Civil Society Organisations in Situations of Conflict

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FOREWORD

More than thirty countries[1] are currently embroiled in violent conflict. At the time of writing, countries in the Middle East and North Africa experiencing widespread upheaval through citizen action have joined this group of conflict states. With increasing attention to societies in crisis, CIVICUS' report on the Open Forum Thematic Consultation on CSO Development Effectiveness in Situations of Conflict is an important and timely one.

The report presents critical findings on the dynamics of conflict and challenges to the development and performance of civil society organisations. The survey from respondents in 46 countries finds there is decreasing space for CSOs to operate and influence change. External agendas are prioritised over local needs as local CSOs find themselves competing with international actors. The lack of sustainable resources and weak governance both in the external environment and within CSOs hinders their effectiveness.

Weak governance is the most pervasive and damaging long-term effect of conflict on civil society. When asked which factors prolong the negative effects of the conflict situation on civil society – 92% of respondents said 'corruption' was highly significant, followed by 'insecurity' (82%) and 'weak political system' (76%). Corruption contributes to insecurity and weak political systems by undermining the legitimacy and stability of the state. It diverts resources needed for the delivery of public goods and feeds the political elite and their patronage networks.

Civil society organisations face the challenge of building their capacities in the context of divided societies, competing agendas and scarce resources. What can CSOs and outside supporters do to limit the effects of weak governance? This report shows the need to better understand the context, power dynamics and risks of corruption and institute genuine accountability in situations of conflict through transparency and strengthening of local engagement mechanisms.

This calls for a collaborative governance approach that identifies and strengthens local competence and recognises CSOs as development actors in their own right.Assistance in conflict countries, among the most highly aid dependent,[2] should be provided in a transparent way, ensuring objectives are clear and information can be easily accessed and shared. Donors, international organisations and CSOs on the ground have an important role to play in disclosing information about their programmes, coordinating their efforts and aligning with and strengthening local systems where possible. Building trust and know-how takes time, but greater understanding of each other's way of operating is critical to development effectiveness.

Tiri welcomes this report, its recommendations and the broad consultations on which it was based. This initiative makes a valuable contribution to the upholding of principles that create an enabling environment fundamental to building a vibrant civil society and strong social contract between the state and communities.

Claire Schouten
Associate Programme Director, Tiri

[1] See Uppsala Conflict Data Program data base, (Date of retrieval: 04/2011) http://www.pcr.uu.se/research/ucdp/database/
[2] Based on World Bank data for 2008, of the ten most aid dependent countries (those with highest aid / GNI). Eight of these (Afghanistan, Burundi, DRC, Ethiopia, Guinea Bissau, Liberia, Rwanda, Sierra Leone) are in the OECD's list of fragile and conflict states

EXECUTIVE SUMMARY

Freedom and the fulfilment of political, social and economic rights are essential to achieve effective and sustainable development. Yet, in too many countries these rights are not protected and development actors and citizens face significant challenges not only to their effectiveness, but also to their safety, sustainability and livelihoods. These challenges are often felt most severely in situations of instability, conflict and fragility.

This report illustrates the dynamics of civil society in situations of conflict and looks at how the international community and donors can ensure their policies adequately empower citizens and civil society in all stages of peacebuilding and development. We have developed recommendations for governments, donors and civil society organisations (CSOs) that will improve the enabling environment and allow CSOs to be more effective in their work.

The Open Forum for CSO Development Effectiveness[3] has worked with CIVICUS: World Alliance for Citizen Participation[4] to undertake this consultation process and have spoken to CSOs in 50 countries. We have considered the local, national and regional impact of different types of conflicton the work of CSOs. This impact evolves during different stages of a conflict and CSOs described a spectrum of varying intensities of violence and fragility.

Decreasing space for CSOs to operate and fewer opportunities to participate in governance processes is a major challenge for CSOs working in situations of conflict. With little possibility of influencing government policies and achieving social change, due to either the circumstances of the conflict or being deliberately targeted, the effectiveness of CSOs is significantly compromised. Limits to freedom of expression, restrictive legislation and a divided society, all present challenges to the legitimacy of CSOs and their ability to work in networks.

Security threats were one of the most recurring and grave problems CSOs cited during this consultation. In every region of the world and in each type of conflict, the lives and well-being of those associated with the work of CSOs are in danger. A consequence of these threats is a pervasive fear that affects all of society. Fear prevents people speaking out and, in turn, also reduces citizen participation in decision-making processes.

CSOs told us that **weak political systems** and **high levels of corruption** have the most significant, negative long-term effect on civil society in situations of conflict. The inevitable breakdown of systems that occurs in conflict situations deeply mars the effectiveness of civil society. In this report we explore how during conflict and post-conflict situations, the scope and nature of aid are often unrelated to the needs of the recipients, having detrimental and long lasting effects in civil society.

Our findings highlight how **emphasis on donor priorities** rather than the needs and development of local people can have a significant impact on local tensions and conflicts. The **dilemma of political impartiality** is an ongoing challenge for all development actors in situations of conflict, with CSOs speaking about it very differently, depending on the context.

This report uses the Open Forum Principles of Development Effectiveness as a framework for strengthening civil society's own practices. We assess the relevance and implementation of the Principles in situations of conflict and gather examples of good practice from three national and regional workshops in the Balkans region, Zimbabwe and the Philippines.

[3] Open Forum website: www.cso-effectiveness.org
[4] CIVICUS website: www.civicus.org

INTRODUCTION

Freedom and the fulfilment of political, social and economic rights are essential to achieve effective and sustainable development. Yet, in too many countries these rights are not protected and development actors and citizens face significant challenges not only to their effectiveness, but also to their safety, sustainability and livelihoods. These challenges are often felt most severely in situations of instability, conflict and fragility.

The Open Forum for CSO Development Effectiveness[5] has worked with CIVICUS: World Alliance for Citizen Participation[6] to undertake this consultation process and final report of civil society organisations (CSOs) working in situations of conflict. It is one part of the complete consultation process of the Open Forum to develop an International Framework for CSO Development Effectiveness. The Open Forum recognized that development actors in situations of conflict face unique challenges to their effectiveness and a more thorough analysis of civil society dynamics in fragile and violent situations was necessary for a comprehensive framework. An engaged and informed civil society is essential for the development of a peaceful and democratic society, yet CSOs are often targeted and persecuted in situations of conflict. The short term effects of violence and conflict are brutal and deadly; the long terms effects are pivotal for the country's future.

It is now widely recognised by inter-governmental institutions, donors and organisations that strengthening national governance systems and institutions is essential for peacebuilding and breaking the cycle of conflict.[7] CSOs are now considered as a vital part of this governance and development system[8], in order to give it the legitimacy and support it needs from the people to be effective and benefit the most marginalized across the world.

In recent years, there has been a steadily increasing volume of aid given to improve the lives of people living in poor and conflict-affected countries around the world. But this aid has not had the desirable long term results in situations of conflict, with a worrying half of all post-conflict countries resuming violent conflict within ten years.[9] This report illustrates why the international community and donors must ensure their policies adequately empower citizens and civil society in all stages of peacebuilding and development. Social accountability and citizen participation must be central to building healthy and peaceful societies around the world.

METHODOLOGY

This study looks at the specific challenges CSOs face in situations of conflict and assesses how they can work more effectively. It combines desk-based research; three in-country consultations; and an online survey. The majority of the material in this report has been obtained through dialogue with civil society organisations and contains the testimonies of over 200 activists working in situations of conflict across the globe. Putting together this report involved:

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[5] Open Forum website: www.cso-effectiveness.org

[6] CIVICUS website: www.civicus.org

[7] See World Development Report 2011: Conflict, Security and Development, World Bank http://wdr2011.worldbank.org/fulltext; Conflict and Fragility Do Not Harm: International Support for Statebuilding, OECD http://www.oecd.org/dataoecd/8/32/44409926.pdf; Several publications by International Alert on Aid Effectiveness http://www.international-alert.org/ourwork/themes/aideffectiveness

[8] For more details about the engagement of CSOs see: http://www.accrahlf.net/WBSITE/EXTERNAL/ACCRAEXT/0,,menuPK:64861886~pagePK:4705384~piPK:4705403~theSitePK:4700791,00.html

[9] See Galtung & Tisné 'A New Approach to Postwar Reconstruction' *Journal of Democracy, 2009.*

1. Carrying out desk-based research and assessing literature on the definition of conflict, dynamics of conflict and available statistics. We considered the background of the conflict and the state of civil society in the Balkans region, Zimbabwe and the Philippines.

2. Holding national and regional consultations with civil society members in the Balkans region, Zimbabwe and the Philippines. We choose these three areas to gain a comprehensive analysis of different conflict situations. We wanted to get a geographic spread to learn more about different regional contexts; we sought to study different types of conflict (see Definition below); and look at different stages of a conflict. Notably, the Balkans region and Zimbabwe had not been involved in previous Open Forum consultations so it was beneficial to ensure their perspective was included.

   Each in-country consultation involved a two-day workshop and one-to-one interviews with civil society actors. The workshops were co-organised between CIVICUS and a local in-country CSO partner. The objectives of the in-country consultations were:

   - To identify and prioritise common principles of CSO development effectiveness for CSOs working in situations of conflict, based on the already established Open Forum Principles

   - To gather examples of good practice and specific difficulties in implementing the Open Forum Principles

   - To identify recommendations to governments, donors, national and International CSOs on the minimum conditions required for an enabling environment to allow CSOs to work effectively in situations of conflict

3. Conducting a global online survey with CSOs, which was translated into French and Spanish. The survey contained both multiple choice and open-ended questions. 125 responses from 46 countries were received.

DEFINITION OF CONFLICT

At the start of this study we examined various definitions of conflict using a range of academic and civil society sources. We felt the need to have a broad working definition that takes into account changing circumstances and ground realities. Below is a working definition developed by CIVICUS for the purposes of this study:

Conflict is a collective armed or unarmed confrontation between at least two organised groups, either state or non-state actors. There is a spectrum of different stages of a conflict, with varying levels of intensity and violence.

Perceptions are very important and our study has found there is rarely agreement on the type, stage or definition of the conflict situation. We had an example of one civil society practitioner describing a situation as a "political, ongoing conflict" while another viewed the country as a "post-conflict democracy." Throughout our study, we focused on the civil or societal dimension of the conflict, recognising that the impact and effects of the conflict can last much long than the conflict itself.

The number of conflict-related deaths is central to many academic definitions of conflict, but this was heavily criticised by CSOs in the country consultations. In many situations, data regarding the conflict is difficult to find and often times does not exist. During on-going conflicts there can be different levels of intensity.

Whilst there was no consensus amongst civil society practitioners on the character and different types of conflict, an attempt is made below to contextualise and classify conflicts in the light of ground realities.

Character of conflict:

1. **Political**: this involves incompatibility over political systems; desire for secession; desire for autonomy; and power struggle to control or influence governance between different groups

2. **Socio-cultural:**this involves incompatibility over ethnic, religious or ideological conceptions in societal relations

3. **Economic**: this involves incompatibility over the distribution of resources

4. **Territorial**: this involves incompatibility over boundaries and spheres of influence

Types of conflict:[10]

1. **Intra-state conflict** is the most common type of conflict and occurs between the armed forces of the government[11] and an opposing organised group, operating within the state borders. These conflicts are often driven by ethnic, religious or ideologically incompatible positions. It is useful to make a difference between "classical" intra-state conflict without foreign intervention and intra-state conflict with foreign involvement, which involves at least one party engaged in the conflict supported by military troops of a foreign government

2. **Inter-state conflict** occurs between governments, implying the mobilisation of their respective armed forces. The conflict often begins with a formal declaration

3. **Non-state conflict**takes place between two organised groups, neither of which is a government of the state

4. **Extra-state conflict** occurs between a government and a political entity which is not a government and is located outside the territorial boundaries of the state.

[10] This categorisation is inspired from Uppsala University Conflict Data Programme definition of conflict http://www.pcr.uu.se/research/ucdp/definitions/

[11] We will consider the government as the entity, recognised by the international community, which is controlling the national power.

KEY FINDINGS

A number of important findings have emerged from the consultation which provides significant insight into the circumstances as well as the particular needs of CSOs operating in situations of conflict. They a discussed here in order of gravity.

1. DECREASING SPACE FOR CSOS TO OPERATE AND FEWER OPPORTUNITIES TO PARTICIPATE IN GOVERNANCE PROCESSES

The results of our survey and in-country consultations found that conflict situations reduce the opportunities for CSOs to influence government policies and achieve social change. This happens for a variety of reasons – some of these are related to the overall breakdown of systems in society, as inevitably happens in conflicts, while in other situations CSOs are deliberately targeted because of the absence of the rule of law.

We learnt that in the Balkans region, structures that existed to facilitate dialogue between government and civil society ceased to function during the conflict because of alternative priorities and the emergency situation. Even if the will existed for governments to consult with CSOs, a **lack of resources, time and freedom of movement** for security reasons can prevent this from happening. A CSO from Afghanistan told us "*Conflict inhibits the free movement of people and goods. The destabilisation of the economy and social conditions also make it very difficult for new CSOs to take root and achieve much of an impact beyond the main, government controlled cities.* " A civil society practitioner from Chad had this to say: "*In situations of conflict, people cannot participate [in governance processes] meaningfully because they are in camps or they are victims of conflict".*

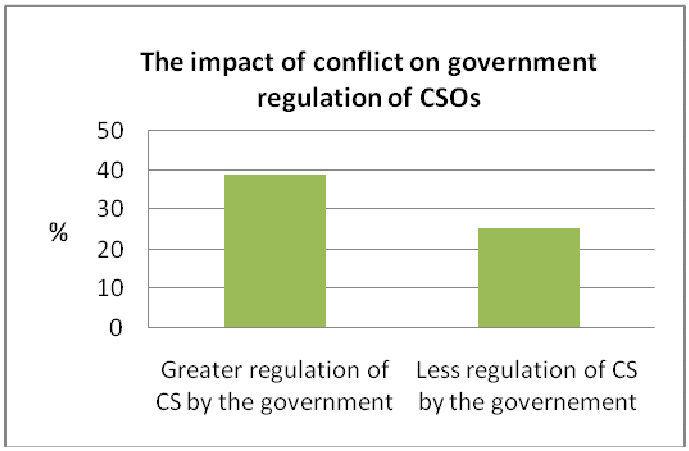
We also heard many examples of how governments deliberately decrease the operating space of CSOs working in situations of political conflict. In situations where CSOs are seen as a threat or are in direct conflict with the government, there are a number of ways the state clamps down on organisations they want to silence.

The most common method CSOs told us that governments use to restrict their activities is to introduce **restrictive legislation.** Examples of these include anti-terror laws,[12] complex registration processes, limits on access and publication of information,[13] restrictions on the right to peaceful assembly[14] and limits on funding sources.[15] A CSO from Northern Uganda told us "*Governments tend to dictate on what civil society should do and sometimes they face closure if they do not abide by the demands of the government.*"

Credit: South East Asia Rivers Network

[12] General Order No.5, implementing proclamation No. 1017 (2001) in Philippines
[13] The Access to Information and Protection of Privacy Act (AIPPA), 2002, in Zimbabwe
[14] The Public Order and Security Act (POSA), 2002, Zimbabwe
[15] Civil Code (1998 and additional amendments of 2003 and 2007) and other acts in Turkmenistan

In our survey we asked CSOs whether they experienced greater or lesser regulation by the government whilst working in a situation affected by conflict. 39% of respondents told us there was greater government regulation, whereas 25% of respondents told us there was less government regulation. Our analysis indicates that most national CSOs working within a political conflict had experienced greater government regulation. It appears there is less regulation in post-conflict and fragile situations.



