

POLICY SUPPORTING PROGRAM (PSP)

FRAGILITY AND RESILIENCE

Civic Space and the Leaving No One Behind Principle

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& Jan Van Ongevalle

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Introduction

Civil society actors (CSAs) are increasingly confronted with changes in civic space, particularly in contexts of high fragility and rising authoritarianism, where they are exposed to multiple risks and restrictive measures that limit their action capacity. This paper explores how CSAs respond to these changing dynamics and what strategies they employ to continue their critical work in fragile contexts. It also examines the unique challenges CSAs face when representing highly marginalized communities - often the first to be hit by risks.

This document is part of Work Package 3 (Civil Society and Leaving No One Behind) for the Policy Support Programme (PSP) on Fragility and Resilience (REFRACT Project). The PSP is funded by the Belgium's Directorate-General for Development Cooperation (DGD) to draw relevant policy suggestions on how DGD can continue its work in the Sahel Region, especially Burkina Faso, Mali, and Niger, which are currently facing a stressful scenario that combines poverty, growing authoritarianism, and extreme vulnerability towards climate change. The central questions driving this paper are: A) How do CSAs navigate changes in civic space, particularly in fragile and authoritarian contexts? B) What strategies are available to different types of CSAs, and how are these implemented in practice? C) What are the implications for CSAs working with or representing marginalized populations whose needs and rights are often ignored or actively repressed? D) How can donors better support CSAs' agency in fragile contexts? The document provides a preliminary exploration of these questions, drawing from a desk review of pertinent academic research and grey literature on civic space, fragility, and the Leave No One Behind (LNOB) principle. The adaptive strategies of

CSAs when facing growing restrictions are an underresearched area (Lorch, 2023). This gap is even more acute when analyzing fragile contexts such as the Sahel region. This document provides an overview of the different strategies of CSAs worldwide to secure their existence and continue working with marginalized communities, drawing lessons on fostering more effective international cooperation policies to help them navigate fragile settings. The findings, which have direct implications for grant-making, civil society organization (CSO) funding, and other forms of support, are especially pertinent for Belgium's DGD and its international partners. In a second paper, to be published further in the REFRACT project, these findings will be contrasted with the experiences of local CSAs in the three countries prioritized by DGD in the Sahel region.

The paper is organized into five sections. Section 2 defines civic space and presents some of the most frequent strategies that state and non-state actors use to affect it. Then, it defines fragility and explores some of the additional challenges fragile contexts convey for civic space. Section 3 introduces the LNOB principle and analyzes how it can enhance civic space analysis. Section 4 explores different strategies CSAs employ to engage with the most vulnerable when facing shifts in civic space. Finally, Section 5 drafts seven recommendations for donors interested in supporting CSAs in fragile contexts.

Civic space in fragile contexts

2.1. What is civic space?

This document discusses how civil society adapts and responds to shifting civic space in increasingly hostile and fragile contexts. Civil society is a dynamic and sometimes ambiguous concept, with its definition varying across ideological positions, disciplines, and historical and cultural contexts. As such, it must be treated carefully and relationally (Bebbington et al., 2008).

In this document, civil society is understood as a political arena distinct from the family, the market, and the state, wherein actors with diverse voices, interests, and power positions engage in, debate, and contest matters that organize social life (Bebbington et al., 2008; Vaes et al., 2016). It is primarily associated with interconnectedness and collective action, involving voluntary, independent, and self-governing organizations that address common or public interest issues. However, it also encompasses individual actions and interventions from non-formally organized actors (e.g., social movements) (Briones Alonso & Van Ongevalle, 2023; Buyse, 2018). Therefore, following Biekart et al. (2023), this document refers to civil society actors (CSAs) and practices rather than organizations.

Much of the literature on CSAs (particularly CSOs)¹ has emphasized their role in furthering democratic values and development goals (Anheier et al., 2019;

¹ Although there is not a single definition, Civil Society Organizations (CSOs) commonly refer to organized actors with different degrees of formalization that represent collective interests and values, and that operate independently from the state and the market. This definition includes a wide range of actors, from Non-Governmental Organizations (NGOs), faith-based groups, and professional organizations, to local informal organizations (Mulyasari & Shaw, 2012).

