpose, being characterised by gaps and inconsistencies. Big business has globalised, and uses its international basis to minimise its social obligations, while intractable problems, such as climate change, do not respect borders, but intergovernmental institutions do not reflect this. The most important bodies, such as the UN Security Council, reproduce the post-war power standings of a small group of influential countries, and are blocked because they have become forums for the rehearsal of entrenched differences between blocs of states. An international system that reflects and reproduces structural inequalities clearly cannot adequately address rising citizens' concerns about inequality and the increasing concentration of wealth and resources in the hands of a tiny, transnational elite.<sup>311</sup>

Further, civil society is under-represented and marginalised in the web of global governance institutions, which are far more welcoming of large, transnational corporations, but in ways that are not transparent. The

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*...civil society is under-represented and marginalised in the web of global governance institutions, which are far more welcoming of large, transnational corporations, but in ways that are not transparent.*

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311 'World's Richest One Percent Undermine Fight Against Economic Inequalities', Inter Press Service (IPS), 19 March 2015, <http://bit.ly/1GtZyxu>.

international order can only become functional if it is reformed systematically, in ways that reach out to and include a wide range of civil society. But as the following example suggests, this is not to say that civil society should simply give up on engagement with global governance.

## THE ARMS TRADE TREATY: A CHILD OF CIVIL SOCIETY

Reform can only come, we suggest, if civil society self-organises, engages constructively and pushes for change. The Arms Trade Treaty, which entered into force in December 2014 after receiving 50 ratifications, stands as a recent example of how civil society can engage to make a difference. The treaty introduces, for the first time, regulations and approval processes for international arms sales, with annual reporting to a treaty secretariat. It is intended to prevent arms exports to states where they are likely to be used in situations that seriously affect human rights.

Part of its significance is that the idea of the treaty came from civil society in the 1990s. Government officials have confirmed that civil society advocacy played a huge role in helping to bring the treaty about and move the debate relatively quickly, in international terms, from a position where it had almost no support to one where it exists as a new piece of international law: in 2003, only three states publicly supported controls on the arms trade, but just a decade later in 2013, states voted overwhelmingly for it.<sup>312</sup>

As with the Rome Treaty to establish the International Criminal Court (see below) and the Ottawa Mine Ban Treaty, from which the movement drew confidence and inspiration, civil society applied a multi-faceted advocacy strategy.<sup>313</sup> CSOs formed a broad coalition, the global Control Arms alliance, led by Amnesty International, Oxfam and the International Action Network on Small Arms. Control Arms coalesced international and national civil society from global south and north. The coalition brought in expert lawyers to help prepare credible drafts, and worked with sympathetic governments to establish regional champions to create a snowball effect, gradually growing a progressive group of governments and preventing the formation of regional opposing blocs. Advocacy was underpinned by dynamic and increasingly sophisticated power mapping to track governments' changing positions on the treaty, and identify potential levers of influence.<sup>314</sup> Control Arms also brought international public pressure to bear, including by presenting a million citizens'

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<sup>312</sup> 'UN passes historic arms trade treaty by huge majority', BBC, 2 April 2013, <http://bbc.in/1J7WXOH>; 'Arms Trade Treaty Gains Momentum with 50<sup>th</sup> Ratification', IPS, 28 September 2014, <http://bit.ly/1AybBfv>; UN Institute for Disarmament Research (UNIDIR), *Civil society and the drive towards an Arms Trade Treaty: a background paper by Daniel Mack and Brian Wood*, <http://bit.ly/1JYJtdG>; Oxfam, *Power and Change: The Arms Trade Treaty*, 16 January 2015, <http://bit.ly/1G6KJoV>.

<sup>313</sup> International Campaign to Ban Landmines, 'Treaty in Detail: Frequently Asked Questions', <http://bit.ly/1FkfSPY>; Oxfam, 16 January 2015 op. cit.

<sup>314</sup> Oxfam, 16 January 2015 op. cit.

petition to the UN Secretary-General in 2006, and holding shadow ‘People’s Consultations’ across a wide range of countries to mirror UN diplomatic processes, combined with high profile advocacy by Nobel laureates, celebrities and internationally respected leaders.<sup>315</sup>

The process of drafting and approving the treaty, once it reached the UN, took seven years, calling for continuous campaigning, the development of expertise and a research base, and national level advocacy work to help develop and influence the positions of delegations negotiating the treaty: by the end of the process, at least 15 civil society personnel involved in the campaign had been brought into government delegations.<sup>316</sup>

The treaty is not without its critics: undoubtedly civil society did not get everything it wanted, and some criticised the treaty for being excessively watered down to achieve broad buy-in, while the lack of ratification by China, Russia and the USA means it does not apply to some heavy hitters.<sup>317</sup> The Campaign Against the Arms Trade have complained that the treaty confers a legitimising fig leaf on arms sales, and notes the involvement of arms companies in national delegations.<sup>318</sup> However, the treaty’s supporters assert that it introduces humanitarian and human rights discourse into an arena traditionally seen as the preserve of a self-interested security establishment, and that, as with the landmines treaty, it may stimulate a stigmatising effect against arms sales to repressive regimes. The treaty also implies that arms manufacturers now have some responsibility for how their products are used, and gives civil society a lever to shed more light on often murky deals.<sup>319</sup>

The treaty can be seen as an effective civil society response to a transnational problem in a globalised world. It certainly provides an opportunity for further civil society advocacy, and the challenge now for civil society is to stay engaged beyond the initial euphoria of agreement. Rapid progress to pass the minimum ratifications target suggests that some political will and momentum exist, but focus now needs to shift to advocating for ratification by those states that have not yet done so, an important issue, given that over half of the UN’s member states make and sell arms.<sup>320</sup> Civil society also now needs to make sure that the treaty’s reporting provisions are used effectively to hold governments and manufacturers to account.

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315 Control Arms, ‘The Story So Far’, <http://bit.ly/1FkfSPY>; UNIDIR op. cit.

316 Reaching Critical Will, ‘Arms Trade Treaty’, <http://bit.ly/1HAgYYv>; Oxfam, 16 January 2015 op. cit.

317 ‘Arms Trade Treaty’s fine intentions may founder on the realities of global conflict’, The Guardian, 23 December 2014, <http://bit.ly/1Bcs5qC>.

318 ‘Arms trade treaty is just a fig leaf’, New Internationalist, 30 January 2015, <http://bit.ly/1wHN6Ul>.