A CSO from Sierra Leone told us "*The government does not have the capacity to regulate the NGO sector. They cannot even provide basic services for the people. It is not a priority for them to regulate the ever increasing number of NGOs who are doing essential work."*Other CSOs in post-conflict situations expressed more concern about the lack of regulation and a CSO in Serbia told us "*The NGO sector in Serbia needs to introduce a self-regulation framework because currently there is not sufficient accountability and coordination between organisations."*

Restrictions on freedoms of expression, **state-controlledmedia and censorship of information** all prevent CSOs from working effectively and curtail the development of a country. In Colombia, a CSO told us *"Government censorship and harassment of the media has the consequence of reducing the communication space and opportunities for critical voices in civil society."*This has a negative impact on the effectiveness of CSOs as their ability to communicate accurate information and raise awareness of important issues with citizens is limited. Restrictions on expression and access to information also make it difficult to build relationships between CSOs and networks.

Questions about the **legitimacy of CSOs** are particularly important during situations of conflict. In many countries the government accuses civil society organisations of being part of the opposition or rebel movement and deliberately tries to prevent CSOs from operating. A CSO from Colombia told us about *"the constant challenge to the legitimacy and the stigmatisation of CSOs by the government*". CSOs are often victims of the division within societies and are punished if they speak out against the actions of one side of the conflict or the government.

It is very difficult for CSOs to address this challenge to their legitimacy in a hostile conflict-ridden situation. In a peaceful and democratic environment CSOs are able to strengthen their legitimacy through working in **networks and coalitions**. A CSO from Nicaragua told us *"The most important thing for civil society is to generate consensus among organisations so as to enable us to adopt a common strategy to fight against governmental violations of human rights and violations of the constitution and law."*However, a recurring theme in our consultations was how this is often difficult in a situation of conflict where society is

dividedand CSOs are operating in a polarised environment. The mistrust that prevails in a conflict environment restricts collective CSO work, prevents mutual learning and the sharing of knowledge. During a period of conflict, the increase in competition for funds among CSOs often overtakes the desire to work in coalition with others.

ENHANCED SECURITY THREATS TO CIVIL SOCIETY PRACTITIONERS

The security of personnel and activists was the most recurring and grave threat cited by the CSOs we spoke to in this study. In every region of the world and in each type of conflict, the lives and well-being of those associated with the work of CSOs are in danger. This can adversely affect day to day work. A CSO from Mexico told us "*We need to avoid insecure places or areas controlled by drug mafias so we do not put our staff in danger.*"

Deliberate and **targeted attacks on CSOs** are manifest in the form of harassment, intimidation, office raids, detention, torture and even murder. The Philippines is just one place where military operations have targeted CSOs for 25 years and frequently involve extra-judicial killings, enforced disappearances, torture, illegal arrest and detention, illegal search and filing of fabricated charges.[16]

The atmosphere of fear and insecurity can also foster mistrust and can become an **impediment for networking and coalition building**. In Zimbabwe, there is a common perception that CSO meetings are attended by government agents posing as activists. This often causes CSO members to regard others at the meeting with suspicion. A civil society practitioner from Afghanistan had this to say, "*Working through coalitions or in a network is inherently more risky than working independently because there is less your organisation can control. This is doubly so in conflict/post-conflict settings, given the increased number of variables and potentially greater limitations due to the insecurity and unique nature of each organisation's mandate (which not all parties to the conflict may agree with or like).*"

A consequence of these threats is a pervasive fear that affects all of society. Fear prevents people speaking out and, in turn, also reduces citizen participation in decision-making processes. In Zimbabwe, CSOs told us how a "silent fear" has created **apathy and disillusionment** within society, making it difficult for CSOs to mobilise people. This lack of interest and hope among citizens to bring about change in society also increases the challenge CSOs have to strengthen their legitimacy in the face of government oppression, as mentioned previously.

Security threats also determine the **appropriateness of accountability mechanisms** for CSOs working in situations of conflict. Many CSOs we consulted in this study emphasised the dangers of transparency and explained how they are not able to publicly reveal all the activities and finances of their organisation.

When we asked CSOs what the main accountability challenges are for their organisation during the situation of conflict, we received the responses illustrated in the graph below. 76% of respondents emphasised the security risk, whereas only 21% and 24% respectively noted that a Lack of Knowledge and Lack of Systems was a significant challenge.

[16] According to Karapatan there have been 10 extra-judicial killings of civil society activists in January and February 2011 alone. There have been at least 40 victims since President Aquino took office in the Philippines eight months ago, meaning that extra-judicial killings are averaging more than one a week under Aquino. http://www.karapatan.org/node/422

For some CSOs working in Mindanao in the Philippines, revealing the names of staff and the nature and location of their projects would significantly increase the risk of attacks, detention and extra-judicial killing. CSOs in many countries explained how access to communities and direct field visits in conflict situations are extremely problematic for their accountability and evaluation work. It is difficult to get accurate information, and communication systems are often disrupted. Alternative mechanisms to ensure accountability and means to measure the impact of CSOs need to be established for contexts where security is a problem, access to communities is difficult and public meetings are not a priority.

REDUCED IMPACT AND EFFECTIVENESS OF CIVIL SOCIETY

Our survey found that **weak political systems** and **high levels of corruption** have the most significant, negative long-term effect on civil society in situations of conflict. The inevitable breakdown of systems that occurs in conflict situations deeply mars the effectiveness of civil society. A CSO from Nicaragua told us, "*Civil society is defenceless against the ineffectiveness and manipulation of the country's judicial system by the government and the official party*."

During the conflict and post-conflict period there is frequently an upsurge in corruption and a lack of accountability, which often becomes entrenched during this time. There is a significant risk that this can breed popular disenchantment amongst international donors, resulting in what is popularly called donor fatigue. This reduced interest often means reduced support and resources for an already struggling civil society, further reducing its ability to impact positive change.

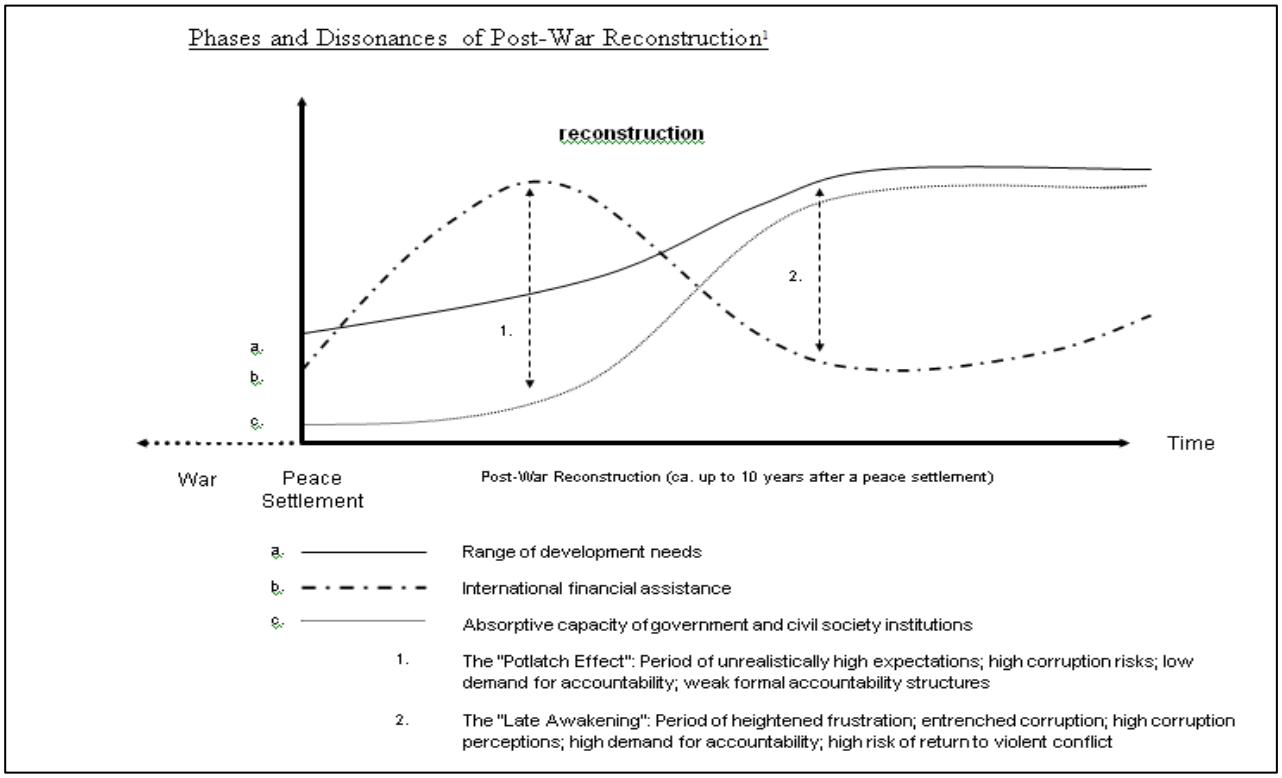
People's perceptions of high levels of corruption lead to further instability, providing self interest groups with the opportunity to capitalise on such discontent for political gain, making civil society's aspirations to create more just, inclusive and accountable societies that much harder.

Throughout the world, situations of conflict and post-conflict are riddled with weak governance which has the devastating result of half of all post-conflict countries returning to conflict within ten years.[17] In Zimbabwe, the government has continuously failed to investigate and prosecute killings, torture and politically motivated violence in the country.There are grave concerns about future violence as many of

[17] See 'A New Approach to Postwar Reconstruction' by Galtung and Tisné for a more detailed explanation of the risks and methods to address corruption in post-conflict situations.

those who committed serious crimes during the 2008 elections continue to live in the same communities, sometimes next door to their victims. A CSO activist told us "*Zimbabwe will not be able to hold free, fair, and credible elections until it restores the rule of law and ends impunity for serious human rights abuses. The government needs to end political violence and show that it can deliver justice.*"

TIRI have developed a graph (below) to illustrate the imbalance between aid delivered to a country in a situation of conflict or post-conflict and a country's capacity to administer and use the aid effectively[18]. It can be argued that during conflict and post-conflict, the scope and nature of aid are often unrelated to the needs of the recipients[19]. We will discuss the gap between the projects donors are willing to fund and the needs of the community in the next section, but the result of this disparity can have detrimental, long-lasting effects on civil society.



Conflict impedes social and political dialogue which is key to society's ability to bring about social and political change. During our consultations CSOs consistently stated that **citizen participation** and **social-accountabilitymechanisms** are essential in addressing weak governance and rebuilding the state following conflict. Governance reforms must not be just top-down, but also bottom-up. Citizens must be involved in

[18] Development needs (line A) are initially humanitarian, but increase in complexity and cost over time. Aid flows have a different trajectory. According to data by the World Bank, conflict countries that receive significant assistance follow a boom and bust curve: a rapid rise in conflict/post conflict years followed by a sharp decline (line B). Finally, state absorptive capacities (line C) are low during conflict/post-conflict, as many state and civil society organisations are new. As a result they cannot initially meet the requirements of international aid.

[19] The "potlatch" effect stems from a failure to align local needs and capacities with the distorting incentives of external assistance, and it results in massive waste.

the allocation of public resources that affect their lives. In addition to stemming corruption, this can help to re-engage citizens in the democratic process and address issues of social inclusion[20].

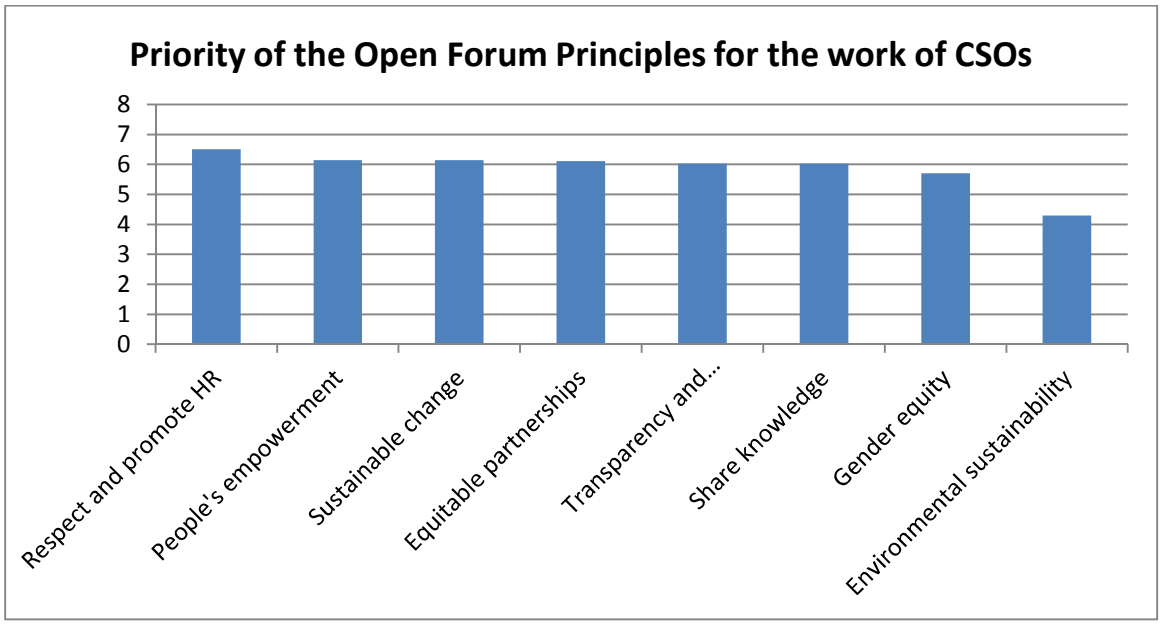
EXTERNAL AGENDAS PRIORITISED OVER LOCAL NEEDS

Throughout our study we found that **donor agendas and external priorities**dictate how aid is given and defines the work of CSOs. The emphasis on donor priorities rather than the needs and development of local people can have a significant impact on local tensions and conflicts.

There is a disparity between the work CSOs believe is important to do in their context and the projects that donors are willing to fund. When we asked CSOs which of their activities they thought were most important to contribute to the peace-building process, there was an overwhelming response for two areas of work: 1) Civic education, which involves working with communities on awareness raising and education programmes, and 2) Promoting human rights and good governance. However, most of the local and international organisations we spoke to who are funded by inter-governmental institutions and foreign government agencies described their main activities as: 1) Human rights education, 2) Gender-focused projects, 3) Provision of health services.

The analysis of the gap between the priorities of donors and the needs of the communities was reinforced when we asked people to rate the importance of each of the Open Forum Principles for their work (between 1-8). We received the response illustrated in the graph below, which shows that Principle 1: Respect and Promote Human Rights and Social Justice was considered the most important; Principle 2: Embody gender equality and equity while promoting women's and girls' rights appeared to be less of a priority.

Nevertheless, many CSOs told us that gender justice is a central issue in their situation of conflict as women are the most severely affected by the violence. It is important that donors have a thorough understanding of the context and work in partnership with local CSOs to implement the most needed and appropriate programmes.



[20] Galtung and Tisné, page 94

In a number of countries and different contexts, we heard CSOs express their concerns that donors do not give enough attention to local priorities and systems. Only 41% of respondents to our survey felt that donors have a good analysis of their conflict situation. There needs to be greater coordination of project strategies and assessment between local CSOs and donors. In order to promote **long-term development as well as short-term humanitarian aid**, donors need to reconsider how they support building civil society's capacity to hold the government to account through civic education programmes on human rights issues, rather than service delivery.

CSOs told us that the current aid delivery mechanisms can have the unintended effect of reducing **local capacities.** Rather than utilising and building local competencies, donors compete to attract only the most skilled local staff[21]. This phenomenon drains both the public and private employment markets of skilled workers and, instead of strengthening local competencies, they weaken them.

Throughout this study CSOs told us that donors need to further their understanding of the local context and adapt their programmes accordingly. There is a need for donors everywhere to respect local culture, tradition and values.

NEGATIVE IMPACTS ON SUSTAINABILITY

The direct and indirect costs of conflict to civil society are huge. The shift of all funding from long term development to short term humanitarian relief means that many development gains are reversed and CSOs are forced to change the focus of their work.