Moldavanova et al., 2023). Liberal theories have portrayed them as ‘schools of democracy’ where citizens can learn and practice civic engagement, build trust norms, and converge different voices in the policy arena while serving as watchdogs vis-à-vis governments. Following the Washington Consensus in 1989, these narratives were adopted by development organizations and international institutions, which depicted CSAs as essential to the good governance agenda, aiming to secure participation from local communities, promote transparency and accountability, and bolster service provision and democratic state building (Moldavanova et al., 2023). An example of this adoption is the significant increase in the World Bank’s percentage of programs involving CSOs, rising from 20% to 88% between 1990 and 2015 (World Bank cited in Brass, 2022, p. 149). In recent decades, these theories have faced criticism for overlooking the role CSAs play in supporting autocracy and clientelist systems and promoting ‘uncivil’ values such as right-wing populism. Nevertheless, even from more radical perspectives, CSAs have shown that they can act as a countervailing force against overbearing states and antidemocratic actions. Consequently, in contexts of rising authoritarianism and political and economic instability, CSAs’ agency is threatened (Moldavanova et al., 2023).

Civic space and CSA’s agency are intrinsically intertwined (Biekart & Fowler, 2023). In essence, civic space represents the capacity of CSAs to ‘maneuver.’ This space is shaped by the legal, bureaucratic, and political environment that enables, constrains, controls, and guides civic agency (Biekart et al., 2023; Buyse, 2018). In liberal societies, civic space is linked with freedoms of association, assembly, and expression that are safeguarded by the state and define the parameters within which CSAs can autonomously operate (Bhusan et al., 2018). While acknowledging the relevance of the formal protection of these freedoms (e.g., laws that secure rights), following Van Wessel (2023), we identify three pitfalls in this approach. Firstly, it downplays the role of informal institutions and non-state actors in enabling and limiting civic agency, such as international donors’ financial support and influence (Zook et al., 2023) or intimidation from violent groups (Greenfield, 2020). Secondly, it assumes that democratic principles are always the ‘starting point’ of civic space or that the diverse range of CSAs equally prioritizes these principles. Finally, it assumes that CSAs experiment with similar maneuver opportunities

and limitations throughout civil society (van Wessel, 2023). In this sense, drawing a tacit link between civic space and the protection of freedoms undermines the political essence of civil society as it fails to consider who and what agendas benefit the most in specific settings.

To address these issues, we highlight two characteristics of civic space. Firstly, **civic space is not given but created** by CSAs who negotiate, push, and claim ‘enabling conditions’ to exercise their agency (Buyse, 2018). This approach recognizes that these conditions can be attained to varying degrees and through different channels beyond legal frameworks. More importantly, it recognizes the critical role of civil society and civic agency in conquering rights and freedoms.

Secondly, **civic space is neither static nor uniform** (Lorch, 2023); it must be socio-politically and historically contextualized to comprehend how CSAs are affected by civic space and vice versa. This calls for an analysis of civic space that incorporates a temporal perspective and framing to identify what opportunities for agency are available (for whom and when) and what type of actions (immediate, long term, etc.) CSAs could prioritize (Biekart & Fowler, 2023; van Wessel, 2023).

The following subsection focuses on some of the current challenges for civic space and their implications for CSAs’ agency.

2.2. Shifting civic space

Civic space is being challenged globally as CSAs are facing increasing limitations due to growing intolerance towards dissident ideas and actions (Anderson & Gaventa, 2023; Biekart et al., 2023). The CIVICUS 2023 report estimates that nearly a third of the world’s population currently resides in countries with ‘closed’ civic space (CIVICUS, 2023). In civil society literature, this phenomenon is commonly referred as the ‘shrinking’ of civic space, denoting the increasing pressure and constraints encountered by CSAs that diminish their range of action either by inhibiting activities or minimizing their impacts (Lorch, 2023). These limitations may arise from both state and non-state actors and include formal and informal strategies (Zook et al., 2023).

Some of the most prevalent ones are:

Enactment of repressive legislation: using arguments that invoke transparency and accountability, governments introduce tighter, arbitrary, and selective regulations to undermine CSAs agency (Anderson & Gaventa, 2023). These regulations restrict collective action by curbing the establishment and registration of CSOs, limiting and banning their activities, and intensifying surveillance of funding sources, especially foreign funding (Gutbrod, 2017). All major regions of the world have adopted restrictive regulations against CSAs, including examples like the NGO Bill in Uganda (2015) and the Law on Associations and Non-Governmental Organizations (LANGO) in Cambodia (2015) (Dupuy et al., 2015; Gutbrod, 2017). These regulations do not necessarily eliminate CSAs. Still, they can be utilized to compartmentalize and divide actors by favoring those deemed as apolitical (e.g., service-providing organizations) while persecuting those dedicated to political activities and human rights protection (Buyse, 2018). Additionally, they add administrative and economic burdens on CSAs (Greenfield, 2020). As a result, these measures can dilute civil society's political essence and confine it to specific agendas and tasks that CSAs consider safer to pursue to secure their survival.