319 IPS, 28 September 2014 op. cit.; The Guardian, 23 December 2014 op. cit.

320 Amnesty International, ‘Q&A: Global Arms Trade Treaty enters into force’, 22 December 2014, <http://bit.ly/1Kt9QAb>; IPS, 28 September 2014 op. cit.

# AFRICA VS. THE INTERNATIONAL CRIMINAL COURT? A NEW CHALLENGE TO GLOBAL GOVERNANCE

In comparison, another key piece of progressive global governance architecture, the International Criminal Court (ICC), found itself under assault from a large group of African states in the past two years. Civil society was instrumental in bringing the ICC about, and now civil society has been called upon to defend it from criticisms emanating from the global south.

The Rome Statute establishing the ICC, to try cases of genocide, war crimes and crimes against humanity, was adopted in July 1998, after years of lobbying, involving over 200 CSOs and a coalition of 60 states known as the 'Like Minded Governments' (LMG). As with the Arms Trade Treaty, the successful campaign served as a case study in how partnership between civil society and states could overcome powerful resistance. Many African states were actively supportive of the creation of the ICC, with 15 of the LMG being African, while it was also notable that the supportive coalition cut across the blocs that usually dominate international negotiations, preventing the discussions from degenerating into a global north vs. global south debate, and suggesting a new way of working globally.<sup>321</sup>

The reality of the ICC's working has, however, become fiercely contested, with the debate increasingly taking global north vs. south lines. The Court has found itself criticised for its overwhelming focus on African countries, and been accused of failing to investigate adequately serious cases elsewhere, although these failures may have more to do with the divisive and blocked politics of the UNSC, which has the power of ICC referral.<sup>322</sup>

Anger has focussed on proceedings against two incumbent heads of state, President Kenyatta of Kenya and President al-Bashir of Sudan. The indictment of Kenyatta, along with his deputy, was a particular catalyst, risking the accusation that the Court has been drawn into domestic politics, compromising its neutrality.<sup>323</sup> At an AU summit in July 2014, African heads of state were urged to "speak with one voice" against the indictment

*The reality of the ICC's working has, however, become fiercely contested, with the debate increasingly taking global north vs. south lines.*

321 Chatham House, *Africa and the International Criminal Court*, July 2013, <http://bit.ly/1JbPdto>; William Schabas, *An Introduction to the International Criminal Court*, 2011, 4<sup>th</sup> edition (Cambridge: Polity Press); HRW, *World Report 1999 – Introduction*, <http://bit.ly/1dBE1uK>.

322 'International justice: Nice idea, now make it work', *The Economist*, 6 December 2014, <http://econ.st/1LQUPbj>; 'Netanyahu's wishful thinking: A world without the International Criminal Court', *sott.net*, 17 January 2015, <http://bit.ly/1d3nnDs>.

323 Brookings, 'Can the International Criminal Court Play Fair in Africa?', 17 October 2013, <http://brook.gs/1d3nuid>; Chatham House, July 2013 op. cit.



of sitting leaders, and concerns were expressed that ICC proceedings risk instability.<sup>324</sup> Ahead of this, at an extraordinary AU summit convened solely to focus on the ICC, in October 2013 - something that can only be called with the support of two thirds of members, indicating widespread agreement - African leaders agreed to call on the ICC to defer the Kenyan and Sudanese proceedings, and grant immunity for serving heads of state; to do so would entail a rewriting of the Rome Statute and dilute its novel stance against impunity, given that it removes the immunity international law normally extends to state leaders.<sup>325</sup> Not for the first time, it seems that autocratic leaders are trying to revert to narrow notions of state sovereignty, implying freedom for presidents to act without interference, rather than notions of popular, democratic sovereignty.<sup>326</sup>

While it is true that the ICC has overwhelmingly focused on African situations, it is also the case that Africa has a large number of ICC members (63% of African states have ratified), compared to a low level of ratification in Asia.<sup>327</sup> It can also be noted that three African countries (CAR, DRC and Uganda) voluntarily referred their situations to the Court, in an unanticipated development; the motivation, at least in the case of Uganda, seems to have been to instrumentalise the court as a weapon against the internal enemies of President Yoweri Museveni.<sup>328</sup>

The workings of the Kenya process were characterised by the withdrawal of witnesses amidst allegations of intimidation, and in December 2014, all charges against Kenyatta were dropped, after a key prosecution witness refused to testify, while another admitted to lying. The prosecutor directly accused Kenya's government of intimidating and harassing witnesses.<sup>329</sup> The end of the investigation demonstrated the Court's difficulties in bringing high-ranking officials to justice; some have argued that powerful states were not unhappy about this, given changing political calculus about the renewed importance of the Kenyan government as an anti-terrorist partner in the light of the Westgate shopping mall attacks.<sup>330</sup> Only a few weeks after withdrawing the case against Kenyatta, the Chief Prosecutor also formally suspended the Court's investigation into war crimes in Darfur, blaming the UNSC for not more vigorously trying to overcome the Sudanese government's refusal to cooperate.<sup>331</sup>

*While it is true that the ICC has overwhelmingly focused on African situations, it is also the case that Africa has a large number of ICC members (63% of African states have ratified), compared to a low level of ratification in Asia.*

324 'African Union urges united stand against ICC', Al Jazeera, 1 February 2014, <http://bit.ly/1bTnRop>.

325 Institute for Strategic Studies, 'The AU's ICC Summit: A case for elite solidarity for self preservation?', 15 October 2013, <http://bit.ly/1d3nO0p>.

326 Royal African Society, *Courting Conflict? Justice, Peace and the ICC in Africa*, March 2008, <http://bit.ly/1cnax2f>.

327 VU University Amsterdam, 'International Criminal Court not biased against Africa', 19 February 2015, <http://bit.ly/1Ktc9mK>.

328 Schabas, 2011 op. cit.; Chatham House, July 2013 op. cit.; Adam Branch, *Displacing Human Rights: War and Intervention in Northern Uganda*, 2011 (Oxford: Oxford University Press).

329 'ICC withdraws charges against Kenyatta', Al Jazeera, 5 December 2014, <http://bit.ly/1rWo8Fa>.

330 'Africa Chooses to Stay Inside the Law on Kenya', All Africa, 14 October 2013, <http://bit.ly/1GJIAzf>; 'In a tangle: Kenya and the International Court', The Economist, 19 October 2013, <http://econ.st/1dBF4Lb>; 'ICC drops murder and rape charges against Kenyan president', The Guardian, 5 December 2014, <http://bit.ly/1COjnCa>.