With disruption to infrastructure, organisations face significantly higher operational costs during a situation of conflict. Moreover, instability in an area leads to reduced economic opportunities. A CSO from Somaliland told us that the lack of local resources creates a huge dependence on foreign remittances and international NGOs. In addition, a breakdown of the education system that often occurs during conflict, lowering the levels of education, makes it difficult for CSOs to recruit skilled personnel.

Our survey indicated that one of the biggest internal challenges for CSOs during periods of conflict is the ability to manage funds. This is due to a number of reasons including a lack of flexibility from donors, the large amount of funds that are sometimes involved, a breakdown of the national banking system and the challenge of reacting to external circumstances.

Ensuring sustainable human resources is also a problem for some civil society organisations. A CSO from the Democratic Republic of Congo told us "*Severe disruption to the education system in the ongoing conflict has had a large impact on the levels of literacy and education in some areas. As a result it is difficult for CSOs to attract and employ highly skilled individuals."*

THE DILEMMA OF POLITICAL IMPARTIALITY

This notion of impartiality is something that CSOs spoke to us about throughout this study. It is a controversial and sensitive issue that CSOs spoke about very differently, depending on the context. There is an expectation from all development actors that CSOs are apolitical and impartial. In the context of conflict, this becomes very difficult.

[21] CSOs from Kosovo, as well as other places, told us that international CSOs also reinforce this trend

For some CSOs, their very existence and mandate is perceived by certain actors as political. In several countries, CSOs conducting advocacy programmes that speak out and call for improved service provision from the government are labelled as "opposition groups". In the Philippines, CSOs told us their work is part of the People's Movement as they are fighting for the rights of ordinary men and women. Their work lobbying for the land rights of the farmers has put them in direct opposition to the interests of the political elite who want to exploit the land for their own personal gain. Whilst these CSOs are not political supporters of the opposition or the rebels, impartiality is almost impossible because of their objection to government actions.

Several CSOs told us how they can also be accused of undermining national sovereignty by accepting foreign funds. A CSO from Nicaragua told us that one of their greatest challenges was "*being able to reject accusations from the Presidency against civil society as the promoter of illegal foreign intervention".* This is a huge difficulty for organisations that dependent upon external sources of funding for their work.

The need for impartiality from CSOs is particularly significant in a post-conflict situation. When operating in a fragile and divided society, CSOs in the Balkans told us how the legitimacy for their work comes from their neutrality and peace building projects. 44% of the respondents to our survey work for CSOs that were established during or after the conflict, which indicates the dynamics of civil society in a post-conflict society. A CSO from Serbia told us *"It is crucial for us to demonstrate our neutrality and impartiality because our programmes aim to build social cohesion and address the inequalities that were central to the conflict".*

When we discussed donor impartiality with a group of CSOs from the Balkans, they talked about the burden this sometimes brings. A CSO from Montenegro told us that during the Balkan conflict in the 1990's donors supported both sides of the conflict, actually making the matter worse. "*By remaining neutral and supporting different parties during the conflict, donors prolonged the violence and suffering of the people. At times, donors need to take risks".* Worryingly, 39% of the respondents to our survey echoed this view and stated that donor policies make the conflict worse.

Many CSOs recognised they have a role to build social cohesion by implementing internal non-discriminatory policies. We asked CSOs about the challenges their organisation faces to promote the inclusivity and representation of staff during different stages of the conflict. 71% of respondents told us that during the period of stability they had little, or no, difficulty implementing non-discriminatory policies. This changed to 48% during the period of conflict.

THE ROLE OF THE INTERNATIONAL COMMUNITY

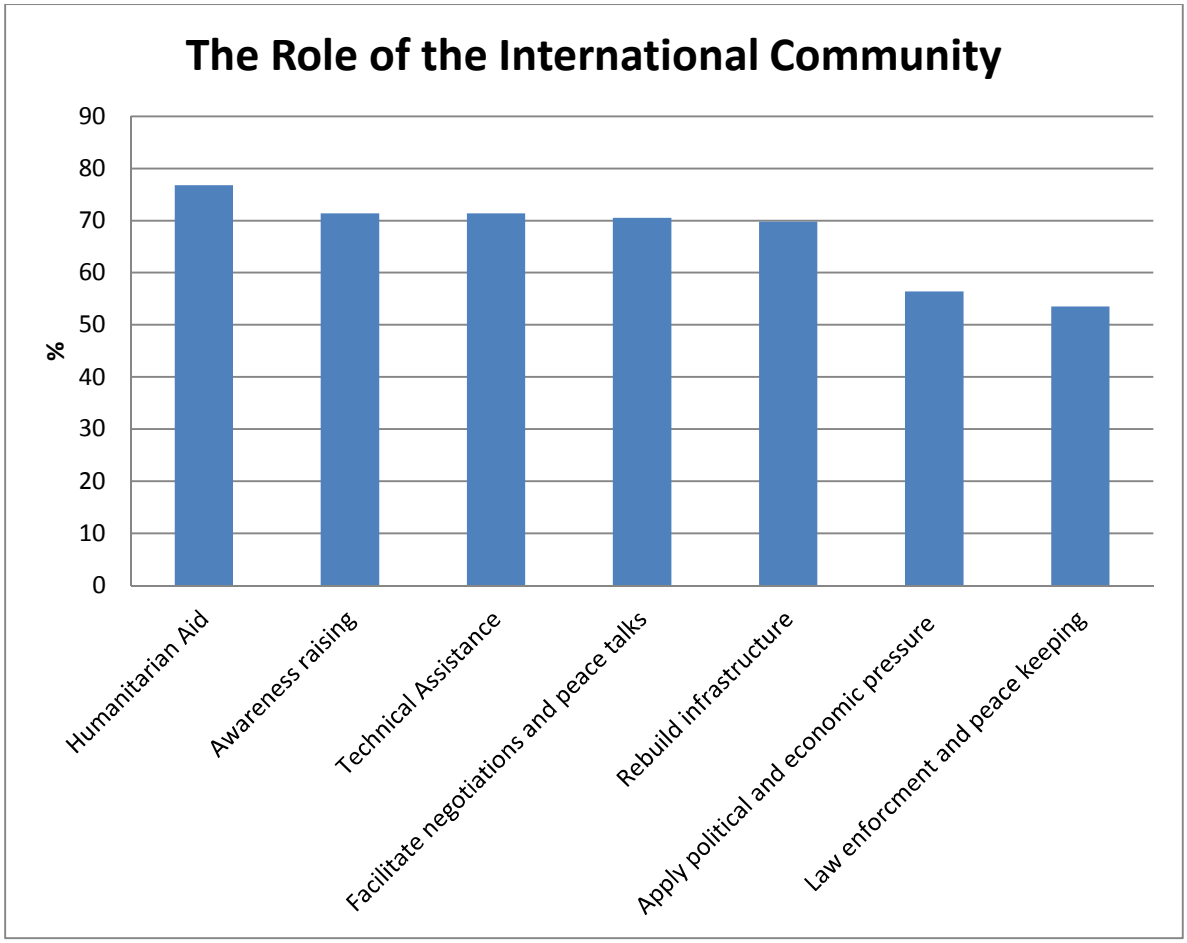
The role of the international community needs to be context specific and must be understood within the history of a country.

When we asked CSOs what they think is the role of the international community, we received the following responses in the graph below. 77% of respondents said that providing humanitarian and financial assistance was the most important contribution from the international community. Law enforcement and political pressure were identified by the respondents to be of lesser importance with 54% and 56% of people respectively considering them as very important.

An issue that CSOs frequently spoke about was the desire to have international solidarity and support for their work. 71% of the survey respondents told us 'Raising awareness of the plight of civilians who are

caught in areas of armed conflict' was very important and highlights the need for global networks and strong partnerships between international and local CSOs.

There have been recent announcements by political leaders in situations of conflict requesting the international community to abandon the political and economic sanctions that have been imposed upon their country.[22] From the CSOs we spoke to, it is the vulnerable communities that suffer the most from such measures by the international community.



Our analysis shows that in situations of conflict and post-conflict, civil society has an essential role to play in peacebuilding, implementing social accountability mechanisms and promoting good governance. The intervention of the international community on national and political issues is fraught with complications and has been highly questionable in the past.[23]

[22] http://www.guardian.co.uk/world/2011/apr/08/ivory-coast-ouattara-end-eu-sanctions; http://www.reuters.com/article/2009/03/04/us-zimbabwe-crisis-idUSTRE5233FW20090304

[23] For example see Background on conflict in Balkans In-Country Consultations

BALKANS REGION IN-COUNTRY CONSULTATION

BACKGROUND OF THE CONFLICT SITUATION

From 1991 to 1995, the former Yugoslavia was torn by a series of brutal wars between the different ethnic/national groups competing for dominance in a post-communist world. The dissolution of the communist system in Eastern Europe encouraged nationalist sentiments and laid the groundwork for the election of several separatist-minded governments in Yugoslavia by 1990. In June 1991, Slovenia and Croatia declared their independence, while the parliament of Bosnia and Herzegovina adopted a declaration of sovereignty a few months later.

The first of the conflicts occurred in the republics of Slovenia and Croatia, and then several months later spread to Bosnia, causing the most brutal chapter in the breakup of Yugoslavia.

In February 1992 the multiethnic republic of Bosnia and Herzegovina, where Catholic Croats, Orthodox Serbs and Muslim Slavs lived side by side, passed a referendum for independence. However not all Bosnian Serbs agreed. Under the guise of protecting the Serb minority in Bosnia, Serbian leaders channelled arms and military support to them, also wanting to unify all Serb-held land of the former Yugoslavia. The conflict that engulfed Bosnia and Herzegovina in 1992 was predominantly a territorial conflict, with a history of ethnic divisions and driven by the desire for independence and power.

Despite foreign governments imposing sanctions to keep fuel and weapons from Serbia[24], guerrilla forces carried out deadly campaigns of "ethnic cleansing," massacring and terrorising members (mostly civilians) of other ethnic groups to “purify” areas. The situation became the worst refugee crisis in Europe since World War II, with millions of people being driven from their homes by July 1992.

An attempted peace proposal in 1994 failed and residents of Sarajevo, Srebrenica, and other cities that the United Nations had in May 1993 deemed "safe havens" were massacred. Neither NATO air strikes nor the cut-off of supplies from Serbia prevented the blockades against humanitarian aid and detention of some of the UN troops intended to stop hostilities.

In December 1995 the leaders of Bosnia, Croatia and Serbia signed the Dayton peace accords, officially ending the wars in Bosnia and Croatia after about 250,000 people had died and more than 3 million others became refugees.

SOCIAL IMPACT

The deep and devastating social and economic effects of the conflict are still evident in the Balkans region today[25]. Forced migration of tens of thousands of people, deprivation of basic existential needs, health

[24] Serbia had (in April 1992) joined the republic of Montenegro in a newer and smaller Yugoslavia.

[25] For example, during the conflict the GDP of Bosnia fell by 75% and the destruction of physical infrastructure devastated the economy. Whilst figures show the GDP and per capita income increasing, the economy still faces significant difficulties.

disorders, high levels of disease related to stress and psychological disorders, all have long terms effects on the population[26].

The pervasiveness of corruption in the region is widely portrayed as a major cause of political and economic setbacks in several countries since 1995[27]. High levels of unemployment, a large trade deficit and mafia activity also remain significant problems in the region.

INTERNATIONAL COMMUNITY

The failure of the UN to stop the killing and massive violations of human rights and of humanitarian law in the region seriously compromised its credibility as it neared its 50th anniversary in 1995, as well as raising questions about the legitimacy of their armed intervention.

As the situation deteriorated, creating a humanitarian nightmare, the UN struck a deal with the Serbs to control the Sarajevo airport. In reality, the Serbs controlled the airport which was the scene of hundreds of casualties. UN humanitarian flights were repeatedly fired upon and civilians were killed by sniper fire as they attempted to escape across the tarmac.

Following the peace agreement in 1995, 60,000 NATO troops entered Bosnia to enforce the accords. In early 1998 about 30,000 NATO peacekeepers were still in Bosnia. Dozens of suspected war criminals had been indicted by the UN tribunal, although many had not been arrested or tried. International justice showed its weakness with the trial of former President Slobodan Milosevic.[28]

CIVIL SOCIETY

During the conflict the role of civil society organisations was blurred. Analysis shows that civil society organisations were involved in a combination of political and possibly military actions on the one hand, to deal with the *causes* of the conflict, and of humanitarian action to address the *consequences* of situations of violence on the other[29]. Attacks on civilians and international relief workers disrupted supplies of food and other necessities.

The conflict, and subsequent international intervention, has created complex dynamics for civil society. Civil society organisations received substantial aid from donors during the immediate post-war years in an attempt to strengthen 'civil society' and subsequently non-nationalist alternatives to the dominant political parties. The position and influence of civil society today in the Balkans remains limited and many international donors have reduced, or totally withdrawn, their operations in the region.

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[26] See "War Stress – Effects of the War in the Area of Former Yugoslavia" by Faculty of Pharmacy and Biochemistry, University of Zagreb, Zagreb, Croatia for further details and evidence of the increased incidence of specific diseases. See "Pediatrics: The official Journal of the American Academy of Pediatrics" study of the impact of the conflict on children in Bosnia. See "Aftermath: The impact of Conflict on women in Bosnia and Herzegovina" for a study of the conflict on gender.

[27] http://www.relooney.info/0_NS4053_73.pdf

[28] The International Court of Justice allowed Milosevic to decide his own defence, passively following its own timeline http://www.balkandevelopment.org/LessonsLearned/armatta.html

[29] Analysis of the challenges of civil society organisations to remain independent during the Balkans conflict: http://www.icrc.org/eng/resources/documents/misc/57jqcl.htm

The war and its effect on the social structure have rendered the development of civil society difficult. While some of the weaknesses can be attributed to region-wide phenomena, such as a lack of tradition of volunteerism and economic hardships, others are more specific. The ethnic divisions in the region, as well as its territorial expression through the creation of the several entities, have presented a further hurdle for civil society organisations.

Partnership and Participants

CIVICUS worked with the Macedonian Center of International Cooperation (MCIC) and Balkans Civil Society Development Network (BCSDN) to co-organise the Balkans regional consultation. MCIC demonstrated a thorough understanding of civil society in the Civil Society Index reports and has been a partner of CIVICUS for ten years. BCSDN has significant experience of regional coordination and coherence.

On 28 February-1 March 2011, twenty-three representatives from civil society organisations from Albania, Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro and Serbia gathered to discuss the challenges of civil society organisations as well as the needs for creating an enabling environment during conflict situations and in the post conflict period.

Sessions were facilitated by the Open Forum, BCSDN and CIVICUS; group work discussed the Open Forum Principles, Guidelines and Mechanisms in detail.

Challenges for CSOs working in situations of conflict

The following five challenges were identified for CSOs working in situations of conflict and post conflict:

1. Building and maintaining legitimacy and trust of CSOs. This includes addressing civil society's role, its neutrality or affiliations and its space to operate, as well as public perceptions, trust and image. Many CSOs are established during or after the period of conflict and it was recognised that credibility comes with time and impact
2. CSO ownership of priorities. CSOs must identify the role they want to play and seek to be guided by their own principles, yet pressure from governments and donors makes it difficult to do this.
3. Responsiveness and lack of power. CSOs face challenges with mobilising people, mobilising funds and capitalising on the roles and expertise of CSOs
4. Safety and security of staff and communities
5. Working with others, including establishing dialogue with CSOs, governments and donor coordination

"Impartiality" was a recurrent and controversial issue during group discussions. Many participants felt neutrality is impossible to achieve, but rather it was more important to be credible and legitimate in the work they do.

Open Forum Principles of Development Effectiveness

The workshop discussed the implementation and appropriateness of the Open Forum Principles of Development Effectiveness by answering the following questions:

1. *What is your organisation doing to implement these principles within your organisation?*

2. *How does the situation of conflict affect your ability to implement these principles? If so, how?*

3. *How could your organisation do better to implement these principles?*

The participants' responses are collated in the table below. We have divided the Principles into 3 groups as many of the activities and challenges are overlapping.