Discourses and labels: state and non-state actors turn to discursive means to delegitimize CSAs using derogatory terms and tags to portray them as common 'enemies' (e.g., 'terrorists') or as lacking the credentials to represent citizens (Bille Larsen & Balsiger, 2021). For example, in Hungary, terms like 'privileged', 'elite organizations', and 'foreign agents' have been employed to label CSAs receiving foreign funding and to differentiate them from grassroots organizations (Gutbrod, 2017). Discursive strategies aim to polarize the public on the existence and work of CSAs and deter criticisms from other actors, such as the state. If not addressed, they can impact CSAs' safety, making them targets of physical and verbal attacks (Buyse, 2018). This discourages their freedom of expression and diminishes their capacity for influence and action.

Violence, harassment, and intimidation: states may employ direct violence, using police and security forces to seize and imprison CSAs (Greenfield, 2020). Intimidation can also manifest through non-violent means such as legal charges, surveillance, and direct restrictions. An example of the latter is when governments choose to block or hack the websites and internet accounts of CSAs, compelling them to utilize web servers abroad (Buyse, 2018). According to Anderson and Gaventa (2023), intimidation and violence have increased since the COVID-19 crisis as governments saw the opportunity to police CSAs more aggressively in the name of public health, dispersing gatherings, restricting protests, and curtailing press freedoms. Likewise, non-state groups, including criminal gangs, businesses, and drug traffickers, are increasingly targeting CSAs when feeling threatened by their activities, sometimes in coordination with governments (Greenfield, 2020). This combined pressure puts significant strain on CSAs who must seek to ensure their physical safety and well-being.

Box 1

Direct violence against human rights environmental defenders: the case of Berta Cáceres

Environmental human rights defenders are under threat worldwide. Between 2002 and 2019, over 2,000 defenders were killed in 57 countries, most of them in Latin America and the Philippines (Grant & Le Billon, 2021). Environmental human rights defenders are characterized for fighting against changing land use, infrastructure projects, and other activities that put the people and ecosystems in specific environments and territories at risk (Bennett et al., 2023). Besides violence, they are victims of defamation, threats, and criminalization, including labeling practices that portray them as “enemies of the state” (Bille Larsen & Balsiger, 2021). A notorious case of this incessant persecution is of Berta Cáceres in Honduras.

Berta Cáceres was an indigenous and human rights activist who defended the territory of the Lenca people, an ethnic group spanning Honduras and El Salvador. As a co-founder of the Civic Council of Popular Indigenous Organizations (COPINH), she led campaigns against activities that violated environmental rights and the territorial properties of indigenous communities in Honduras. Cáceres confronted illegal loggers, plantation owners, and dam projects that threatened to cut off basic resources to indigenous communities (Martins, 2015).

Cáceres notably opposed the construction of the “Agua Zarca” dam, a hydroelectric megaproject on indigenous Lenca territory. The campaign included a year-long road blockade that incited harassment from state forces. In 2015, she was awarded the Goldman Prize, the highest honor for environmental defenders worldwide. At the same time, national business leaders criticized her actions and accused her of “boycotting” development projects with the support of international organizations (Mediavilla, 2022).

In March 2016, unidentified assailants broke into Cáceres' home and murdered her. During the trial, it was revealed that executives of DESA, the private company behind the hydroelectric project, hired hitmen. Despite international outcry, Honduras has yet to sign the Escazú Agreement, the first treaty on environmental human rights in Latin America and the Caribbean, which obligates signatory states to protect environmental defenders (Padilla, 2016).

Box 2

Discrimination, discourses, and shrinking space

When analyzing the civic space in Jordan, Sander (2023) found that donors openly assumed a conflict between Islamic religious beliefs and women's rights. Besides perpetuating Islamophobia, these views fueled public discourse, suggesting that women's rights organizations are inherently opposed to Jordanian values and culture. This discourse adds extra pressure on women's rights organizations, which already must navigate the Associations Law, requiring them to seek permission each time they receive foreign funding. This case illustrates how donors can also play a role in restricting civic space.

The shrinking of civic space is worrisome and deserves the attention of funding sources, governments, researchers, and citizens. However, it must not be approached as a uniform phenomenon; **while restrictions for CSAs may appear, opportunities for action can simultaneously emerge** (Biekart et al., 2023). Similarly, **changes in civic space do not affect everyone equally**, as some actors might find opportunities to expand their range of action (Segatto et al., 2023; Zook et al., 2023). Thus, rather than referring to the 'shrinking' of civic space, we opt for the term 'shifting' as it allows a more nuanced analysis of civic space that better reflects its dynamic nature and the disparity of agency opportunities CSAs, and thus, the need for differentiated strategies to support them even when operating in similar contexts. This approach can be useful considering that there has not been sufficient research on how different CSAs adapt to the shifting of civic space (Lorch, 2023), especially in fragile situations with minimal guarantees of economic and human rights.