331 'In protest at inaction, ICC prosecutor stops investigating Darfur genocide', Al Jazeera, 12 December 2014, <http://alj.am/1HWEKQX>.

John Ryle, of the Rift Valley Institute, a CSO focused on Eastern and Central Africa, summarised the challenge:<sup>332</sup>

*The ICC has unfortunately become a toxic brand in much of Africa. The vulnerability of the ICC to this backlash has been a blow for African civil society activists who seek justice and accountability from their leaders.*

Civil society, however, fought against this negative campaign, and vitally, given the need to negate any notion that this was a global north vs. south argument. Global southern civil society was active in the response. Ahead of the AU's October 2013 summit, 163 African CSOs based in 36 African countries called on their governments to support the ICC, while over 850,000 people from all around the world signed an Avaaz petition.<sup>333</sup>

At the 13<sup>th</sup> Assembly of States Parties to the Rome Statute, held in December 2014, African and international CSOs, including the Coalition for the ICC, the International Federation for Human Rights and Human Rights Watch, presented a more positive portrait of Africa's relationship with the ICC. Esther Waweru of the Kenya Human Rights Commission said:<sup>334</sup>

*While a few vocal African governments are intent on portraying the ICC as anti-African and trying to undermine the court, the real picture is quite different. Just ask the president of the Central African Republic, who expressed deep gratitude to the ICC for assisting her country in the wake of serious crimes there, and the many other African countries that took the floor in support of the ICC.*

Notably in December 2014, African governments reaffirmed their support for the ICC, a position they presumably must have felt more comfortable with, given the dropped and stalled Kenyan and Sudanese proceedings, although they repeated their call for an immunity clause to be introduced.<sup>335</sup>

Plans have also been announced to develop a regional African alternative, by effectively relaunching the largely powerless African Court for Human and Peoples' Rights, but the AU-led process for drafting this is much less inclusive of civil society than the ICC process was, and there are many concerns about how this might be resourced, and whether it would reinforce narrow notions of sovereignty, with immunity already written into its protocol.<sup>336</sup> Calls for the AU to become more active in this sphere, may, however, have led to a watershed. In

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332 Quotation taken from 'Has Kenya Destroyed the ICC?' Foreign Policy, 15 July 2014, <http://atfp.co/1JYNJ6A>.

333 HRW, 'Letter to Foreign Ministers on Support for the ICC in Advance of Extraordinary AU Summit, 4 October 2013, <http://bit.ly/1HWF9mG>.

334 HRW, 'ICC: African Countries Support Court', 17 December 2014, <http://bit.ly/1wjoFB7>.

335 HRW, 17 December 2014 op. cit.

336 Chatham House, July 2013 op. cit.; HRW, 'Joint Letter to the Justice Ministers and Attorneys General of the African States Parties to the International Criminal

September 2014, the AU's Peace and Security Council established a Commission of Inquiry into human rights abuses and violations by all parties in the South Sudan conflict. African and international civil society now need to push strongly for real engagement with this regional initiative in order to make it meaningful, and to be involved fully in shaping the potential new regional mechanisms of international justice.<sup>337</sup>

## CIVIL SOCIETY ACTION AGAINST THE TRANSATLANTIC TRADE TREATY

Compared to some other major stories of the last year, trade negotiations can seem complex and arcane. They are rarely exposed to democratic oversight. But the free trade agreement currently being negotiated between the EU and the US, the Transatlantic Trade and Investment Partnership (TTIP), has attracted a growing civil society mobilisation. Supporters of the proposed arrangement assert that the deal will promote economic growth on both sides of the Atlantic, but the negotiations have generated a number of concerns, including that standards will be levelled down (with high EU consumer standards downgraded to harmonise with lower US standards), that EU public services will be more open to privatisation, and that the trade deal may make it harder for the EU to support developing countries to realise the coming SDGs.<sup>338</sup> There are also significant process-related concerns, about the secrecy and lack of public input into the negotiations, compared to corporate input, and a particular worry about the power the TTIP might grant for corporations to take legal action against governments, which could inhibit corporate regulation. Motivated by these concerns, the civil society response arguably offers an emerging model for how multinational civil society coalitions, linking different types of civil society groups, can be built to encourage public engagement on complex issues. John Hilary, of War on Want, explains:

*TTIP is set to affect almost all aspects of our lives, so there are many reasons driving civil society groups to oppose it. The threat to food safety and environmental regulations is one key factor alarming European citizens.*

*TTIP is set to affect almost all aspects of our lives, so there are many reasons driving civil society groups to oppose it. The threat to food safety and environmental regulations is one key factor alarming European citizens, including the danger that TTIP will fatally undermine EU restrictions on genetically modified ingredients entering our food. The new power that TTIP will grant multinational corporations to sue governments for loss of profits under an 'investor-state dispute settlement' (ISDS) mechanism is an outrage, and one of the reasons why politicians themselves are now recognising that TTIP is an affront to democracy.*

Court Regarding the Proposed Expansion of the Jurisdiction of the African Court of Justice and Human Rights', 3 May 2012, <http://bit.ly/1FRGxaA>; HRW, 17 December 2014 op. cit.

337 'Accountability in South Sudan – the African Union Steps Up', The Huffington Post, 25 April 2014, <http://huff.to/1AyIEEV>.

338 'Could the TTIP deal undo development gains?', The Guardian, 24 March 2015, <http://bit.ly/1IUzug>.