It was recognised that implementation differs according to the size and location of the organisation. The stage of the conflict has a significant impact of the implementation of the Principles.

1. What CSOs are doing to implement the Principles

Principle 1: Respect and Promote Human Rights and Social Justice **Principle 2: Embody gender equality and equity while promoting women's and girls' rights**	
Area of work	**What CSOs are doing to implement these Principles**
Training and Capacity Building	Regeneration of marginalised communities, including refugees, through training to give them the opportunity to work
	Capacity Building with women's organisations and established networks
	Providing support and opportunities for shared learning
	Training lawyers, judges, state attorneys on international human rights standards
Education and Awareness raising	Conducting education programme with citizens on human rights, social change and social justice issues
	Empowering vulnerable groups to know their rights
	Sensitisation about gender violence, victims of war, victims of violence using the media
Advocacy for improved legislation	Creating and developing links with parliament to draft laws on gender equity
	Advocacy and lobbying for laws, strategies and policies on human rights (Voluntary law) and on poverty and social inclusion
	Monitoring of judiciary
	Mainstreaming of human rights standards within legislation (security, migration, anti-discrimination, education)
	Advocacy and lobbying for implementation of positive laws on victims of war and victims of violence
	Working with government on design and improvement to NGO laws
Social Inclusion	Implementing a programme to assist workplaces implement equality policies in human resources and recruitment to reduce discrimination
	Mediating between communities and government
Victim support	Legal and political assistance to victims of conflict through establishing network of lawyers and media
	Medical, legal, social and psychological support to victims of conflict to overcome stigma
	Re-socialisation of ex-combatants
Enterprise	Implementing a programme originally established to assist refugees and now developed into an enterprise for social housing and businesses

Principle 5: Practice transparency and accountability Principle 7: Create and share knowledge and commit to mutual learning Principle 8: Commit to realising positive social change	
Area of work	**What CSOs are doing to implement these Principles**
Reporting	Publication and circulation of reports to promote public access to information including on sources of funding, internal structure and audit statements
	Financial reports for public institutions, such Finance Ministry
	Providing access to financial records to government for tax assessment
	Informing the public of organisation and campaign activities through the media
Internal control and practices	A well defined internal structure with an accountable and responsible Board of Directors to create internal procedure and policies
	Establishment and implementation of policies and procedures to ensure accountability and transparency, for example Manual and Guide on Good Governance
	Creation of an organisational Code of Conduct
	Stakeholders invited to internal meetings and minutes taken
Share knowledge	Participating in networks and coalitions at local, regional and international level to ensure effective and accurate knowledge sharing
	Utilising a diverse range of sources to strengthen legitimacy of knowledge, such as listening to NGOs that are not recognised in a formal way
	Exchanging experience through different expert conferences and meetings
	Development and publication of reports, manuals, expert articles on trauma, peace and violence issues
	Developing policy action plans based on research and analysis

Principle 3: Focus on people's empowerment, democratic ownership and participation Principle 6: Pursue equitable partnership and solidarity Principle 4: Promote environmental sustainability	
Area of work	**What CSOs are doing to implement these Principles**
People's empowerment	Capacity building focusing on local and marginalised groups
	Promoting self empowerment and ownership at individual level
	Leadership programmes
	Including beneficiaries in project planning phase, and in implementing programmes
	Facilitation of local advocacy initiatives
Partnership	Working with religious communities
	Promoting democratic institutions
	Developing and circulating citizens' report cards (survey among citizens to improve local authorities' effectiveness)
	Rural development

	Sectoral and specialist networking
	Inter-sectoral and cross- sectoral cooperation

2. Implementation Challenges in Situations of Conflict

Principle 1: Respect and Promote Human Rights and Social Justice Principle 2: Embody gender equality and equity while promoting women's and girls' rights	
Implementation Challenges in situations of conflict	**Reason**
Change of Priorities	All actors (donors, citizens and government) focus their priority on the conflict, forgetting other development issues
	CSOs are driven by people's needs in situation of emergency or by donors' focus areas
	Most activities during conflict are dedicated to promotion of and respect for human rights
Networking	Difficult to mobilise people after a conflict as they have become focused on their own interests. Conflict changes people and their approach to working with others.
	Coordination is more difficult, especially between CSOs created before the conflict and those created during the conflict
	Networks are weakened in post-conflict situations. Many networks are established by donors during the conflict and they face difficulties when donors leave the country at the end of the conflict due to lack of funds, the issues they work on and lack of clarity concerning status
	Competition for funds increases between CSOs in situations of conflict due to creation of new CSOs during conflict
Ongoing tension	Even if the conflict is officially over, it continues through disputes and tensions

Principle 5: Practise transparency and accountability Principle 7: Create and share knowledge and commit to mutual learning Principle 8: Commit to realising positive social change	
Implementation Challenges in situations of conflict	**Reason**
Sharing of information	Media are less interested in CSO reports than dramatic stories during the conflict
Fulfilling Donor Requirements	Greater requirements from donors in post-conflict situations
	There is not enough time and human resources during conflict to fulfill donors' requirements
	Reporting has to focus on activities implemented rather than prior planned priorities

Disclosure of information	Impossible to be completely transparent regarding some CSO activities due to threats of security - some information must be hidden because of a lack of freedom
Financial reporting	The bank system doesn't always function and the funds need to be allocated in cash

Principle 3: Focus on people's empowerment, democratic ownership and participation **Principle 6: Pursue equitable partnership and solidarity** **Principle 4: Promote environmental sustainability**	
Implementation Challenges in situations of conflict	**Reason**
	Decisions must be taken quickly in emergency situations, with little opportunity for democratisation and participation in decision making processes
	Difficult to resolve the fear and anger quickly in post conflict situations
	Efforts towards training and education to promote sustainability are de-prioritised

3. Ways to improve implementation

Principle 1: Respect and Promote Human Rights and Social Justice **Principle 2: Embody gender equality and equity while promoting women's and girls' rights**	
Area of work	**Identified areas where CSOs can improve the implementation of the Principles**
Advocacy	CSOs to advocate for systematic and long term changes in legal framework
	CSOs to diversify and find independent funding sources to enable greater flexibility in their advocacy work
	CSOs to take a more holistic approach to human rights and ensure their work includes women's rights

Principle 5: Practise transparency and accountability **Principle 7: Create and share knowledge and commit to mutual learning** **Principle 8: Commit to realising positive social change**	
Area of work	**Identified areas where CSOs can improve the implementation of the Principles**
Reporting	CSOs to work with government to establish a clear grant and reporting procedure to avoid confusion. This will prevent misinterpretation in reporting being used as an attack upon CSOs
Developing new tools	Improve and develop new tools to record organisational learning
	Develop a wide reaching Code of Conduct for NGOs
	In time of conflict, establish an assessment on transparency strategy

Principle 3: Focus on people's empowerment, democratic ownership and participation Principle 6: Pursue equitable partnership and solidarity Principle 4: Promote environmental sustainability	
Area of work	**Identified areas where CSOs can improve the implementation of the Principles**
	Develop partnerships and make stronger links between activities
	Find ways to improve security, creating a safe environment for the implementation of activities
	Seek to reduce the development gap between rural and urban areas
	Seek greater participation of citizens and obtain support from them on project design, implementation and evaluation
	CSOs must be inclusive and not exclude potential partners, such as Chambers of Commerce

The workshop discussed the external environment for CSOs working in a situation of conflict. We looked at the inter-related conditions that impact on the capacity of CSOs to operate in a sustained and effective manner. The following recommendations were produced for other key development actors.

Recommendations to Governments

1. Governments should maintain civil dialogue during situations of conflict, recognising CSOs as an integral part of (democratic) society

2. Governments should enable participation of CSOs in making policies, particularly regarding conflict reconciliation and peace negotiations

3. Governments should provide adequate security for CSOs during situations of conflict

4. Governments should ensure Human Rights are upheld, especially Freedom of Expression and Association. It is their duty to monitor human rights violations immediately after the conflict starts

5. Governments should encourage collaborative working between stakeholders, including government and CSOs.

Recommendations to Donors

1. Donors should exercise flexibility concerning use of funds during situations of conflict and, where possible, provide core funding to enable CSOs to operate more effectively
2. Donors should simplify the reporting procedures in conflict situations as there is little time and capacity for complex reporting
3. Donors should coordinate with local civil society to ensure complementary strategies. An open approach is required to be more responsive towards local CSOs' agendas.

4. Donors should ensure a thorough assessment of CSOs they partner with regarding the conflict situation
5. Donors should take risks in their work. Attempting to maintain neutrality can prolong conflict situations
6. Donors should not be focussed exclusively on humanitarian aid, but also maintain long-term support that will enable a more effective civil society in the post-conflict period
7. Donors should facilitate sharing of experiences, skills transfer and exchange visits
8. Donors should influence governments to involve civil society in decision-making processes and policy formulation
9. Donors should ensure and improve greater coordination between donor bodies
10. Donors should be present in the post-conflict period and enable long-term public strategies

Recommendations to International CSOs (ICSOs)

1. ICSOs should monitor and pressure governments to provide an enabling environment for CSOs
2. ICSOs should coordinate voices to lobby national policies
3. ICSOs should support democratic transition and defend human rights
4. ICSOs should include local civil society organisations in their strategies and provide political support for local initiatives
5. ICSOs should establish regional coordination networks
6. ICSOs should create sustainable partnerships with local civil society organisations which enable the transfer of expertise and sharing of experiences
7. ICSOs should work with local civil society organisations.

PHILIPPINES IN-COUNTRY CONSULTATION

BACKGROUND TO CONFLICTSITUATION

There are several ongoing conflicts within the Philippines which are multi-faceted and often overlapping. The southern island of Mindanao has been the focus of the Philippine government's conflict with Muslim separatists led by the Moro Liberation Front (MILF), as well as the communist revolutionary struggle for several decades. It is estimated that the conflicts have left 160,000 dead and displaced over 2 million people.[30]

The resistance to central control from the government in Manila flared up in the 1960s as growing numbers of Christians settled in Mindanao. It is believed the resettlement was fostered by a deliberate policy of the central government in Manila, and eventually resulted in Mindanao having a Christian majority overall, with Muslim areas being marginalised. This ongoing conflict heightened in 2008 when a memorandum that would have given the MILF control over land they claimed to be ancestral domain was declared unconstitutional by the Supreme Court.

Although religious differences have partly shaped the conflict, the roots of the conflict have been the clash of interests in natural resources and the identity issues emerging from the second-class status of much of the Moro population.

Widespread poverty and inequitable distribution of wealth and resources, including land, is a major cause of the conflict. Land is very important as it the livelihood of the majority of people, yet feudal ownership keeps it in the hands of the powerful elite. In addition, poor governance, injustice and abuse by those in power, human rights violations, corruption and inefficiency in government bureaucracy and the exploitation and marginalisation of the indigenous cultural communities are all drivers of the conflict. The conflict may be perceived to be between the rebel groups and the government, but rather it is between the People's Movement and the government.

SOCIAL IMPACT

Armed insurgencies by non-state actors, political violence and resource-based conflicts have contributed to the uneven development in Mindanao. Whilst the World Bank assesses the direct economic costs of the conflict as $2-3billion, they acknowledge this is dwarfed by the social costs.[31]

According to the most recent census in September 2007, the population of Mindanao was 21.5 million and the percentage of people living in poverty ranged from 30% to 55% in some areas.[32]

During the renewed hostilities in 2008 alone, 700,000 people were displaced. Data gathered in 2009 indicates that 254,119 people remain displaced.[33] A significant result of this displacement is the increasing

[30] AlertNet, November 2010, http://www.trust.org/alertnet/crisis-centre/crisis/philippines-mindanao-conflict
[31] *ibid.* See page 4-7 for calculation on direct and indirect economic cost of the conflict, including methodology and explanation.
[32] Listening Project Field Visit Report, Mindanao, 2009. Also the Philippine Human Development Report states that Mindanao includes some of the poorest provinces in the region, including Tawi-Tawi, Maguindanao and Sulu. See Philippine Human Development Report 2008/2009, page 113.
[33] Data gathered by the Maguindanao Provincial Social Welfare and Development Office, and the National Disaster Coordinating Council, cited by 'Listening Project', page 7.

number of women and children trafficked internally and internationally for domestic work. Although there is no database for the number of trafficked individuals per year, it is estimated that 800,000 Filipinos are trafficked out of the country each year, mostly women and those from the Mindanao region.

The rule of law – an essential ingredient for good governance and development – has been weak in the area. In addition to human trafficking, trading in illegal drugs and criminal activities spawned by substance abuse have become a major law and order problem in the area. Rampant kidnap-for-ransom activities and other crimes against person and property are a result of the bad security situation and directly related to the conflict.

INTERNATIONAL COMMUNITY

Aid to Mindanao comes in various forms, ranging from general and sector budgetary support, to project based technical assistance and humanitarian aid in response to conflict and natural disasters.[34] A significant proportion of aid comes in the form of military aid, most notably from the United States for counter terrorism operations.

CIVIL SOCIETY

The historical roots of civil society organisations are closely linked with the conflict and the uprising of the People's Movement. Student protests against the fascist government of Ferdinand Marcos during the 1970s and 1980s created a national movement, empowered by collective action and a uniting of all classes in society who were exploited and oppressed. When martial law was imposed, banning all civil society organisations, the groups went underground. In their efforts to push forward their work of organising, educating and mobilising people to fight the dictatorship, some of these urban activists formed non-government organisations and asserted their right to freely form organisations of citizens seeking to uplift their conditions of poverty. Therefore the civil society organisations emerged in support of and integral to the People's Movement to effect fundamental social change in society.

Other CSOs have also been formed with little motivation for political change. These mainstream CSOs have been established largely in Manila, for example by church groups, to provide humanitarian assistance and primarily focus on service delivery.

Much of the outside assistance by donors and international organisations either directly or indirectly supports the peace efforts in Mindanao through partnerships with CSOs, including interventions that promote reconciliation and build political space within the contested areas. There are also numerous locally initiated and community based efforts that use minimal outside resources to promote peace-building and development.

There are grave consequences for CSOs that work for the promotion of people's rights, with the government frequently accusing them of working with the rebels. Intimidation, illegal detention, torture and extra-judicial killings are often used by the state security forces to silence dissenting voices.[35]

[34] Mindanao received $1.95billion USD in 2007 in overseas assistance, approximately 30% of Philippines total ODA.

[35] According to the Karapatan documentation, there have already been ten victims of extra-judicial killings by the suspected state security forces in eight weeks from January to February 2011, and at least 40 victims since President Aquino took office eight months ago. Extra-judicial killings are averaging more than once a week under Aquino.http://www.karapatan.org/node/422

PARTNERSHIP AND PARTICIPANTS

CIVICUS worked with Karapatan to co-organise the consultation in the Philippines, with significant support from the Council for People's Development and Governance (CPDG) and Asia Pacific Research Network (APRN). The consultation took place in Mindanao in Southern Philippines as it is the region that has been at the heart of the 30 year conflict and a very difficult environment for CSOs to operate. CPDG coordinated the Open Forum national consultation in Manila in July 2010 so we focussed on working with CSOs that work specifically **on** conflict and peace-buildingor **in** the environment in Mindanao effected by conflict. Karapatan is an Alliance for the Advance of People's Rights and has been an Early Warning System partner of CIVICUS since 2008.

On 1 and 2 April 2011, twenty-five participants from civil society organisations in the Mindanao region gathered in General Santos to discuss the challenges of working within a conflict situation.

The workshop sessions were facilitated by Karapatan, the Open Forum, CIVICUS and CPDG. Day 1 of the workshop focused on the applicability and implementation of the Open Forum Principles of CSO Development Effectiveness. Day 2 focused on the enabling environment for civil society organisations working within a situation of conflict.