2.3. Fragility and civic space

In this document, we use the OECD's² definition of fragility as *'the combination of exposure to risk and insufficient coping capacities of the state, system, and/or communities to manage, absorb, and mitigate those risks. Fragility can lead to negative outcomes including violence, the breakdown of institutions, displacement, humanitarian crises or other emergencies'* (OECD, 2016, p. 21).

Although the concept is commonly associated with contexts of war and conflict, the OECD's fragility framework recognizes that risks have various sources. Therefore, it takes a multidimensional approach to capture the root causes affecting people's livelihoods. These dimensions include the economy, environment, politics, society, political, and human capital, to understand how various forms of violence, poverty, inequality, and environmental shocks intersect and affect the ability of people and communities to absorb and respond to risks. Using 57 quantitative indicators, the framework measures fragility and classifies countries as extremely fragile, fragile, or the rest of the world. This way, it acknowledges that not all fragile contexts are in a situation of conflict or extreme poverty. It also recognizes that while all contexts experience different levels of fragility, not all are classified as fragile (OECD, 2022).

According to the latest OECD report, 60 contexts are classified as fragile, of which 15 are in situations of extreme fragility. These contexts represent 24% of the world's population, with this figure projected to grow to 32% in the following 25 years (Ibid.). The increasing fragility is related to a) the economic disruptions and recession ignited by the COVID-19 crisis, which affected lower and middle-income countries, b) large-scale aggressions and wars (e.g., Russia-Ukraine, and now the Israel-Palestine conflict.) and the presence of destabilizing paramilitary groups (e.g. Russia's Wagner Group in Africa), and c) climate change (FFP, 2023; OECD, 2022). Fragile contexts are estimated to be home to 29% of climate disaster events and 46% of disaster-related deaths despite accounting for only 4% of global carbon emissions. Fragile contexts also show an alarming trend towards persistent poverty, representing 73%

² Organisation for Economic Co-Operation and Development.

of the world's extremely poor (OECD, 2022; World Bank, 2023). This situation of polycrisis puts enormous pressure on societies and their responsiveness capacity.

The weakening of the social contract between the state and society often accompanies fragility. The state's failure to secure and deliver services and of societal and political groups to fulfill their obligations (such as law compliance) and the disruption of social organizations and activities directly affect the social fabric (Klimis et al., 2017; Verkoren & Van Leeuwen, 2014). In this scenario, CSAs play multiple roles, such as providing emergency relief, promoting active citizenship, delivering basic services, identifying local drivers of conflict, and supporting conflict resolution, to name a few. The state generally receives these responses with distrust as it struggles to maintain its legitimacy (Alayli, 2017; World Bank, 2005). As a result, in fragile contexts, the civic space tends to change as CSAs are exposed to further control and regulation.

Supporting CSAs in fragile contexts has proven to be a challenge for international donors and organizations due to government restrictions on foreign funding. Additionally, stakeholders exert pressure to establish strict boundaries, limiting direct engagement with governments involved in human rights abuses. These constraints reduce collaboration opportunities between the government and CSAs. For instance, a 2023 evaluation commissioned by the Netherlands' Policy and Operations Evaluation Department (IOB) revealed that this country's foreign assistance in fragile states had improved the well-being of citizens at a local level but failed to mend their relationship with the state. As a result, their funding did not impede the shrinking of civic space (Willems & Lobbrecht, 2023). This example demonstrates the importance of developing analytical and evaluation frameworks tailored to the needs and opportunities of civic space in fragile contexts.

3 |

How can the LNOB principle complement the fragility framework to better support CSAs?

The principle of Leave No One Behind (LNOB) is a political commitment that accompanies the United Nations' 2030 Agenda for Sustainable Development. It acknowledges that while the past progress under the Millennium Development Goals focused on reducing poverty, it remained agnostic about who benefits from this progress (Briones Alonso & Van Ongevalle, 2023; Stuart, 2018). Consequently, LNOB is essential to the entire 2030 Agenda as it addresses tackling inequalities among individuals (vertical inequality) or groups (horizontal inequality) as a proxy for the Agenda's success (Klasen & Fleurbaey, 2019; Tomalin et al., 2024).

The LNOB principle has two imperatives: to 'leave no one behind' and to 'reach the furthest behind first'. This means that national policies and global planning should prioritize a) reaching the poorest of the poor, b) stopping group-based discrimination, and c) reducing inequalities and vulnerabilities that leave people behind (UNSDG, 2022). Therefore, the LNOB principle places special emphasis on marginalization, its root causes, the different ways it manifests, and its impact on the most disadvantaged (Fuerst-Bjeliš & Leimgruber, 2020).

From a fragility perspective, people caught in crises are at high risk of being left behind, with many experiencing various forms of marginalization. Such

is, for example, the case of refugees and displaced communities hosted in fragile and lower-income countries, where they encounter stigma and discrimination while coping with limited livelihood opportunities (Samman et al., 2018).