*Our first victory has been getting people to hear about a secret trade deal like TTIP, and to take an interest in it: we managed to secure over one million signatures on our self-organised European Citizens' Initiative against TTIP within the record time of just two months. The second victory has been to turn that interest into political pressure, as parliamentarians now tell us that their mailbags and email inboxes are overflowing with constituents' queries on TTIP. We have forced the European Commission to back down on several of its claims for TTIP, and we have also made them open up more access for parliamentarians to the negotiating documents than previously. As a result of our pressure, negotiations on the ISDS chapter of TTIP were frozen throughout 2014 while the European Commission conducted a public consultation on its future. We are winning the argument, but we still have to win the political battle against a system that is deeply anti-democratic and resistant to change.*

*There are now national platforms coordinating actions against TTIP in almost every single one of the EU member states, linking up trade unions with environmental, health, digital rights and other campaign groups in unprecedented coalitions. We are also coordinating with our sister organisations in the USA, which is important in showing that this is a common struggle for people on both sides of the Atlantic. The coordination is built on existing relationships that we have developed over the past 15 years working on trade and investment issues, and it is working really well.*

We also asked John how the movement is being resourced:

*Some national platforms are better resourced than others, and a lot of the most important work is being done at a grassroots level with no resources other than the passion and commitment of activists. At the same time, there are a number of political foundations and trust funders that have provided vital resources to spread the word out into parts of civil society that would otherwise have remained untouched. Importantly, also, a network of trusts and foundations has been created to look over all the work being done on TTIP and to identify areas that are in danger of falling behind due to lack of funds. These funders have been actively linked in to the movement, consulting regularly as to what civil society needs in order to keep the campaign progressing. It's been a remarkable example of what can be achieved by integrating all aspects of our work from the beginning, and a powerful model that we can build on for the future.*

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In times when, as discussed above, far right and anti-European politics are winning increased support in many EU member countries, it may be no easy task to mobilise people in support of EU standards. But that mobilisation can be seen. For example, despite an EU public consultation system that was not easy to navigate, almost 150,000 responded, with 97% of them opposing the inclusion of an ISDS mechanism, while hundreds of protest events were organised across Europe on an international day of action on 18 April 2015.<sup>339</sup> The campaign is tapping into rising concern in Europe, particularly in countries where people were hit hard by the consequences of the 2008 global banking crisis, about excessive transnational corporate power, and anger about large-scale corporate tax avoidance.

Further, the campaign has made links that are not always easy to forge, between advocacy CSOs and trade unions, and between online social media platforms and traditional protest methods such as public demonstrations and letter writing. After one such demonstration, Guy Taylor, of Global Justice Now, commented:

*It's unheard of to see so many people travelling to Brussels to lobby their MEPs [Members of European Parliament] like this, and that's testament to just how hugely controversial and unpopular TTIP has become.*

At the time of writing the TTIP remains under negotiation, and so the ultimate impact of the civil society campaign remains to be seen, but it can be observed to have scored some notable successes along the way. Some commentators have said that the reputation of the TTIP is now damaged, while Greece's Syriza government has said it will not approve TTIP.<sup>340</sup> The TTIP has declined in popularity with citizens of Germany, Europe's biggest economic power, with more people opposed to it than supportive of it as of February 2015, while EU negotiators have felt the need to reassure critics that they are negotiating additional safeguards to meet public concerns.<sup>341</sup> Civil society might just be changing the game here.

*...the campaign has made links that are ...not always easy to forge, between advocacy CSOs and trade unions, and between online social media platforms and traditional protest methods such as public demonstrations and letter writing.*

339 Stop TTIP, 'ISDS Consultation Backfires Painfully', 14 January 2015, <http://bit.ly/1HWGAKZ>; Stop TTIP, 'Global Day of Action... and Inspiration!', 27 April 2015, <http://bit.ly/1cnd4t6>.

340 'Syriza Official Vows to Kill EU-US Trade Deal as 'Gift to All European People'', Common Dreams, 2 February 2015, <http://bit.ly/1DxDC2N>; 'Guardian Live: What is TTIP and how does it affect us?', The Guardian, 18 February 2015, <http://bit.ly/1d3sH9S>.

341 'Malmström: Germany's TTIP debate 'more heated'', EurActiv, 24 February 2015, <http://bit.ly/1D6o4BJ>; 'TTIP under pressure from protestors as Brussels promises extra safeguards', The Guardian, 19 February 2015, <http://bit.ly/1Bfq7s1>.



# A GLOBAL RESPONSE TO CLIMATE CHANGE, A LOCAL RESPONSE TO FRACKING

21 September 2014 saw another global day of action, this time against climate change, with civic action at its most visible in New York when, ahead of UN climate talks, over 400,000 people joined the People's Climate March, making it the largest climate protest in history. The march brought together climate change scientists, international figures such as Al Gore and Ban Ki-moon (in an unusually political act for a UN Secretary-General), trade unions, people with a long history in the climate change movement and people engaged on climate change for the first time.<sup>342</sup> The intention of the march was to increase political pressure on governments, as May Boeve of 350.org made clear:<sup>343</sup>

*Today, civil society acted at a scale that outdid even our own wildest expectations... Tomorrow, we expect our political leaders to do the same.*

The New York march further highlighted the potential unlocked when different CSOs, citizens, and online campaigning platforms work together, with Avaaz, 350.org and Greenpeace amongst those cooperating. Further, around 1,500 CSOs were involved in global mobilisation, with the New York marches paralleled by an estimated 2,646 events in 162 countries. In London, UK, 40,000 people are estimated to have marched, and 30,000 in Melbourne, Australia. Over two million people signed a petition, and there were over 630,000 posts on social media about the marches.<sup>344</sup>

The challenge for such large-scale demonstrations, once the thrill of protest is over, is of course to demonstrate that engagement can be maintained and made meaningful. 2014's climate change summit, COP20, held in Lima, Peru, was judged by many in civil society as yet another failure in a dismal series stretching back for two decades, with divisions persisting between wealthy and impoverished nations, preventing the action required to tackle this transnational threat.<sup>345</sup> COP20 was accompanied by a now familiar panoply of civil society side events, prompting the usual civil society frustration about lack of real voice, and prompting again the question of whether it is a good use of civil society's scarce resources to participate in formal consultative events that

<sup>342</sup> 'Taking a Call for Climate Change to the Streets', The New York Times, 21 September 2014, <http://nyti.ms/1qkVZzy>.

<sup>343</sup> 'Hundreds of Thousands Converge on New York to Demand Climate-Change Action', TIME, 21 September 2014, <http://ti.me/1rfEyWi>.

<sup>344</sup> People's Climate March, 'More than 2500 Global Events, Join Hundreds of Thousands Marching in New York to Demand Action on Climate Change, 21 September 2014, <http://bit.ly/1q6UMf0>; The New York Times, 21 September 2014 op. cit.

<sup>345</sup> Women and Gender Constituency, 'Women at COP 20 Blast Failure for Real Action in Lima', 14 December 2014, <http://bit.ly/1suNeeD>; 'At the Lima Climate Talks, It Was Groundhog Day All Over Again', Foreign Policy in Focus, <http://bit.ly/14bq2Hj>; 'More reactions to COP20 and Lima's "Roadmap to global burning"', 2 January 2015, <http://bit.ly/1FedDgd>.