CHALLENGES FOR CSOS WORKING IN SITUATIONS OF CONFLICT

The following challenges were identified for CSOs working in situations of conflict and post conflict:

1. Government policies conflicting with CSO principles. There is a lack of alignment of the work of CSOs and the government development programmes. For example, the work of CSOs on climate change and disaster risk reductionstands in stark contrast to government mining projects
2. Threatening presence of the military
3. Weak official human rights protection
4. Overall lack of access to information

Open Forum Principles of Development Effectiveness

The workshop discussed the implementation and appropriateness of the Open Forum Principles of Development Effectiveness by answering the following questions:

1. *What is your organisation doing to implement these principles within your organisation?*
2. *How does the situation of conflict affect your ability to implement these principles? If so, how?*
3. *How could your organisation do better to implement these principles?*

The participants' responses are collated in the table below. We have divided the Principles into 3 groups as many of the activities and challenges are overlapping.

1. What CSOs are doing to implement the Principles

There was a recommendation to change Principle 1 from "Respect and promote human rights and social justice" to "Promote and *defend* human rights and social justice". Participants argued that civil society organisations should go beyond respecting human rights and actively defend them.

Principle 1: Respect and promote human rights and social justice **Principle 2: Embody gender equality and equity while promoting women's and girls' rights**	
Area of work	**What CSOs are doing to implement these Principles**
Education and awareness raising	Conducting training programmes and human rights education
	Organising quick reaction teams that monitor and document human rights violations
	Organising popular campaigns on human rights issues
	Conducting outreach into rural communities with basic human rights orientation
Capacity building	Sensitising communities and maximising the Red Cross protection programme
	Working with government officials and human rights violators to educate them on international human rights law
Advocacy	Encouraging implementation of the policy of local governments to appoint human rights officers
Legal action	Providing legal assistance and defence to hold the government accountable for human rights violations
	Lobbying for the government to comply with UN conventions they are party to

Principle 5: Practise transparency and accountability Principle 7: Create and share knowledge and commit to mutual learning Principle 8: Commit to realising positive social change	
Area of work	**What CSOs are doing to implement these Principles**
Reporting	Project and financial reporting directly to donors
Community meetings	Accountability to communities starts from the first interaction between the organisation and communities. The accountability is achieved through maintaining an ongoing relationship and working in solidarity for their rights.

Principle 8: Commit to realising positive social change	
Area of work	**What CSOs are doing to implement these Principles**
Education	Education and awareness raising of the root causes of poverty and working with communities to address these where possible
Capacity building	Capacity building for staff and constituents in leadership, education, organisation and mobilisation

2. Implementation Challenges in Situations of Conflict

Implementation Challenges in situations of conflict	Reason
Security	CSOs working on human rights issues are the target of surveillance, intimidation, direct harassment, illegal detention, torture and murder
	Public access to programme activities is possible when working within the situation of conflict in Mindanao. Being transparent about the project activities would make staff and communities vulnerable to attack by the state security forces.
	Being fully transparent about financial accounts of the organisation to the public can put the CSO at risk of being vulnerable to ransom
Conflicting interests	Government does not uphold the human, civic or political rights of citizens making sustainable development very difficult. The interests of the elite are put above the rights of the people.
	In some districts it is necessary to get the permission of the local government to work in the area. Being transparent about activities would give the local government the opportunity to prevent CSO projects.
Lack of rule of law	CSOs cannot operate effectively if the rule of law and legal framework of the country is violated

3. Ways to improve implementation

Area of work	Identified areas where CSOs can improve the implementation of the Principles
Reporting	It would be useful to have clarity on who CSOs are accountable to
	Accountability reporting should be sensitive to a context where documents being made accessible can endanger the CSOs
Mobilisation	CSOs must take to heart, promote and assert human rights and social justice. They have to take a collective stand against illegal arrest and detention of CSO workers

ENABLING ENVIRONMENT

The workshop discussed the external environment for CSOs working in a situation of conflict. We looked at the inter-related conditions that impact on the capacity of CSOs to operate in a sustained and effective manner. The following recommendations were produced for other key development actors.

RECOMMENDATIONS TO GOVERNMENTS

1. Government should genuinely uphold the sovereignty of the nation in the interests of the people
2. Government should repeal all repressive and anti-people laws and neo-liberal policies
3. Government should provide basic social services
4. Government should repudiate foreign debt that did not benefit the people
5. Government should recognise the socio-economic and cultural rights of citizens
6. Government should stop repression against development workers
7. Government should be sincere in negotiations with the revolutionary forces
8. Government should recognise the existence of CSOs as development partners and agents of change

RECOMMENDATIONS TO DONORS

1. Donors should create and strengthen links between local civil society organisations and international organisations, bodies and communities for joint lobbying, campaigning activities and possible resources to support local CSOs
2. Donors should be actively involved in the local and national campaigns and advocacy work of CSOs
3. Donors should take an active role in promoting the success of the peace process and call attention to the attacks on CSOs and human rights violations
4. Donors should take an active role in proposing and endorsing laws that promote citizens' rights
5. Donors should not impose policies that will jeopardise the operations of partner CSOs

6. Donors should support affirmative action for local CSOs and respect existing systems in place within CSOs

7. Donors should have a comprehensive impact assessment – together with local CSOs – to measure the effectiveness of the programme and projects they have funded

8. Donors should be accountable to the people for the implementation, completion and impact of projects

RECOMMENDATIONS FOR CSOS

1. CSOs should adapt to the context by applying creative ways of working alongside the tradition and culture of the community

2. CSOs should listen to the concerns of the community on local issues before designing and implementing advocacy strategy and messages

3. CSOs should ensure the empowerment of people in the communities through training and seminars

4. CSOs should strengthen the capacity and coordination of CSOs working in communities, especially at times when they are under threat, through networking and mutual support for major activities and the sharing of learning and best practices

5. CSOs should express solidarity with the community

6. CSOs should ensure all stakeholders understand the operating challenges of CSOs through awareness raising projects

RECOMMENDATIONS TO OTHER ACTORS

1. The Church and faith-based institutions should develop programmes to support marginalised communities. The Church should provide sanctuary, service the people and maximise national/international networks. *"Living out the concept of being a Church for the poor".*

2. Academic institutions to provide extension programmes that raise awareness of human rights

3. Lawyers should take a stand on particular human rights issues and provide free services to the people in need. They should provide support for laws that promote the rights of the people and help to popularise the issues

4. Media should be involved in the exposure of issues and encouraging public opinion in favour of people's interests. CSOs and media to strengthen links in the "Stop the Killing" network, which particularly addresses the murder of journalists

ACTION POINTS TO TAKE FORWARD

- Statement from the consultation to be written to highlight the need to rephrase Open Forum Principle 5 regarding Transparency and Accountability. Karapatan and CPDG to coordinate
- Participants to continue engagement with the Open Forum and have another activity in preparation for Busan in November 2011
- Form an e-group on Development Effectiveness issues and use www.cpdg-de.blogspot.com
- Participating organisations to share discussions of the workshop and thematic consultation with their organisations
- Participants to have a dialogue with donors and share outcomes of the workshop
- Possibly one participant from the thematic consultation to attend the Open Forum Regional meeting in May 2011. Suggestion for Karapatan or InPeace to represent the group.

STATEMENT OF THE PHILIPPINE CSO PARTICIPANTS IN THE THEMATIC CONSULTATION ON CSOs WORKING IN SITUATIONS OF CONFLICT ON THE OPEN FORUM PRINCIPLES and the PROPOSED GUIDELINES ON THE PRINCPLES OF TRANSPARENCY AND ACCOUNTABILITY

We, participants in the thematic consultation on CSOs Working in Situation of Conflict, composed mainly of human rights defenders, humanitarian workers and grassroots development workers from Luzon, Visayas and Mindanao affirmed the ***Istanbul Principles on CSO Development Effectiveness.*** The ***Open Forum Principles*** reflected in a global dimension the core values and principles millions of CSOs worldwide live to contribute in unique and essential ways to development as innovative agents of change and social transformation.

As part of the Philippine CSOs and the people's movement for social change, we are proud to claim that the ***Open Forum Principles*** are inherent within us; that we have been living by the core values and principles of CSO development effectiveness long before these principles were formulated and affirmed by 170 CSO representatives from 82 countries in September 2010.

Working even in the most dangerous situations – political repression, wars, gross human rights violations – we hold firmly to the core values that guide our efforts for social transformation. We believe in democracy, sovereignty and national development; we uphold social justice, a bias for the poorest and the most vulnerable sectors, gender fairness and human rights; we advance people's participation and empowerment; we engage in development cooperation and promote social solidarity; we believe in transparency and accountability, and affirm civil society as an integral part of good governance.

As we strive for genuine development for the people and the communities we work with, we CSOs perform various tasks as social services providers, campaigners and advocates, educators and trainers and many more other tasks. All these we do to build the capacities of people and communities towards empowerment and development – for them to claim and assert their basic rights, their right to development.

As CSOs, we get our mandates from the people and communities we serve and work with and thus derive our legitimacy from the people's support and recognition for what we do. In return, we CSOs have always been transparent and accountable to the people whom we commit to serve.

Working amidst conflict situations and amidst political repression by the state, we CSOs who work in raising the people's awareness on why they are poor, empowering them to assert their rights and in building their capacities to improve their lives have experienced being harassed, illegally arrested and detained, tortured, witch hunted and tagged as being either NPA or MILF members or supporters, of being terrorists, arsonists and other trumped up criminal charges. Many still fall victim to extra-judicial killings and enforced disappearance.

It is in this context that we CSO participants in the thematic consultation on CSOs working in situations of conflict seek to express our serious concerns on the proposed guidelines of ***Principle 5 – Practise Transparency and Accountability***in the Global Framework Paper, which read:

a) Provide public access to all constitutive CSO policies and documents and publish regular audited financial and programmatic reports, including reports required by regulatory bodies

b) Provide an accessible list of major counterpart organisations involving a financial partnership, taking account where specific information may endanger the partners' organisations and/or lives of people associated with the organisation
c) Provide timely and accessible responses to information requests, including utilisation of appropriate languages and provision of accurate information provided to the public
d) Promote and practise a democratic culture within the organisation with accountable and effective leadership, assigning clear responsibilities, transparent operational policies and demonstrating integrity, honesty and truthfulness.

We find these guidelines, particularly ***guidelines a and b*** very inconsistent with the global framework's paper explanation on CSO Accountability Challenges, page 13 which states that:

> ***"CSO accountability is much more than accessible audited financial records. In their role as development actors, the measure of CSO accountability requires comprehensive attention to demonstrating sustainable development outcomes for the poorest and most marginalised in claiming their rights"***

We very strongly feel that guidelines ***a and b*** narrowly define the guidelines for the accountability and transparency effectiveness of CSOs and may become detrimental for CSOs.

Having reports published or providing accessible lists of major counterpart organisations ***does not demonstrate sustainable development outcomes for the poorest and the marginalised in claiming their rights.*** Many grassroots CSOs in the Philippines do not have audited financial reports. These grassroots CSOs instead have simple financial systems, unpublished but responsibly shared and reported to their members. They may not meet the proposed transparency and accountability guidelines of the Global Framework paper but they nevertheless practise transparency standards that gain the confidence of their members and constituency.

In a practical sense, we fear that ***guidelines a and b*** satisfy and institutionalises only the restrictive requirements of donors and governments regarding CSOs. These guidelines may become CSOs' pitfall as they maybe used to repress CSOs critical of the programmes and policies of donors and governments or to discriminate against small or grassroots CSOs. Already we have experiences where some CSOs who are sincere in exploring engagement with donors and government have been excluded from certain processes because they do not meet *"regulatory standards".*

And in a more practical sense, as CSOs working in situations of conflict who in many cases are also targets of attacks, we fear all the more that the guidelines which require us to divulge information on our finances and major financial partners will endanger the safety and security of our partners, the community and the people we serve. We cannot risk or compromise the safety of the partners we work with and the people/sectors we serve.

We strongly recommend a rethinking and reformulation of the guidelines on the transparency and accountability principle, ***with the reformulation essentially making clear who is accountable, to whom and for what?***

Our experiences working in a hostile environment where even the most minimum enabling standards such as government's commitment to respect and observe fundamental human rights to free expression, association and assembly and to operate free of unwarranted state inference are not guaranteed have

taught us that we have to persevere to widen the space and create an enabling environment for CSOs to effect meaningful and lasting change for the people.

In conclusion, for us CSOs, breathing life into the Open Forum Principles means working hard to assert our rights and our roles as development actors in our own right.

ZIMBABWE IN-COUNTRY CONSULTATION

BACKGROUND OF THE CONFLICT

Zimbabwe has been in conflict for much of its three decades of independence. The intra-state conflict is neither ethnically based nor a fully fledged military war, but rather the people of Zimbabwe are against the political elites. The relations between civil society and the military institutions are hostile, causing the majority of Zimbabweans to live in fear.

At the root of Zimbabwe's problems is a corrupt political elite that has behaved with impunity for over two decades. As the absolute head of state for the period of the country's independence, much of the blame for the current state of affairs is placed on Robert Mugabe. His government is determined to hang on to power and is prepared to use violence and severely punish Zimbabweans that speak out against the government.

A major part of Zimbabwe's conflict stems from the land reforms that were enacted by Mugabe's government in an effort not only to correct the unequal distribution of land, but also to restore legitimacy to his government. In the decade after independence, neither the government nor the white settler farmers made significant efforts to redistribute land. As the economic situation worsened in the 1990s the masses were angry and the independence war veterans publicly demanded the compensation promised which government officials had swindled. In an effort to prevent resistance to his regime, the president gave war veterans free access to land and the government forcibly displaced white farmers. Resistance resulted in brutal beatings and death and soon afterwards, in an effort to maintain his power, Mugabe began to clamp down on many other aspects of society.

In 2000 Mugabe lost the election for constitutional reform, signalling that people had voted against the regime in clear protest for the first time. Mugabe responded to this opposition with increasing repression and violence. The government resorted to introducing new restrictive legislation, arming war veterans and youth militias to intimidate citizens, suppressing dissent, severely censoring the media, manipulating food aid and violating human rights.

In the presidential election held in 2008, Mugabe lost to Morgan Tsvangirai yet refused to cede power. Widespread state-sponsored violence left hundreds of supporters of the opposition party dead and thousands injured[36]. In 2009, Mugabe reluctantly entered into a power-sharing government with Tsvangirai becoming Prime Minister, yet there have been few improvements in the governance and humanitarian situation of the country.

The political elite are largely responsible for the meltdown that has turned Zimbabwe from one of Africa's most prosperous countries into a country that has suffered rampant inflation[37], critical food and fuel shortages and ranks 134 out of 180 on the global Corruption Perception Index.[38]

[36] During this period of elections in 2008, 200 MDC activists were killed, 5 000 tortured and more than 10 000 required medical treatment. We can also refer to the death of several Ministers.
http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7952

[37] In April 2008 annual inflation stood at over 165,000%

The government has continuously failed to investigate and prosecute killings, torture and politically motivated violence in the country. There has been no accountability for the genocide in Matabeleland that suppressed the Ndebele ethnic opposition, killing between approximately 20,000 citizens in the early 1980s, and still this impunity continues today. There are grave concerns about future violence as many of those who committed serious crimes during the 2008 elections continue to live in the same communities, sometimes next door to their victims. A CSO activist told us "*Zimbabwe will not be able to hold free, fair and credible elections until it restores the rule of law and ends impunity for serious human rights abuses. The government needs to end political violence and show that it can deliver justice*".

Violation of human rights is widespread in Zimbabwe. There is no Freedom of Expression, with journalists frequently attacked, arrested and detained by the police. Several laws have been introduced to limit access to information including the Access to Information and Protection of Privacy Act (AIPPA) in 2002. The law gives government the power to revoke licences, seize equipment, jail journalists for up to two years or fine them. For many people this was a move by the government to stamp out an independent press and silence any dissenting voices. There are severe restrictions on foreign journalists visiting Zimbabwe and it is illegal for journalists to criticise Mugabe and the government.

The media reforms that have been undertaken under the power-sharing government since 2008 are inconsequential, despite government claims that real change has occurred. Zimbabwe still has no independent daily newspaper or private broadcaster for either radio or television[39].