Reports on fragile contexts stress the importance of CSAs in supporting and reaching marginalized groups, making them an essential component towards achieving the LNOB principle (Bhusan et al., 2018; Samman, Lucci, Hagen-Zanker, Bhaktal, et al., 2018). However, these reports do not analyze how CSAs manage to do so when they are at risk. The LNOB principle, in combination with the fragility framework, provides a better understanding of CSAs' maneuver opportunities for vulnerable populations in three ways:

3.1. Contextualization

The LNOB principle and fragility framework consider **contextualization as a starting point** for any intervention (Hughes, 2012; Mackie & Allwood, 2022). Marginality and fragility are not an end- or fixed state, as people, communities, and contexts are constantly exposed to circumstances and shocks that can downgrade or upgrade their situation (Klimis et al., 2017; Leimgruber, 2020). This approach resonates with that of civic space, as it suggests ignoring blueprints and prioritizing high-quality context assessment to:

- a) identify the root causes of fragility and how they have changed in time;
- b) map the actors (including CSAs), both formal and informal, that withhold power;
- c) identify the most vulnerable groups, what are the main sources of discrimination and marginalization, and which potential factors could worsen their situation;
- d) examine the incentives that elites and other powerful actors must support (or not) CSAs and vulnerable groups.

Contextualization requires considering the multidimensional nature of inequality and fragility, including how they intersect (Klasen & Fleurbaey, 2019).

The LNOB principle places intersectionality at the forefront of analyzing marginalization, proposing that individuals and groups are situated on various axes of privilege and oppression that shape their identities and experiences (Mackie & Allwood, 2022). It recognizes that people navigate multiple identities (e.g., race, class, gender, ethnicity, etc.) and, therefore, discrimination and marginalization are multifaceted, with each experience responding to a unique set of vulnerabilities (UNPRPD & UNWOMEN, 2022). Under this lens, the United Nations Development Programme (2018, p. 5) suggests that context analysis on marginalization should incorporate the intersection of five factors:

- a) discrimination: exclusion, bias, or mistreatment based on aspects of a person's identity;
- b) geography: isolation, vulnerability, deprivation, or inequity based on a person's area of residence;
- c) governance: unjust, exclusive, and/or corrupt institutions (local, national, and global), as well as discriminatory or regressive laws, policies, and budgets;
- d) socio-economic status: disadvantages in terms of income, wealth, education, health, etc. and;
- e) shocks and fragility: exposure to the effects of climate change, violence, conflict, health emergencies, economic downturns, and other types of shocks.

The LNOB's intersectional approach to contextualization complements the fragility framework by shedding light on the close relationship between discrimination, marginalization, and fragility. Fragility can place people in vulnerable positions, but discrimination can also be a source and consequence of fragility. Consequently, understanding context-related discrimination and marginalization is suggested when supporting fragile contexts (Klimis et al., 2017). Adopting a relational approach to marginalization and fragility can also help deepen our understanding of how this relationship has affected the space in which CSAs operate and to what extent donors' work has contributed to reproducing these dynamics.

Critical questions for civic space analysis:

- How have specific contexts become fragile? How and why have they improved or worsened?
- What populations and groups have been left the most vulnerable? What are the main factors that define their vulnerability? What intersection of factors puts people more at risk of marginalization?
- How have donors supported (or not) these populations?
- How have shifts in fragility affected CSA's response capacity? Which CSAs have become more vulnerable? How have these shifts facilitated or impeded their capacity to support vulnerable populations?
- Conversely, which CSAs have been empowered? How can they support or inhibit CSAs' work towards operationalizing the LNOB principle?

3.2. Localization

The LNOB commitment calls for the localization of development and humanitarian assistance to reach the furthest behind (Palmer & Warner, 2022).

Localization is an ambiguous term. In the context of LNOB and the 2030 Agenda, it entails strengthening local ownership and capacity building, fostering equitable partnerships, and sharing and redistributing resources and decision-making tasks to advance the sustainable development goals (SDGs), particularly for the most vulnerable (Novovic, 2022). While donors and international organizations have widely embraced this term as part of a shift towards recognizing the needs and priorities of local actors in development, it has also faced criticism for promoting 'Northern' ideas of development through the invocation of 'the local' (Jönsson & Bexell, 2021).

For the purposes of this document, we align with Tomalin's definition of localization, which acknowledges the role of communities' values, priorities,

identities, and worldviews in shaping their responses and experiences for LNOB (Tomalin et al., 2024). In this sense, localization in LNOB addresses the injustices of development projects and underscores the value of local solutions in reaching those who are furthest left behind (Novovic, 2022).