*21 September 2014 saw another global day of action, this time against climate change, with civic action at its most visible in New York when, ahead of UN climate talks, over 400,000 people joined the People's Climate March, making it the largest climate protest in history.*

*2014's climate change summit, COP20, held in Lima, Peru, was judged by many in civil society as yet another failure in a dismal series stretching back for two decades.*



have a largely ceremonial status: this is the classic dilemma of whether it is better to be inside the conference room or outside on the streets, a question that ran through 2014's State of Civil Society Report.

Our response to this dilemma was that civil society needs to try to do both, but to connect them: to take the legitimacy of the streets into the conference rooms, and to try to enlarge and enhance the available space, while maintaining the right to take confrontational positions and being careful not to legitimise ceremonial space. Civil society needs to engage permanently, and to build alliances with governments that are now experiencing the worst impacts of climate change.

The growing anti-fracking movement, meanwhile, is offering a potential model of how such connections might be made, by linking local environmental actions and national and international level policy debates.

Hydraulic fracturing, known as fracking, is a new method of extracting previously inaccessible gas and oil from shale rock. It offers countries with extensive shale gas reserves the tantalising prospect of reducing reliance on oil and gas imports, something which could even have a human rights pay-off, in reducing the political leverage of repressive high oil exporting states. However, environmental impacts can be profound: fracking requires huge amounts of water, which means making difficult decisions about water usage, and there are concerns about the process causing groundwater pollution and increased risk of earthquakes.<sup>346</sup>

Fracking is under way, or exploration of potential fracking has begun, in a range of countries, and in most of these it is being met with civil society opposition: community and national level civil society initiatives have sparked across such a variety of countries that the anti-fracking movement can now be seen as a global campaign built from strong local presences.<sup>347</sup>

In Bolivia, for example, the 2013 announcement by state-owned oil and gas company YPFB that it intended to investigate fracking sparked particular outrage, given that this clashes with Bolivia's environmental protectionist 'rights to mother earth' law, for which the government was internationally praised when it was introduced in 2010.<sup>348</sup> In response, a collective, the Anti-Fracking Movement in Bolivia formed, and Fundacion Solon issued a Declaration Against Fracking in Bolivia.<sup>349</sup> In the UK, the village of Balcombe became an unlikely hotspot of political contestation in 2013 and 2014, when an Occupy-style camp was established, culminating in the

*...fracking requires huge amounts of water, which means making difficult decisions about water usage, and there are concerns about the process causing groundwater pollution and increased risk of earthquakes.*

346 'What is fracking and why is it controversial?', BBC, 27 June 2013, <http://bbc.in/1bsDigR>; 'For The First Time, Scientists Prove Fracking Caused An Earthquake Strong Enough To Be Felt By Humans', Think Progress, 6 January 2015, <http://bit.ly/1AC0DTg>.

347 'Anti-fracking movement goals global, climate change mafia warns, LINKS, 10 February 2013, <http://links.org.au/node/3224>.

348 'Bolivia's Mother Earth Law Hard to Implement', IPS, 19 May 2014, <http://bit.ly/RtoOuM>.

349 'Is Bolivia going to frack 'Mother Earth'?', The Guardian, 24 February 2015, <http://bit.ly/1wlpD1Q>.

cessation of test drilling.<sup>350</sup> In South Africa, which faces an energy crisis, frackers are eyeing the Karoo, a largely unspoilt vast tract of land.<sup>351</sup> Concern focuses on the environmental impact, particularly given the water demand, in a particularly dry part of a country with scarce water, as well as the poor accountability record of extractive industries in South Africa.<sup>352</sup>

The civil society coalition that has formed in response in South Africa is broad-ranging, encompassing faith-based and business groups.<sup>353</sup> Similarly, in the US, a broad national coalition has been built, encompassing large CSOs such as Greenpeace, social media campaigns such as 350.org, and faith-based groups, farmers' unions and some business groups.<sup>354</sup> The campaign against fracking is also gaining global profile: an annual international day of protest, the Global Frackdown, has grown in scale since it began in 2012, and over 200 partner CSOs came together to organise more than 300 events in the 2014 edition.<sup>355</sup>

These campaigns have achieved some remarkable successes: fracking has been banned in Bulgaria and France, moratoriums imposed in Germany and the Netherlands, regulations tightened in Australia and the UK, and some local, state and province level bans introduced in Canada and the US.<sup>356</sup> It is unlikely these would have happened without civil society campaigning making fracking an issue of national concern. Civil society has also pushed beyond a narrow environmental envelope, by raising connections with concerns about corporate governance and the lack of accountability and transparency in relationships between governments and the extractive industry. Indeed, the anti-fracking movement has been paid a unique private sector compliment: the gas industry has described it as sophisticated and "highly effective."<sup>357</sup>

This is not to understate the challenges the movement faces. The city of Longmont in Colorado, US, serves as one case study of how hard it is for civic action to be sustained in the face of huge corporations. Fracking companies have brought wave after wave of legal actions, with the backing of state officials, to challenge a

*...fracking has been banned in Bulgaria and France, moratoriums imposed in Germany and the Netherlands, regulations tightened in Australia and the UK, and some local, state and province level bans introduced in Canada and the US.*

350 'Anti-fracking campaigners occupy Cuadrilla's Balcombe drill site', Drill or Drop?, 19 January 2014, <http://bit.ly/1FRJUye>; 'No fracking at Balcombe, says energy company Cuadrilla', The Independent, 24 January 2014, <http://ind.pn/1GJrhx7>;

351 'Energy crisis saps power from SA economy: experts', Times Live, 18 February 2014, <http://bit.ly/1LNW4Je>; 'Shale gas in South Africa: Fracking the Karoo', The Economist, 18 October 2012, <http://econ.st/1Fkgzc9>.

352 South African Government, 'Water affairs', <http://bit.ly/1Jc1rCi>; 'Fracking could devastate South Africa's water supply: WWF', Times Live, 18 June 2014, <http://bit.ly/1FkgDsv>; Treasure Karoo Action Group website, <http://www.treasurethekaroo.co.za>.

353 Friends of the Earth International, 'South Africa – Fracking: another chip at our democracy', 10 February 2014, <http://bit.ly/1cnh7G1>.