Social Impact

Since 1994 the average life expectancy in Zimbabwe has fallen from 57 to 34 years for women and from 54 to 37 years for men. Every week, three thousand five hundred Zimbabweans die from the combined effects of HIV/AIDS, poverty and malnutrition. A breakdown of the public services including health care and sanitation provoked a cholera epidemic in 2008, reportedly killing over 4,000 people.[40] In addition, hundreds of thousands of Zimbabweans, including much-needed professionals, have emigrated. The rate of unemployment is estimated at 95%.[41]

Credit: Sokwanele - Zimbabwe

[38] See Transparency International 2010 Corruption Perception Index. Zimbabwe dropped from position 65 in 2001, to 166 in 2008. Significant improvement is evident since the unity government in 2008, with the country moving up 32 places in the Index. http://www.transparency.org/policy_research/surveys_indices/cpi/2010
[39] See Human Rights Watch Report, Sleight of Hand, for more information http://www.hrw.org/en/reports/2010/04/20/sleight-hand-0
[40] Médecins Sans Frontières, http://www.tropicalmedandhygienejrnl.net/article/S0035-9203(10)00229-4/fulltext
[41] CIA World Factbook 2011 http://www.indexmundi.com/zimbabwe/unemployment_rate.html

INTERNATIONAL COMMUNITY

In an effort to pressure Mugabe into stepping down, the major western powers and bodies such as the US, UK and European Union have imposed sanctions and cut aid to the government. They have been largely ineffective and are making the humanitarian crisis even more severe for the people. It was hoped the regional bodies would have been more effective but they have been disappointingly passive. African Union and SADC members have done little about the human rights abuses and even major African powers like South Africa have been hesitant to criticise the regime.

CIVIL SOCIETY

Political rights and civil liberties in Zimbabwe, including freedoms of assembly and association, are severely restricted. Parliament in 2004 passed the Non-Governmental Organisations Act, which bars the registration of foreign NGOs engaged in "issues of governance," including human rights organisations, and bans domestic "governance" NGOs from receiving foreign funding. The act also expanded the definition of NGO to include religious and environmental organisations. Freedom of religion has generally been respected in Zimbabwe but churches have been increasingly politicised, with splits along political lines, leading to restriction on freedom of worship at a number of churches.

Members of politically oriented NGOs are routinely arrested, imprisoned and assaulted. Security forces have at times prevented humanitarian agencies from delivering aid in rural areas. In June 2008, the government ordered a halt to all non-governmental humanitarian work, including the distribution of food aid[42].

There is evidence that the government is increasing the clampdown on civil society organisations in 2011 with the possibility of elections later in the year. There have been the same number of arrests of activists between January and March 2011 as in the whole of 2010. An indication of the government's intention to shutdown citizen action was the police raid of a gathering of people watching a video about citizen demonstrations in North Africa. In February 2011, forty five trade unionists, students, lawyers and workers were arrested, beaten and accused of treason.[43]

WORKSHOP: PARTNERSHIP AND PARTICIPANTS

CIVICUS worked with the National Association of Non-Governmental Organisations (NANGO) to co-organise the Zimbabwean consultation on CSO Development Effectiveness. CIVICUS has maintained a strong partnership with NANGO since 2008, working together on the Early Warning System project and Affinity Group of National Associations.

Three participants from each region of Zimbabwe attended the workshop in Harare on 28 and 29 March 2011. All the participants worked for CSOs that are familiar with working within the conflict situation in Zimbabwe. The activities of their organisations included human rights monitoring, advocacy for access to essential services, peace-building projects with the youth and health provision. Many of the participants and their organisations face frequent threats and harassment from the government and security authorities.

Unfortunately we had to abandon the workshop after Day 1 due to security concerns for the CIVICUS members of staff and participants. The workshop was not able to conclude all the planned discussions but

[42] http://www.freedomhouse.org/template.cfm?page=384&key=158&parent=13&report=74
[43] http://www.civicus.org/civicus-home/1675

focussed on the applicability and relevance of the Open Forum Principle of Development Effectiveness in their context.

OVERVIEW OF ZIMBABWEAN CSO PERSPECTIVES ON THE NATURE OF THE CONFLICT AND HOW IT IMPACTS THEIR WORK

There was a clear and unanimous agreement with participants that Zimbabwe is currently in a situation of conflict.[44] The conflict is complex and multifaceted, meaning different things to different people depending on their social, economic and political disposition.

In Zimbabwe the conflict is, at different times, **both armed and unarmed** depending on the stage of the violence. Because the situation is not always an open conflict, some donors and external actors do not consider Zimbabwe a priority country for peace-building and reconstruction. One CSO participant told us "*In Zimbabwe the conflict is a negative peace. It is the absence of the right to education, the right to health and the right to expression".*

For many people the conflict is a **silent conflict** which is inflicted by the authorities, using fear to suppress the empowerment of the people. A CSO participant described the situation in this way: *"To some people, and those outside Zimbabwe, it may seem like there is no conflict here. But they are misguided. The arrests, detention and even disappearance of opposition voices are part of the regime's plans to keep the people quiet. We have a silent conflict because people are scared to speak out".*

The fear generated by the government that silences the people has been on-going in Zimbabwe for many years and seeks to weaken the spirit of the opposition. Participants described how **physical intimidation** is commonplace and several of the CSO workers had suffered threats of beatings and detention by security authorities. We heard that "*even by coming together for this workshop of CSO Development Effectiveness in situations of conflict we are risking our safety."*

Other consequences of the fear and conflict are **apathy** among citizens and an attitude of dependency. We heard how an attitude exists within society to take anything you can from anyone because the government will not provide for the citizens. "*The Diaspora is the oxygen for the Zimbabwean people."*

Participants described how the government uses fear as a strategy to divide society. Government informants are rewarded materially and granted impunity as they are helping the authorities erode trust between citizens. Even within civil society organisations there are often government informants and infiltration of CSO meetings was cited as one of the major challenges facing the effectiveness of CSOs.

The conflict in Zimbabwe is between one side that is institutionalised (the government) and the other side that is oppressed (the citizens). The participants considered that what seem like isolated acts of violence are still part of the conflict. There are different stages of the conflict and events such as riots and clashes are the result of escalating and constant tensions. The coordination of the opposition in Zimbabwe has to be underground by its very nature, so clashes and events that may appear uncoordinated are actually part of the strategy of the opposition.

[44] This contradicts the Uppsala Conflict Data Programme that assesses the situation in Zimbabwe as post-conflict since 2008.

CHALLENGES FOR CSOS WORKING IN SITUATIONS OF CONFLICT

1. The **Politicisation of Society**, including CSOs. All aspects of life are assessed for their potential to mobilise people and make collective demands. Society is divided upon political affiliations and every government institution is highly politicised, leading to a selective and restrictive application of law (such as the Access to Information and Protection of Privacy Act (AIPPA) and the Public Order and Security Act (POSA)

2. **Lack of security and fear**. Intimidation and attacks by both formal and informal security on CSOs and the wider society directly threatens the works of CSOs

3. **Lack of coordination** within civil society due to a lack of trust. High levels of corruption and government informants within civil society organisations create an atmosphere of mistrust. This has several pervasive effects: 1) no sharing of information and no mutual learning, particularly between new and old CSOs, and 2) more competition for legitimacy and resources than collaboration

4. **Mobilisation and utilisation of resources**. Inflexible donor policies make it very difficult to manage funds as their priorities do not match the reality on the ground

5. **Maintaining the legitimacy of CSOs.** The mobilisation of people is a problem because of citizen fatigue and apathy.[45]

OPEN FORUM PRINCIPLES OF DEVELOPMENT EFFECTIVENESS

The workshop discussed the implementation and appropriateness of the Open Forum Principles of Development Effectiveness by answering the following questions:

1. *What is your organisation doing to implement these principles within your organisation?*

2. *How does the situation of conflict affect your ability to implement these principles? If so, how?*

3. *How could your organisation do better to implement these principles?*

The participants' responses are collated in the table below. We have divided the Principles into 3 groups as many of the activities and challenges are overlapping.

[45] It was noted that these challenges are experienced in each region of Zimbabwe, although the operating environment concerning relations with local governments and with communities varies.

1. What CSOs are doing to implement the Principles

Principle 1: Respect and promote Human Rights and Social Justice Principle 2: Embody gender equality and equity while promoting women's and girls' rights	
Area of work	**What CSOs are doing to implement these Principles**
Training	Leading peace-building workshop and facilitating dialogue in communities
	Conducting security training for human rights defenders
	Running gender focused peace-building programmes
	Conducting education and awareness of Human Rights to communities
	Providing civic and legal education to people in prison
Knowledge Generation	Carrying out research and dissemination of information on Human Rights abuses
	Monitoring the implementation of legislation
Mobilising	Mobilising people to call for their rights using artistic, sports and religious meetings
	Organising youth road trips to strengthen links with rural areas
Advocacy and lobbying	Engaging in advocacy activities on civil society registration policies and legislation to restrict women's rights

Principle 5: Practise transparency and accountability Principle 7: Create and share knowledge and commit to mutual learning Principle 8: Commit to realising positive change	
Area of work	**What CSOs are doing to implement these Principles**
Sharing knowledge	Putting in place internal policies to ensure orientation and induction for new staff
	Organising sectoral meetings to share best practice on service delivery
Communication	Putting together publications of organisations' activities and regular news letters
	Organising public exhibitions of the organisations' work
	Organising field days to enable communities to meet with staff and learn about the activities of the organisation in order it to increase accountability
Inclusiveness	Ensuring the concerns of community driven projects are heard and empowering them
	Putting in place social accountability mechanisms within the communities to hold CSOs and government to account
	Carrying out strategic engagement with the authorities
Evaluation process	Applying Monitoring and Evaluation standards
	Holding joint meetings with stakeholders and beneficiaries
	Holding Annual General Meetings and election of leadership
	Applying financial and management policies
	Carrying out regular financial audits and reporting

Principle 3: Focus on people's empowerment, democratic ownership and participation Principle 6: Pursue equitable partnerships and solidarity Principle 4: Promote environmental sustainability	
Area of work	**What CSOs are doing to implement these Principles**
Involve communities	Training of community leaders and stakeholders
	Establishing peace and advocacy committees
	Implementing participatory governance systems
Environmental sustainability	Conducting Environmental Impact Assessments of various projects
	Engaging traditional leaders to implement the Indigenous Knowledge System
	Encouraging eco-tourism
	Supporting conservation farming

2. Implementation Challenges in Situations of Conflict

Implementation Challenges in situations of conflict	Reason
Governmental oppression	Government has decreased operating space of CSOs by infiltrating meetings or creating its own NGO to infiltrate and control the sector
	The corruption of CSOs to join the party in return for power and resources
	The government has created its own NGOs to infiltrate and control the sector
Achieving “Neutrality”	CSOs struggle to maintain neutrality in the conflict situation. In some instances if an organisation doesn’t support one party/side of the conflict, its safety is threatened. Even “neutral” organisations are accused of supporting the opposition.
Donors constraints	No flexibility in donor funding
	Donor priorities dictate funding, not the needs of the communities

3. Ways to improve implementation

Areas of work	Identified areas where CSOs can improve the implementation of the Principles
Advocacy	Keep challenging the government (such as advocating for the improvement of workers' rights and miners' conditions)
	Create a common and concrete position with recommendations regarding national laws concerning civil society, using evidenced-based research
Create a civil sector	Strengthen joint working within the civil society sector and produce joint positions
	Strengthen and maintain relationships with key stakeholders from other sectors, in order to improve the protection of the organisation
	Creating an opportunity to define the identity of CS (identity crises of CS: who, where, how) and take advantage of the diversity of actors
Internal performance	Develop long term programme and communication strategies, incorporating risks and the external environment
	Establish self-regulatory accountability systems for CSOs
	Involve communities in the development of CSO programmes in order to increase ownership, accountability and effectiveness
	Be sensitive to issues of culture in our project implementation

Recommendations

These recommendations have been developed by CIVICUS using the key findings from this study. They are based on recommendations produced by participants at the in-country consultation in the Balkans, the Philippines and Zimbabwe, as well as our analysis ofthe key findings emerging from the questionnaire.

The recommendations are what we think needs to be done to improve the enabling environment for CSOs working in situations of conflict. They are shaped for development actors to increase the capacity of CSOs to operate in a sustained and effective manner.

Recommendations to Governments

1. Governments should provide adequate security for civil society organisations during situations of conflict, and put in place an official policy on the protection of human rights defenders/ civil society activists

2. Governments should ensure full application of the law in the pursuit of justice. Human Rights violators and those that attack civil society members including members of security forces must be properly prosecuted and punished forthwith

3. Governments should ensure that all Human Rights are upheld, especially Freedoms of Expression, Association and Peaceful Assembly. They must monitor and control human rights violations immediately after the conflict starts

4. Governments should maintain and encourage civil dialogue between all stakeholders during the situation of conflict. They must recognise CSOs as development partners and agents of change. CSOs are an integral part of society and have an important role in conflict reconciliation and peace negotiations

5. Governments must recognise the rights and legitimacy of civil society by ensuring the existence and application of enabling laws for CSOs to operate effectively in line with internationally guaranteed human rights standards and best practices

6. Governments must uphold internationallaw and diligently carry out reporting to multi-lateral institutions in respect of their human rights obligations.

Recommendations to Donors

1. Donors should develop adaptable and flexible funding mechanisms to enable CSOs to operate more effectively and be able to react to external circumstances

2. Donors should adapt reporting procedures and accountability mechanisms to be more suitable to situations of conflict. A comprehensive impact assessment framework should be developed, together with local CSOs, that is appropriate in situations with reduced civil society capacity

3. Donors must improve coordination with local civil society to ensure complementary development and humanitarian strategies. Donors must be more responsive towards local priorities and maintain

an open and inclusive relationship with local CSOs that respects existing systems in place. They need to have a thorough analysis of the context in which they are operating

4. Donors should ensure their programmes build the capacity of local CSOs through facilitating the sharing of experiences, skills transfer and exchange visits. They should strengthen links between local civil society organisations and international organisations, bodies and communities for joint advocacy activities

5. Donors should take an active role in proposing and endorsing laws that promote citizens' rights and peace processes

6. Donors must be open and transparent about their activities. They must be accountable to the people for the implementation, completion and impact of projects

7. Donors should be aware of the impact of their activities and implement the OECD Principles for Good International Engagement in Fragile States and Situations. There must be greater coordination between donor bodies

8. Donors should be willing to take risks in their work and recognise that attempting to maintain neutrality can prolong the conflict situation

9. Donors should not be focussed exclusively on humanitarian aid, but maintain sustainable and long-term support for civil society organisations that will enable a more effective civil society in the post-conflict period

Recommendations to Civil Society Organisations

1. CSOs should build networks and coalitions to strengthen the effectiveness of their work. They must recognise that joint activities involving different stakeholders can improve the capacity, increase the legitimacy and provide protection for civil society activists. The networks should be multi-stakeholder and can operate at a local, national and regional level

2. CSOs should facilitate the empowerment of the people in the communities through training and seminars

3. CSOs should establish opportunities for sharing expertise, experience and best practices

4. International CSOs should include local civil society organisations in the design and implementation of their programmes to ensure their activities are suited to the needs and priorities of the local communities.