In fragile situations where governments lack (effective) development strategies, CSAs can serve as powerful allies in localizing interventions. They facilitate direct connections with marginalized groups and engage them in public dialogue to identify local priorities and evaluate potential development strategies (Bhusan et al., 2018). However, as previously mentioned, this task can be constrained when national governments increase surveillance over CSAs activities and funding sources. When agency is restricted, adopting a localized approach towards CSAs can aid in mapping their different priorities, understanding how they relate to their own vulnerabilities, and identifying the most suitable support for their development strategy. Localization involves recognizing that a) CSAs' priorities can differ and collide with donors' agendas and timelines, and b) CSAs and communities experience power imbalances that can hinder the meaningful inclusion of marginalized groups (Haustein & Tomalin, 2021). These imbalances can be reflected in the spaces of dialogue available for (certain) CSAs to channel their demands and voice their interests (CARE, n.d.).

Critical questions for civic space analysis:

- What are the formal and informal spaces available to discuss local needs and priorities? Who has access to them? How do CSAs support the access of vulnerable groups to these spaces?
- How do local priorities include (or not) the needs and interests of vulnerable groups?
- What types of support do CSAs prefer to achieve local priorities? How do they differ among different CSAs?
- What capacities are in place for CSAs to support local priorities?

3.3. Power imbalances and elite capturing

Gray literature on development and CSAs tends to give the impression that CSAs are equally committed to power redistribution, granting them automatic legitimacy to ‘speak for those left behind’ (Haustein & Tomalin, 2021). There is also a tendency to portray ‘marginalized’ groups as homogenous and with shared root causes of discrimination and marginalization (Ibid.).

The power imbalances behind who is considered ‘left behind’ and who can represent them underscores the potential risk of the LNOB principle as it can be coopted and used to advance the interests of the regime elite, empowering some while reproducing discrimination and marginalization for others (Lorch, 2023; Weber, 2017).

Box 3

Cooptation of the LNOB principle for religious discrimination in India

In their 2021 paper, Haustein and Tomalin examine the political dimension of LNOB and how it is utilized to discriminate against religious identities in India and Ethiopia.

In India, Prime Minister Narendra Modi has positioned himself as a strong advocate for Agenda 2030 and the LNOB principle, integrating the slogan into his party and submitting Voluntary National Reviews as part of the country’s ‘war against poverty’ (Tomalin et al., 2024).

Modi’s government is driven by a Hindu nationalist agenda (known as Hindutva) that emphasizes the dominance of Hindu culture and identity and aligns it with market-driven development. Under this form of populism, other religious identities are portrayed as ‘enemies’ and excluded from public development debates (Haustein & Tomalin, 2021; Tomalin et al., 2024). Such is the case of the Muslim

community. Modi's government has introduced policies that target Muslims, including the criminalization of triple talaq (instant divorce) and the revocation of autonomy of Muslim-majority Kashmir (Haustein & Tomalin, 2021). Despite claiming commitment to LNOB and localizing the SDGs through consultation with CSOs, the government has removed various faith-based organizations from local consultation processes and restricted their capacity to advocate for the communities they represent (Ibid.). The Indian case showcases how the LNOB principle can be coopted to empower specific communities and identities, limit civic space, and advance political agendas rather than promote inclusive development.

Recognizing the role of politics and political realities in fragile situations when analyzing CSAs' agency can help identify how different actors mobilize and operationalize the LNOB principle, their legitimacy to represent the most vulnerable, and the negative effects they can generate for certain groups. For donors looking to support CSAs, incorporating a political dimension into their strategies calls for the recognition that locally rooted CSAs that could advance the LNOB principle may lack international legitimacy and can even have links with violent groups. Such was the case of the Sudan Relief and Rehabilitation Association, which provided social and conflict-resolving services but was closely affiliated with the Sudan People's Liberation Movement and Sudan People's Liberation Army (SPLM/SPLA) (Verkoren & Van Leeuwen, 2014).

Critical questions for civic space analysis:

- How do CSAs define and understand the LNOB principle? Who shares these views with them? How do these views align or differ from the ones of vulnerable populations?
- Are vulnerable populations part of CSA's structures? How do they participate? How are they represented? Who is not included?
- Who are the formal and informal actors withholding power at a local and national level? Which CSAs have more access to these actors? Who has less access?

4 |

CSAs responses to shifting civic space: potential strategies to continue engaging with the most vulnerable

Civil Society Actors (CSAs) operate in increasingly constrained environments, where shifting civic spaces challenge their capacity to engage with vulnerable populations and advocate for systemic change. In response to these pressures, CSAs have adopted innovative and adaptive strategies to navigate complex political and social landscapes while maintaining their relevance and impact. This chapter explores these strategies, focusing on how CSAs recalibrate their roles to address immediate needs, form unconventional alliances, engage in advisory roles, leverage data-driven advocacy, and utilize legal mechanisms to promote social justice.