354 Americans Against Fracking, 'Coalition Members', <http://bit.ly/1HWLDSy>.

355 'Global Frackdown: October 11, 2014', The Action Network, <http://bit.ly/1Bh5FBH>; 'The Global Frackdown 2014: A Recap', Food & Water Watch, 15 October 2014, <http://bit.ly/1FkgDsv>.

356 'List of Bans Worldwide', Keep Tap Water Safe, 10 April 2015, <http://bit.ly/1dhVvWC>; 'Worldwide: Countries Approach Fracking With Interest And Caution', Mondaq, 6 January 2014, <http://bit.ly/1GJtjh0>.

357 'Gas Industry Report Calls Anti-Fracking Movement a "Highly Effective Campaign"', Yes! Magazine, 26 March 2013, <http://bit.ly/1dgkTIZ>; Control Risks, *The Global Anti-Fracking Movement: What it Wants, How it Operates and What's Next*, 2012, <http://bit.ly/1LRik4w>.

2013 vote by residents to ban fracking. Businesses are seeking to use vastly superior resources to wage a war of attrition: fracking companies have spent 10 times the resources of the anti-fracking campaigning group to try to overcome the ban.<sup>358</sup> In Longmont, and in cities and villages all over the world, battles will have to be fought time and again, local to global alliances will have to be maintained and tested, and civil society will have to continue to make up for the immense disparity in resources with imagination, expertise and passion.

## LOOKING FORWARD: THE POST-2015 DEVELOPMENT GOALS: WHAT ROLE FOR CIVIL SOCIETY?

2015 will see another great test of multilateralism, with the agreement of the new, post-2015 development goals, the successor to the MDGs. At the time of writing, negotiations have recommenced on the 17 proposed SDGs drawn up by a UN working group in July 2014, and on the targets and indicators for these.<sup>359</sup> There also remains in play the question of precisely how SDG negotiations will relate to the on-going global discussions on financing for development, with the Third International Conference on Financing for Development being held in Ethiopia in June 2015.<sup>360</sup>

The MDGs were a relatively unambitious set of goals, and yet delivery still fell short of targets in many countries. Further, civil society had little input into the setting up of the MDGs, and the MDGs did not give a clear mandate to civil society, which meant that civil society had to try to insert themselves into MDG processes owned by governments, donors and international agencies, rather than be in them as a right. Civil society's role as a source of innovation and original thinking, as well as an effective agent of delivery, was thus inadequately recognised. The lack of civil society involvement in the MDGs was a key factor in the often acknowledged lack of public awareness about or sense of ownership of the MDGs, which can be identified as a factor in the MDGs falling short of their targets.<sup>361</sup>

358 Our Longmont website, <http://ourlongmont.org>; 'Heavyweight Response to Local Fracking Bans', The New York Times, 3 January 2015, <http://nyti.ms/1DqGYVS>.

359 'Open Working Group proposal for Sustainable Development Goals', Sustainable Development Knowledge Platform, <http://bit.ly/1EYw6i7>.

360 Social Watch, 'Post-2015 and FFD3: Debates Begin, Political Lines Emerge', 9 February 2015, <http://bit.ly/1zUOD2N>; International Centre for Trade and Sustainable Development, 'UN Post-2015 Talks Focus on Draft Sustainable Development Goals, 2 April 2015, <http://bit.ly/1EEhoeh>.

361 Commonwealth Foundation and UN Millennium Campaign, *Ideas for a new development agenda*, 2013, <http://bit.ly/WLk3W7>; OHCHR, Open Working Group on Sustainable Development Goals (OWG) (2013), *Statistical note for the issue brief on: Human Rights, including the Right to Development*, 2013, <http://bit.ly/1KtMrDe>.

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Civil society's lack of mandate in the MDGs further made it hard for CSOs to fulfil their vital role of exercising accountability, including over how decisions to commit development resources were made, and how efficiently resources were used.<sup>362</sup> Rather, the MDGs marked a turn back towards top-down, target-driven approaches to development, an approach that privileged relationships between global northern donor states and southern recipient governments, which unwittingly may have fed off civil society repression discussed in the previous section: some states that performed strongly on MDG indicators, such as Ethiopia and Rwanda, did so while reducing the space for civil society. In such contexts, CSOs can come to be seen by governments as competitors for external resources that were highly linked to the MDGs, and civil society rights as inconvenient obstacles that get in the way of the efficient delivery of externally funded development projects. The notion that development is about the enabling of human possibility, for which the fundamental civil society rights of assembly, association and expression are essential, seems to have receded. We have to recapture this in the SDGs.

So far, the experience of civil society in being consulted about the SDGs seems more positive,<sup>363</sup> and the UN Secretary-General's Synthesis Report on the Post-2015 Agenda, published in December 2014,<sup>364</sup> calls for an enabling environment for civil society, but at the time of writing, the finalisation of the SDGs remains in play and uncertain, as attention turns to targets and indicators.<sup>365</sup>

Key civil society campaigns to make the SDGs more expansive and inclusive include the Beyond 2015 coalition and the Global Call to Action Against Poverty. These are seeking to make the SDGs participatory, inclusive and responsive to the voices of those directly affected by poverty and injustice.<sup>366</sup>

In January 2015, a new global campaign, Action/2015, was launched with a focus on encouraging citizen and community action towards influencing the SDGs, and also climate change negotiations.<sup>367</sup> Action/2015 connects large, international civil society networks with grassroots movements. It has the backing of government representatives and entertainment stars, and combines online and offline campaigning tools.

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362 'Advocating for Civil Society Space in 2015', The Huffington Post, 18 February 2015, <http://huff.to/1zUugKV>; 'Civil society: only the clampdown is transparent', The Guardian, 12 September 2010, <http://bit.ly/1LO2dVW>.

363 'Civil Society Freedoms Merit Role in Post-2015 Development Agenda, IPS, 25 November 2014, <http://bit.ly/1xSnQiH>; 'Opinion – Measurement Matters – Civic Space and the Post-2015 Framework', IPS, 23 March 2015, <http://bit.ly/1dCf1ng>.

364 UN, *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet. Synthesis Report of the Secretary-General On the Post-2015 Agenda*, 4 December 2014, <http://bit.ly/1yKR1Wb>.

365 *Targets in the proposed SDGs framework*, Sustainable Development Knowledge Platform, <http://bit.ly/1G5SAkt>.