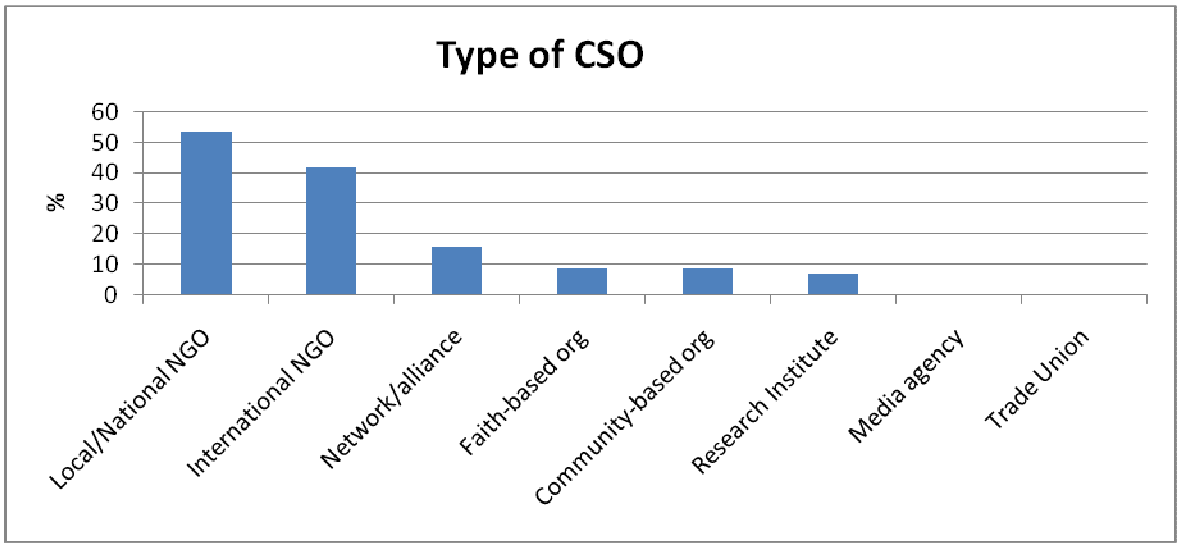
5. CSOs must adapt to the context where they are working by applying creative ways of working alongside the tradition and culture of the community

6. International CSOs should raise awareness of local issues and express solidarity with local CSOs. They should utilise their international networks to increase understanding in the international community about the operating challenges of local CSOs.

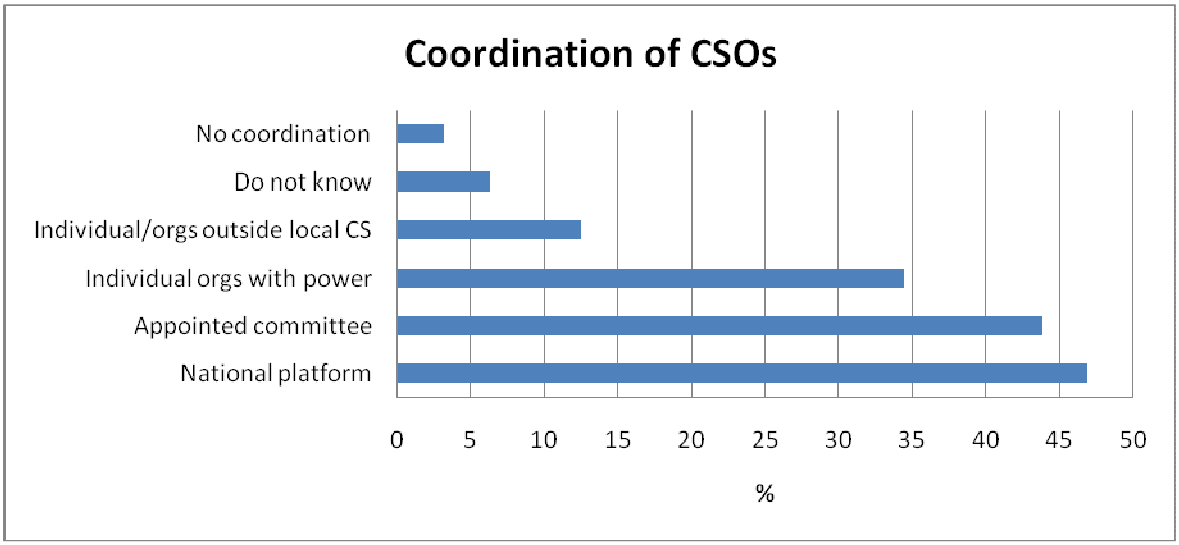
7. CSOs must express international solidarity across borders with their colleagues facing hardships in difficult situations. They must lobby their governments to ensure an enabling and safe environment for civil society members in conflict situations.

ANNEX 1: SUMMARY OF SURVEY RESULTS

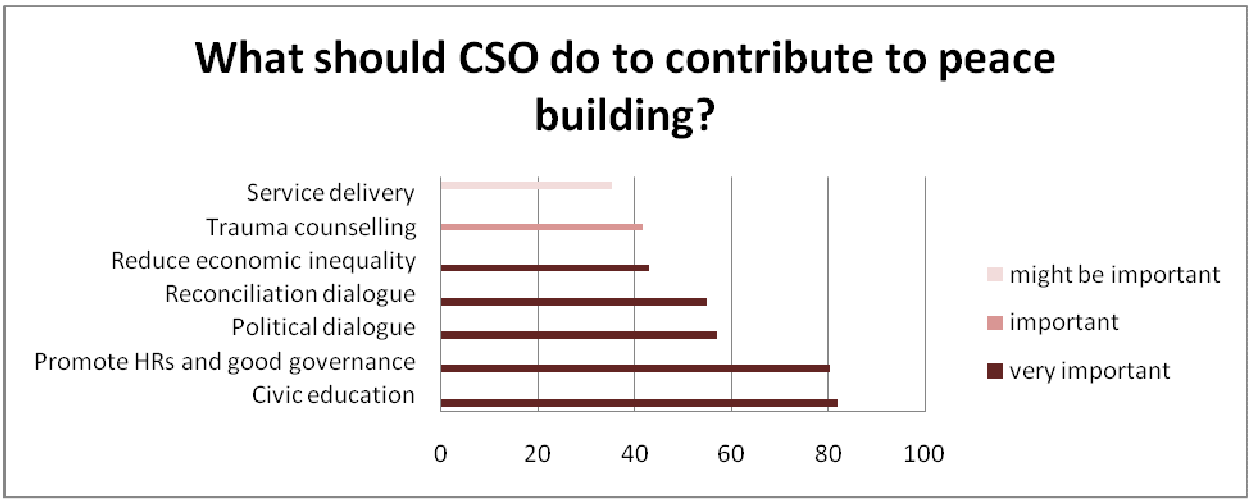
When we asked respondents the type of CSO they work for, we received the following response:



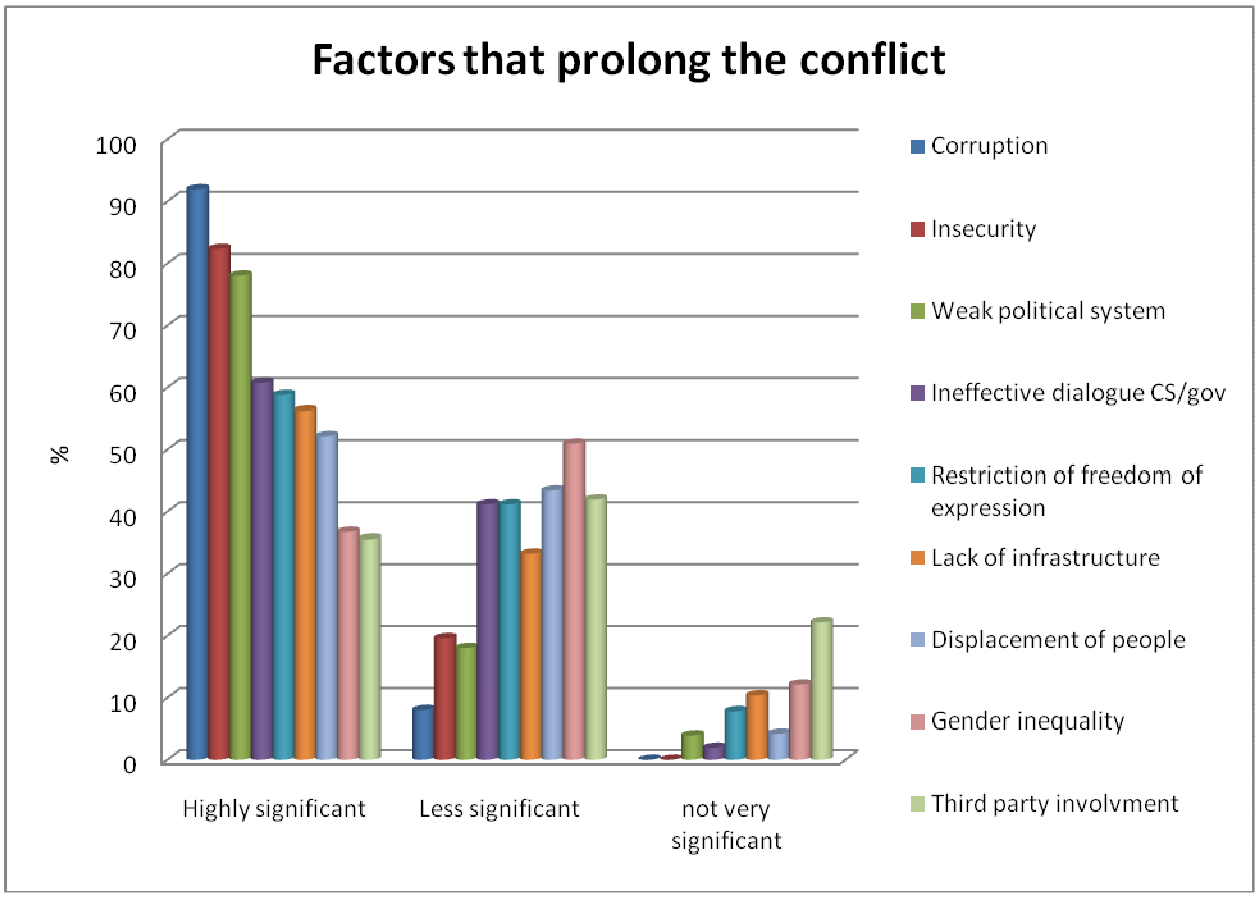
To gain an understanding of networking among CSOs during periods of conflict, we asked CSOs what kind of organisation was coordinating joint civil society initiatives:



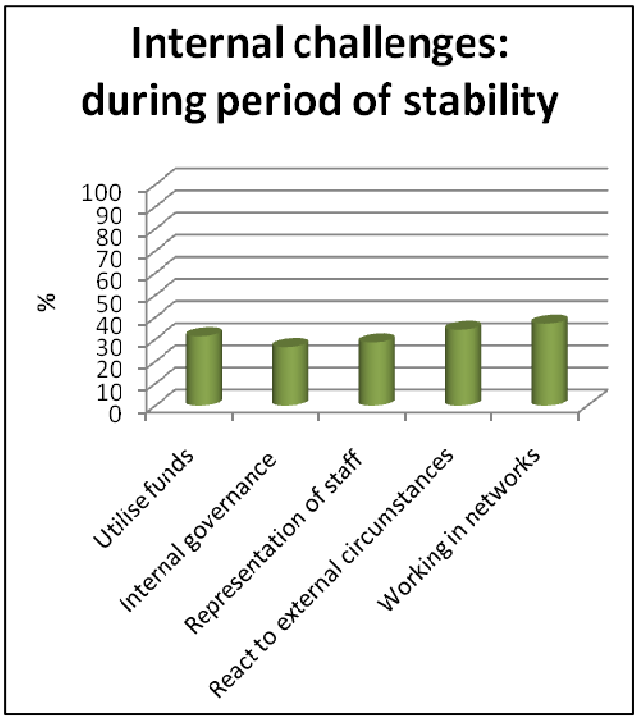
We asked respondents what CSOs should do to contribute to peace building and define the role they can play to foster non-violence. We compared the results with the activities they are implementing.

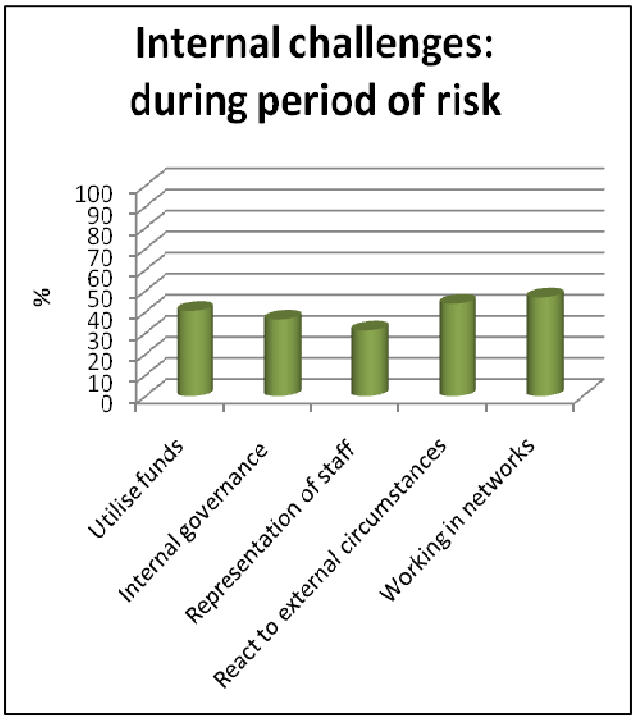


We asked the question "To what extent do the following nine factors prolong the negative effects of the situation of conflict".

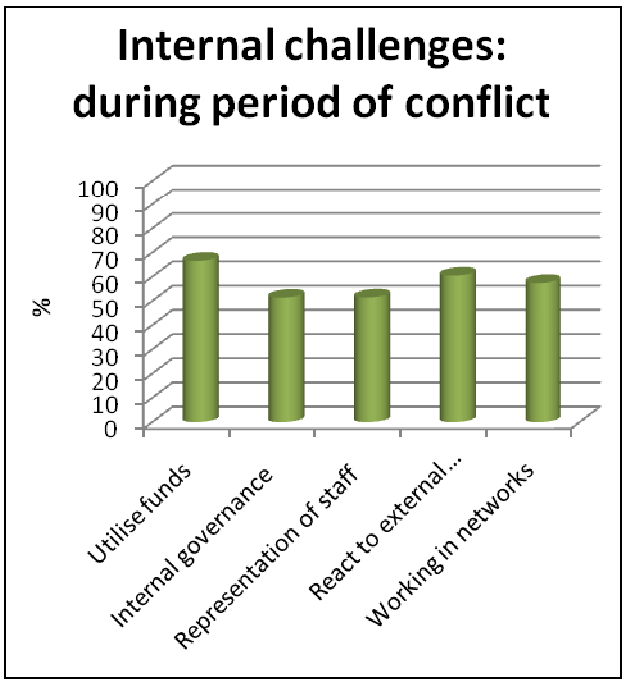


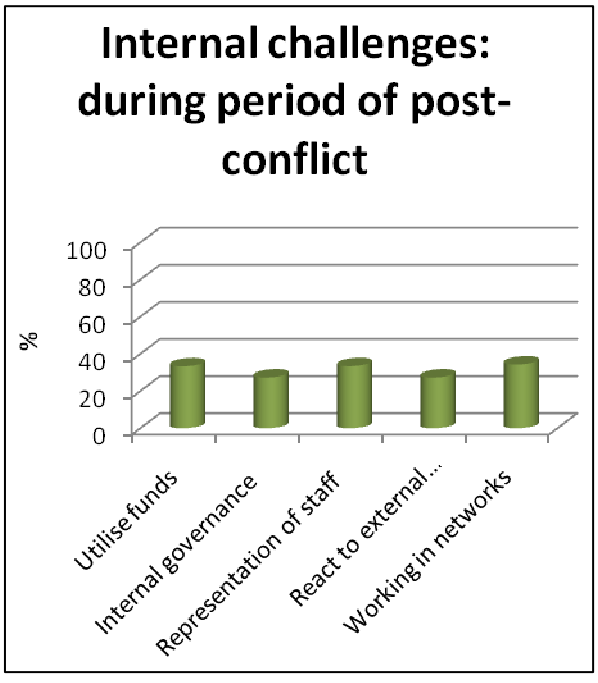
We assessed the different intensity of internal challenges during different stages of the conflict





We found that all challenges suddenly become more difficult in situations of conflict. Working in networks is the main difficulty in each phase, but particularly during conflict. Representation of staff is not a challenge during periods of stability and periods of risk, but becomes one of the main difficulties in periods of post-conflict. Implementing internal governance procedure is consistently the lowest challenge.