4.1. 'Playing' apolitical: rebranding towards service delivery

In fragile situations where basic services are absent, CSAs are compelled to rebrand from human rights advocacy to service delivery and humanitarian aid distribution (Dowst, 2009; Dupuy et al., 2015). Attending to the deprivation of basic needs in local communities helps boost service delivery organizations' local legitimacy in times of crises and shield them from operational restrictions whenever state failure coincides with growing authoritarianism and shrinking civic space. However, this shift puts service delivery organizations in an uncomfortable position, as they are accused of disengaging from

democracy advocacy and taking an 'apolitical' stance towards state and non-state attempts to silence civil society. As a response to their 'non-threatening' portrayal, service providers often do not receive sufficient research attention when discussing democracy and civic space (Moldavanova et al., 2023; Zook et al., 2023).

Recent literature challenges the notion that service delivery organizations are politically disengaged or irrelevant for fostering democracy (Herrold & AbouAssi, 2023; Zook et al., 2023). Moldavanova et al. (2023) underscore how, in the absence of effective government and market mechanisms, service providers step in to fulfill democracy-supporting roles. They do this by promoting community participation and civic representation at a local level, drawing attention to policymakers on underserved communities, and opening formal and informal avenues of communication between citizens who benefit from their services and the government. Importantly, service delivery is linked to fostering interpersonal trust among participants and between citizens and service delivery organizations. This trust-building function is crucial in restoring the social contract in fragile situations and is considered a base for potential social movements (Ibid.). For instance, in her study on Kenya, Brass (2022) found that in districts receiving support from service provision organizations, participation in protests increased by over 40%.

Box 4

Service delivery and atrocity prevention in South Sudan

Appe, Rubaii and Whigham's 2023 study analyzes 320 CSOs in South Sudan and explore their role in the prevention of mass atrocities. The authors find that CSOs in the country share a common portfolio, including: a) focusing on humanitarian, development and peacebuilding services; b) targeting vulnerable populations such as children, youth and women; and c) drawing from democratic ideals. Due to national restrictions towards CSAs, organizations avoid referring directly to 'democracy promotion' but instead opt for a 'citizen-oriented

approach' that combines peacebuilding and the construction of well-informed citizens using a human rights perspective (Appe et al., 2023). This approach allows them to support democratization processes and engage in 'atrocious-sensitive' development while securing their survival and formal recognition by the government.

Besides apparent democracy disengagement, service delivery organizations are accused of being easily coopted by power regimes as a survival strategy to maintain their freedoms (Lorch, 2023). Cooptation raises concerns about CSAs' independence and local legitimacy as it implies that they choose to align with third-party actors' interests and agendas, such as governments and international donors, in exchange for funding, permission to operate, security, amongst other benefits (Verkoren & Van Leeuwen, 2014). However, the line between political and apolitical CSAs is not as clear as it seems (Zook et al., 2023).

As noted by Lorch (2023), in Cambodia, where there is strict regulation towards NGOs, organizations allow themselves to be coopted as they need government support to continue providing services to their beneficiaries. This strategy enables them to be included in government-led policy consultations from which the regime intentionally excludes human rights organizations. In turn, the regime uses service providers as examples to pressure advocacy-oriented organizations to align with the government (a strategy known as 'divide and conquer'). Those who accept cooptation are criticized for safeguarding the government's projects and acting as a façade for development partners. Nonetheless, some organizations perceive that this strategy allows them to exert some influence over public policy (Ibid.).

The examples in this section provide a nuanced perspective on service delivery organizations and their susceptibility to cooptation. While transitioning to service delivery and collaborating with third-party actors does not guarantee that CSAs will broaden their civic space, it does afford them some room for agency to secure essential services without entirely relinquishing political or democratic engagement.

4.2. Broadening alliances towards ‘unlikely’ actors

In contexts of restriction, gaining the support of policymakers can be challenging for CSAs when advocating for topics that face suspicion and resistance. In this scenario, Greenfield (2020) recommends building alliances with ‘unlikely’ actors-- those outside CSAs’ ‘comfort zone’ who may be willing to get politically involved in their agendas. These alliances can help CSAs navigate both formal and informal institutions, granting them protection and access to those with local and national influence. Broadening alliances can thus serve as a powerful strategy to counter ‘divide and conquer’ strategies (Ibid.).

Identifying unlikely supporters involves fine-tuning CSAs’ stakeholder mapping based on shared goals and common interests. It also requires engaging in complex partnerships that CSAs may not be able or willing to sustain, and that will need reframing as conditions shift over time (Hughes, 2012). Broadening alliances implies moving beyond strengthening the social contract between state and citizens, exploring opportunities amongst non-state actors and how they align with the interests of the most vulnerable.