366 Beyond 2015 website, <http://www.beyond2015.org>; Global Call to Action Against Poverty website, <http://bit.ly/1eDeSAb>.

367 Action/2015 website, <http://www.action2015.org>

Civil society initiatives such as Action/2015 are placing special emphasis on reaching out to young people and helping them to voice their concerns about what they want from the SDGs. Most of the world's young people live in countries of the global south,<sup>368</sup> and the current young generation is the one that will grow into adulthood over the 15 years to be covered by the SDGs; they will be the generation that the SDGs either serve - by helping them to develop sustainable livelihoods, access healthcare, safely raise families, and enabling them to associate, assemble and express themselves without hindrance - or fail.

What is striking is that, when young people are encouraged to say what they want the SDGs to achieve, they do not limit themselves to asking for basic needs and essential services. For example, in a 24 hour tweetathon organised in 24 countries, from Fiji to the USA, in October 2014, what stood out was how often concerns about governance and participation occurred, including issues of internet governance and government transparency, and a desire for channels of genuine dialogue with governments, alongside an interest in issues of education, employment and inequality.<sup>369</sup> Young people, when consulted about their development futures, have consistently identified better governance as a key priority.<sup>370</sup> In the UN's 'My World' survey, in which approximately 7.4m people identified their key priorities for the SDGs, over 5.7m of participants, more than three quarters, were aged 30 or under, demonstrating the massive interest of young people in having a say on their development futures.<sup>371</sup> It can therefore be said that one test of whether the SDGs are good enough is that enough of the huge cohort of young people who took part in the My World survey feel that the SDGs adequately speak to their needs.

For UN Volunteers (UNV), one of the UN agencies with the strongest relationship with civil society, the SDGs also ought to take account of volunteering as a resource, and understand that volunteering is an essential part of civil society. UNV tell us:

*Governments cannot do it alone. In country after country it has been demonstrated that volunteers, as social mobilisers and community health providers, have been a key success factor in immunisation campaigns. In recent years, more governments have supported volunteering schemes to address poverty, education, climate change, disaster risk reduction, social integration and other national priorities, including most recently responding to the Ebola outbreak. However, much more can be done to recognise, research and integrate volunteerism so that it can reach its full potential to support implementation of the SDGs.*

*What is striking is that, when young people are encouraged to say what they want the SDGs to achieve, they do not limit themselves to asking for basic needs and essential services.*

368 UN Population Fund, UNFPA, '10 things you didn't know about the world's population', 13 April 2015, <http://bit.ly/1O7kQqA>.

369 '#YouthEngage: insights from a global 24-hour tweetathon', The Guardian, 28 October 2014, <http://bit.ly/ZYz4nY>.

370 Overseas Development Institute, *Partners for Change: Young people and governance in a post 2015 world*, 2014, <http://bit.ly/1KtnGTc>.

371 My World data, <http://data.myworld2015.org>.



UNV also suggests that SDG indicators have to measure the contribution of volunteering, or an inaccurate picture will be given of development progress, and civil society's contribution to it:

*Volunteering measures can indicate progress in the SDGs. One proposed SDG indicator to be developed is on decent work. International Labour Organisation (ILO) statistics already incorporate volunteer work as one type of work. There is an existing methodology in the ILO Manual on Measuring Volunteer Work which can measure both economic value and decent work. A number of existing social well-being indicators also measure volunteering, including Gallup, OECD and the Bhutan Happiness Index, although it should be noted they all do this in different ways... Volunteering studies have reported large participation numbers and significant economic value (e.g. volunteering is estimated at 0.6% of GDP in the Philippines). However, measuring volunteering also should address its social value and its contributions to well-being and social cohesion.*

*Perhaps, similar to gender equality, there should be a cross-cutting theme of civic engagement or participation running across all the goals and targets. Volunteering would be a relevant indicator which can be disaggregated. This would enable research on the interrelationship between citizen participation and progress on specific SDGs and targets.*

Kate Donald, of the Center for Economic and Social Rights, is one of many people in civil society who are working to try to make the SDGs more expansive and more strongly linked to human rights, including through the Post-2015 Human Rights Caucus, of which CIVICUS is an active member. We asked her what her hopes and fears are for the SDGs, how civil society could influence the SDGs, and what impact the SDGs might have on civil society:

*My best hope is that we end up with a post-2015 agenda that in practice is able to move us closer towards realising human rights - civil, political, cultural, economic, social - for all, and tackling rampant inequalities. A crucial part of this will be in ensuring there is real accountability for progress, and lack of progress, towards these commitments; that people will have a voice and a platform to make states and the private sector answerable and responsible.*

*After all this investment of time and energy and resources, the biggest fear is that we end up with nothing, or with a re-tread of the MDGs, which could happen if states fail to agree over financing, or the fragile consensus falls apart on another unforeseen bump in the road. A close second worse*

*SDG indicators have to measure the contribution of volunteering, or an inaccurate picture will be given of development progress, and civil society's contribution to it.*



*outcome would be an agenda that is pretty on paper but remains only at the level of window-dressing and rhetoric, without any meaningful action from states to implement it.*

*To get to the best outcome, civil society voices need to be accepted not just as 'stakeholders' to be consulted occasionally, but as rights-holders and representatives of rights-holders, and people with experience and technical expertise that can be immensely valuable. For example, in the debate around indicators to measure progress towards the goals, the expertise of civil society was initially almost completely overlooked, in favour of an exclusive focus on national statistical offices. This is very short-sighted. For many years, civil society groups have been involved in monitoring and tracking a vast array of issues relevant to the post-2015 agenda - from illicit financial flows to civic space to women's unpaid care work - and have developed innovative and participatory methodologies for doing so. The knowledge and expertise out there in civil society is vast, and it should be used.*

*If the MDGs are a good weather vane, then the SDGs will have a very big effect on the distribution of resources for sustainable development and human rights work, for better or worse. This is another, more instrumental, reason why a holistic agenda with strong financing commitments from rich countries is important: the issues we need to tackle are multiple and interlinked, and require sustained engagement. We are past the point where a narrow focus on, for example, extreme poverty, or getting girls into school, is acceptable. The evidence is now clear that no matter how many billions of dollars you pour into these narrow goals, you can't end poverty without tackling inequality and environmental sustainability at the same time, and you can't end pervasive gender inequality just by getting more girls into school. A diverse and well-resourced civil society is an absolute prerequisite to effective and empowering progress towards the goals.*

While there remains broad agreement that it is useful to have development goals, because they focus efforts and create lobbying and advocacy opportunities,<sup>372</sup> for CIVICUS, the coming SDGs must make a positive contribution to reversing negative trends in the conditions for civil society of the kind outlined earlier, which means that the measurement of civic space and whether it is expanding or contracting must be included in the indicators against which the success of the SDGs is judged. It also means that the precarious resourcing position of many CSOs, discussed in other sections of this report, needs to be addressed. In addition, it will be important that the SDGs have a strong focus on the issue of rising inequality in so many of our societies.<sup>373</sup>

372 'Governments are now negotiating Sustainable Development Goals', The Daily Star, 2 April 2015, <http://bit.ly/1d3JABg>.