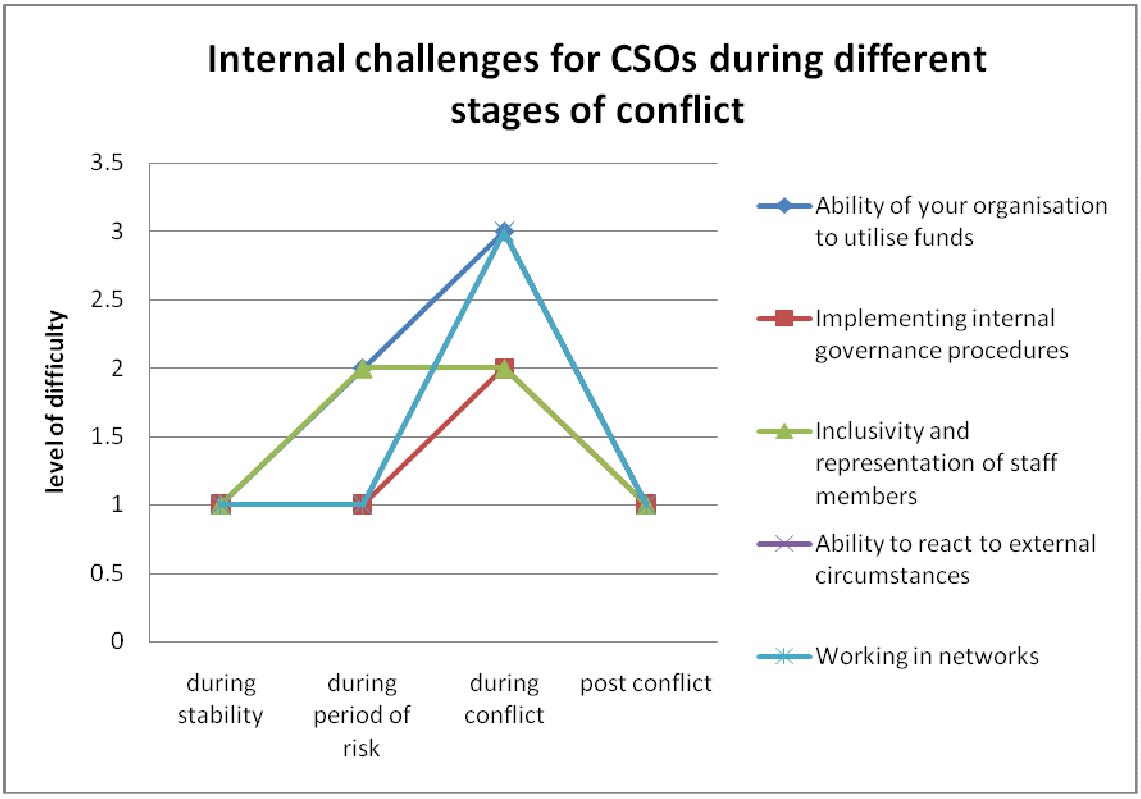




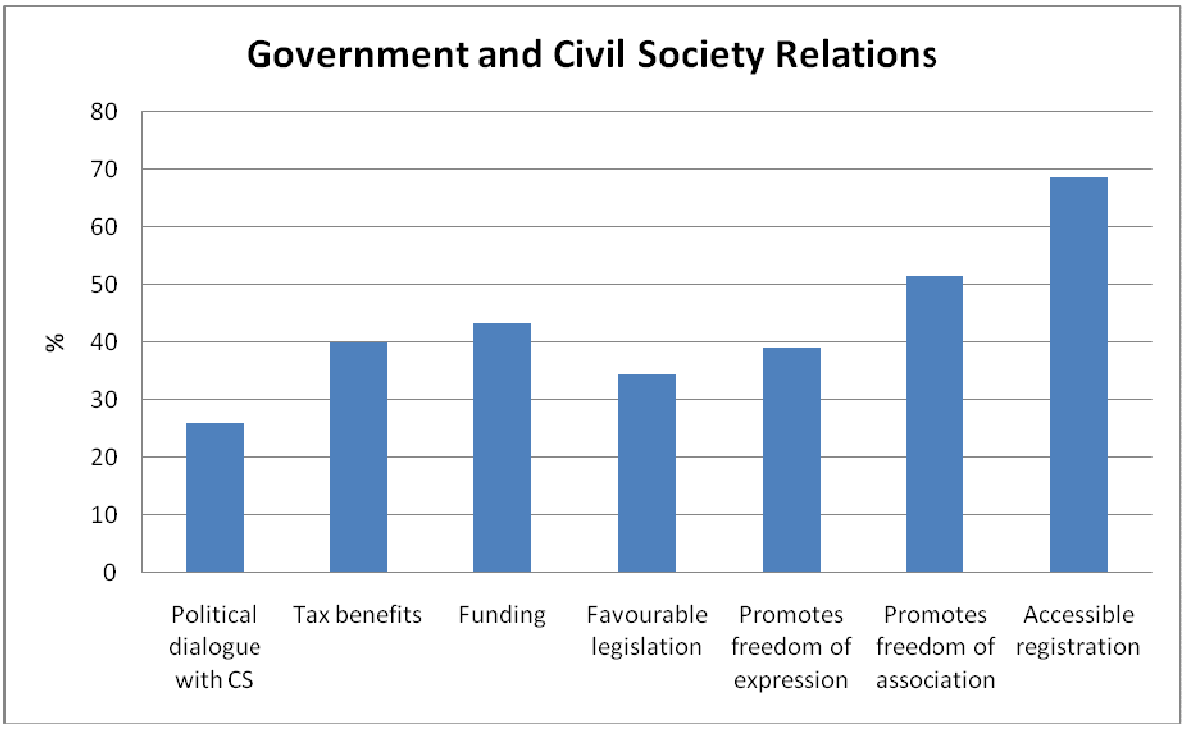
This graph brings together different aspects of our key findings. It maps the main internal challenges of CSOs during different stages of the conflict situation. We asked people to tell us about 1) the ability of their organisation to utilise and manage funds, 2) the implementation of internal governance procedures, 3) the inclusivity and representation of staff, and 4) the ability to react to external circumstances.

The graph shows that all challenges become more difficult during conflict, especially the ability to react to external circumstances and the ability to utilise and manage funds. Organisations are often not able to adapt their projects to meet new circumstances and needs of the community.

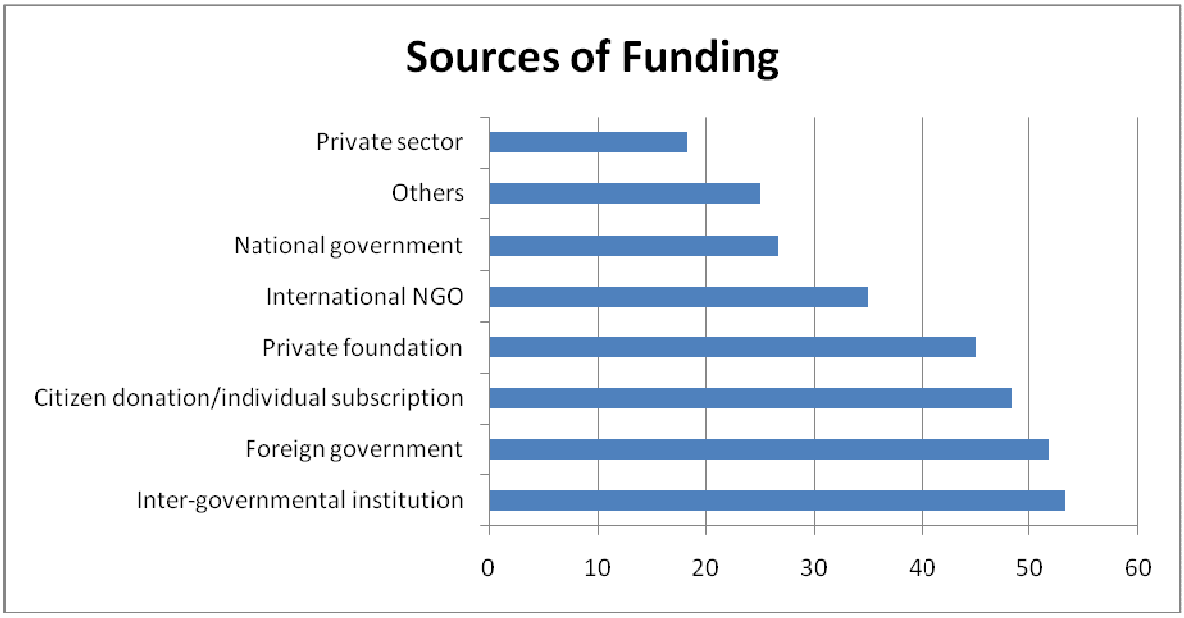
The ability of organisations to implement internal governance procedures is not affected by periods of risk, but does become more difficult during periods of conflict.



When we asked how the government supports civil society we got the following responses:

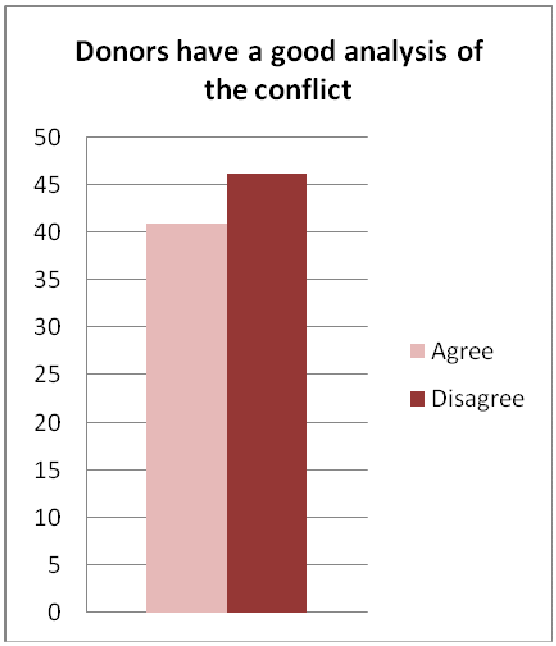


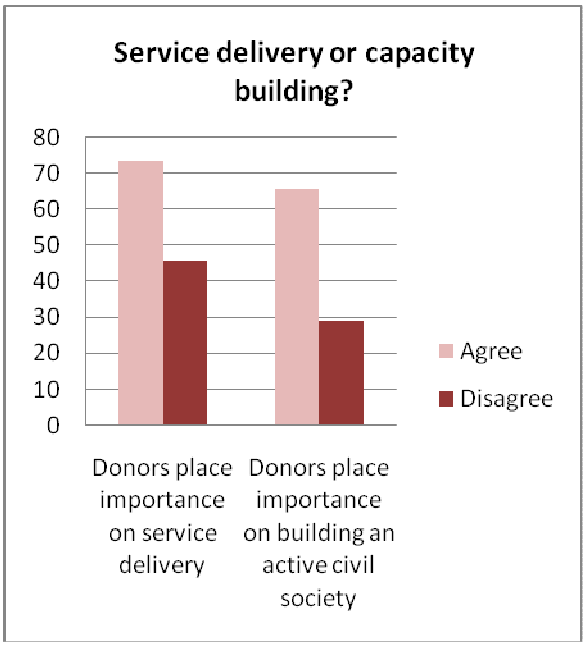
When we asked who funds the organisation, we got the following responses:



We wanted to get an understanding of CSO perceptions about the work of donors.

We asked CSOs about the activities that donors are willing to fund in their country: 74% of respondents agreed that donors place importance on service delivery; compared to 60% who agreed that donors place importance on building an active civil society.





Open Forum Principles of Development Effectiveness

We asked the survey respondents about the implementation and appropriateness of the Open Forum Principles of Development Effectiveness. When asked the following question we received the responses in the table below:

- *How does the situation of conflict affect your ability to implement these principles? If so, how?*

We have divided the Principles into 4 groups as many of the challenges are overlapping.

Implementation Challenges in Situations of Cconflict

Principle 1: Respect and Promote Human Rights and Social Justice	
Implementation Challenges in situations of conflict	**Reason**
Security	People are oppressed and scared. There is limited opportunity and high risk related to promoting human rights
Lack of information	Little data available of incidents of human rights violations
	Lack of knowledge about international human rights law such as Geneva Conventions and Declaration of Human Rights. Greater work needs to be done in translating, promoting and supporting human rights, the humanitarian principles and international law so that they are not used only on the side of the government or Western-affiliated civil society organisations.
Tensions	Hatred and tension between different ethnic and religious groups have been amplified due to conflict
Principle 2: Embody gender equality and equity while promoting women's and girls' rights	
Tradition and societal pressures	Cultural barriers are manifest in taboos and prejudices, sometimes exacerbated by the conflict
	Difficult to tackle as people retreat into traditional family and gender dynamics in times of danger
	Women are regarded as second class citizens so their opinions do not matter
	Women and children are the first victims of conflict

Principle 3: Focus on people's empowerment, democratic ownership and participation	
Implementation Challenges in situations of conflict	**Reason**
Lack of peace	Reduced number of activists as a result of fear
	This is very important, both for the sustainability of short-term programmes as well as the long-term development of the professional classes and civil society. However, as with women's rights, individual empowerment and democratic ownership/participation cannot exist in a vacuum. It is dependent on a negotiated peace that brings all conflicting parties to the table and a leader who is effective in promoting the common good above the many long-standing ethnic, tribal and economic differences within that country or region.
	Undemocratic leadership; no space for inclusiveness
Displacement	In situations of conflict, people cannot participate meaningfully, because they are in camps or they are victims of conflict
Principle 4: Promote environmental sustainability	
Competing priorities	The focus in conflict is mainly on human beings other than the environment
	Conservation of the natural environment is very important but inevitably takes a backseat to people's basic needs in low-resource or conflict settings. Greater creativity in developing programmes that support and protect the environment within the context of poverty and instability/insecurity is needed, given that trees are cut for firewood, housing and basic needs; river basins and water tables are contaminated due to lack of waste management services, basic water and sewage systems, and public education; and disputes over ownership of key natural resources (e.g., land, oil, minerals, etc.) are often the underlying causes of the conflict. Environmental sustainability may not address these issues and cannot be expected in a conflict setting, particularly one as long-standing as in Afghanistan

Principle 5: Practise transparency and accountability	
Implementation Challenges in situations of conflict	**Reason**
Security	May be dangerous
Lack of capacity	Insufficient internal capacity (whether in terms of internal monitoring and control systems or basic # and qualifications of staff)
	Urgency of activities
Competition	Basic competition over resources between CSOs (depending on how donor funding is allocated)
Weak infrastructure	Lack of consistent or transparent government rules and regulations to which the CSO must abide
	There is little pressure as citizens are not organised to demand accountability during conflict
Principle 6: Pursue equitable partnerships and solidarity	
Principle 7: Create and share knowledge and commit to mutual learning	
Weak infrastructure	Obstacles in channels of communication
Competing priorities	Divisionism among the communities questions partnerships and solidarity
	Competition for donor funding
	The mandates of the various stakeholders are different in post conflict situation
	Lack of understanding of the importance of coordination and mutual learning
	Competition between national and international CSO/NGOs, and differing mandates and programme priorities
Insecurity	CSOs do not want to share knowledge for fear that that knowledge would be used against them
	Greater sharing of knowledge cannot be fully possible until the country is politically and economically stable and is no longer characterised by armed conflict
	The widespread insecurity means that it is not always safe or advisable to share information or promote what your organisation is currently doing or is planning to do. Also, with the psychological operations being conducted by various parties to the conflict, especially in rural areas where there is lower education attainment and less space for CSOs to operate, no one knows for sure what the information shared publicly will be used for

Principle 8: Commit to realising positive sustainable change	
Implementation Challenges in situations of conflict	**Reason**
Lack of peace	In long conflicts, the opposition is fragmented and hard to reach
	Positive change can only come after the conflict, and people need to be ready. It is not within the power of CSOs to end the conflict or to enforce peace

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