373 IPS, 19 March 2015 op. cit.

*...civil society voices need to be accepted not just as 'stakeholders' to be consulted occasionally, but as rights-holders and representatives of rights-holders, and people with experience and technical expertise that can be immensely valuable.*

*...the coming SDGs must make a positive contribution to reversing negative trends in the conditions for civil society.*

For CIVICUS, key tests for the SDGs, and the intergovernmental system that is producing them, will be how much involvement civil society has in the authorship process, and visible influence in the final agreement; how much the agreement accords a proper role for civil society, beyond a role in the implementation of the SDGs, in ways that connect development to human rights, which implies enabling fundamental civil society rights; and finally, how the resourcing decisions made to realise the SDGs impact positively on civil society. Civil society, including the campaigns mentioned above, need to engage constructively in the remaining months, applying the mixes of public campaigning and expert advocacy suggested in the examples given earlier in this section; and once the SDGs are agreed, civil society needs to push hard for its accountability role, alongside its delivery role, over the coming years.

## CONCLUSION: REIMAGINING GLOBAL GOVERNANCE

A year on since our focus on global governance in the 2014 State of Civil Society Report, much work still needs to be done to address the dysfunction of international governance institutions. Civil society consistently and quietly engages in global forums, and much of that engagement comes with little influence and yields scant reward. But as the example of the Arms Trade Treaty shows, civil society is able, through constructive, permanent engagement, to play a role in establishing progressive additions to the global architecture, and developing progressive norms.

There is a need to ensure that civil society, when it engages internationally, does not lose its grounding in the reality of citizens' concerns. In August 2014, CIVICUS' Secretary General, along with several like-minded civil society leaders, wrote an open letter to activists, urging civil society to take a back to basics approach. The letter argued that too many in organised civil society have become too institutionalised and professionalised, and thereby co-opted into systems and networks in which civil society is being outwitted and outmanoeuvred.<sup>374</sup> It urged the need to put the voice and actions of people back at the heart of our work, with primary accountability being not to donors, but to all those struggling for social justice.

The global anti-fracking movement, and the movement against the TTIP, offer potential models for how the concerns of communities can be made global, and global matters can be made to resonate with citizens. They show how global elite interests can be challenged. Now the SDGs need to demonstrate that they

*Civil society need to engage constructively in the remaining months, applying the mixes of public campaigning and expert advocacy; and once the SDGs are agreed, civil society needs to push hard for its accountability role, alongside its delivery role, over the coming years.*

*...too many in organised civil society have become too institutionalised and professionalised, and thereby co-opted into systems and networks in which civil society is being outwitted and outmanoeuvred.*

<sup>374</sup> Danny Sriskandarajah, Secretary General of CIVICUS, 'Opinion: Put People Power Back at Centre of Citizen Action, IPS, 7 October 2014, <http://bit.ly/1d3Oa2l>.

understand and help enable civil society's proper role, not just in delivering development, but in contributing to development decisions and exercising accountability over those decisions.

## FIVE KEY POINTS FOR FUTURE ACTION:

- Civil society needs to ensure it makes strong connections between ground-level issues and global governance concerns.
- Alliances need to be built and maintained between CSOs, supportive governments and sympathetic intergovernmental officials.
- A broader range of civil society voices needs to be brought into engaging with global level decision-making.
- Global coalitions need to be built that cut across existing power blocs and regional blocs, and that bridge divides between the global north and global south.
- Civil society, while continuing to engage constructively with global governance institutions, also needs to keep their fundamental reform on the agenda.

# CONCLUSION

As the above has demonstrated, the civil society canvas is vast. The civil society universe encompasses an incredible diversity of forms, working on a huge array of issues. This means that the civil society universe is messy, occasionally incoherent, even contradictory. But we believe that civil society's vital contribution is being proved at all levels, in many different countries, on all kinds of issues. It is needed more than ever before. Governance is broken: conventional national politics is failing people, and international governance is demonstrably not fit for purpose. A tiny elite control most of the world's wealth, and they have intimately woven themselves into the fabric of governance, rigging the rules in their favour, exacerbating global inequality.

Civil society is showing itself to be the alternative to this, offering a source of solutions and innovation. Yet civil society is constrained, by political restrictions, attacks and a lack of financial resources. Further, civil society has its own problems. Formal CSOs are also not always good at connecting with citizens. Looser citizens' movements are sometimes superficial, and hard to sustain. Divides persist between large CSOs and small ones, and CSOs in the global south and global north. But a world without civil society, and its imaginative creativity and commitment, cannot be contemplated.

In the year that will pass between the publication of this report, and the publication of the 2016 State of Civil Society Report, billions of people will participate, and billions will benefit from the platform civil society offers to raise people's voices, and the services civil society provides. Civil society will keep responding to crises, mobilisations will break out in unexpected places and civil society groups and activists will continue to fight back against restrictions and attack. International solidarity, coalition building and support to develop the capacity of civil society will be the key responses needed to support civil society.

## FIVE KEY POINTS FOR FUTURE ACTION:

- The diversity and ecology of civil society is an important principle in its own right: a range of responses, by different organisational forms, at different levels, need to be supported.
- Connections that link civil society in the global north and the global south need to be supported, but these need to be forged in ways that enable equality, and the full contribution of both to be realised.
- More research and documentation is needed on working models of civil society cooperation that are potentially replicable.

- Civil society needs to develop its analysis of, and capacity to respond to issues of global elite power and control of resources by the global super-rich.
- There is a need for a new campaign that emphasises the overall value and contribution of civil society, and the importance of civil society rights being realised, that capitalises on and brings together the energy and imagination of campaigns on individual issues, involves high profile figures, and makes a point about the impact that civil society can achieve.