Box 5

Reaching companies for the defence of civic space in Cambodia

After the introduction of the LANGO, which suppressed any dissident action against Cambodian Prime Minister Hun Sen in 2017, local and international civil CSOs successfully engaged with multinational companies against the increasing government harassment towards labor activists (Greenfield, 2020). This association included the American Apparel & Footwear Association and the Ethical Trading Initiative (a UK-based advocacy group), who expressed their worries about how the government’s actions affect Cambodia’s attractiveness as a place to do business (Chen, 2018). In the following years, CSAs’ association with these companies has been maintained, with other European brands joining in (Maquila Solidarity Network, 2020).

4.3. Betting for advisory roles and local relations

Improving the state's capacity for transparency and accountability regarding its response to citizens' rights and demands is one of the most critical tasks in fragile contexts (Klimis et al., 2017). When CSAs cannot safely act as governments' watchdogs, Zook et al. (2023) found that they may shift from an adversarial approach towards a more advisory role.

In terms of transparency and governance, the relationship between CSAs and the state is often subject to tension. Evidence from Kenya and Ghana show that over time, government agencies grow to understand some of the strategic advantages of working closely with NGOs to access to capacity-building programs and enhance the state's legitimacy through organizations' services (Brass, 2022). However, these collaborations do not always translate into successful synergies, with CSAs being included in state projects as tokens to meet international development guidelines or to attract funding (Bawole & Hossain, 2015). These tensions reflect the difficulties for CSAs to develop meaningful and transformative relationships with state actors even under non or less-fragile conditions.

Depending on the degree of fragility, the window of opportunities for collaboration can vary. CSAs can choose to initiate collaboration through a less contentious and 'superficial' topic to start building trust or through the provision of supplementary work such as training and capacity-building activities (Zook et al., 2023). Another strategy is to connect with local and regional actors and authorities and organize local-level activities to raise awareness and consensus over certain demands (Greenfield, 2020; Hughes, 2012). The latter strategy can help identify which government sectors can act as entry points and provide support from 'within'.

Box 6

Turning to local parliamentarians to stall repressive legislation in the Democratic Republic of Congo (DRC)

In the DRC, CSAs are under threat by police and armed forces, facing intimidation, arbitrary arrests, torture, and extrajudicial executions (International Service for Human Rights, 2019). In 2017, the Senate and National Assembly proposed drafts for the protection of human rights defenders that, in practice, would have the opposite effect as it imposed strict criteria on who could qualify as such (Focus, 2024). In response, CSAs targeted parliamentarians at the local level in the North and South Kivu provinces to gain support to suspend the draft law. They assisted in the creation of two provincial platforms for 48 CSOs to coordinate advocacy against the legislation. Through focus groups, they gathered information from activists targeted by the state, using the results in media campaigns and meetings with local decision-makers (Greenfield, 2020). As a result, the bill was stalled until 2023, although it continues to generate concerns about its focus on a limited selection of rights and freedoms for human rights defenders (Ibid.).

4.4. Making vulnerable communities visible through data-driven advocacy

Fragile countries are among the most data-deprived (Hoogeveen & Pape, 2020). Difficulties in accessing in-depth, quality information on populations in situations of shocks, displacement, and/or strict surveillance hamper governments', donors', and CSAs' efforts to develop sound context analysis for planning. Thus, development organizations emphasize placing a premium on data collection and analysis as one of the strongest recommendations when operating in fragile contexts (OECD, 2022).

The need for high-quality data represents an opportunity for action for CSAs. Human rights organizations stand out as useful sources of information,

providing contextualized and localized information and analysis on issues hard to capture through statistical data and on poorly represented rightsholders who are excluded from national statistics and other official data sources (Briones Alonso & Van Ongevalle, 2023). When means for data collection are less straightforward, CSAs can co-develop and test new methods to better capture the intersection of deprivations and marginalization factors and their unequal effects in fragile communities (Pape, 2020). This information can then be used to elaborate differentiated responses to the diverse set of needs in the population and draw attention to how specific groups experience discrimination and rights violations.

Box 7

Listening to internally displaced communities

In the last two decades, there has been growing interest in developing alternative methods that shed light on the needs of displaced communities. From videotaping testimonies on their living conditions in Sudan to organizing roundtables to adapt education curricula in Burkina Faso (INEE, 2020), focusing on various forms of data collection on displaced communities can empower them and support the design of targeted responses (Pape, 2020).

Due to their closeness to local communities, CSAs stand out for helping develop tools and strategies to put displaced communities in the spotlight. For example, the Réseau de Journalistes Sensibles aux Conflits in Niger, Burkina Faso and Mali, with the support of the German Federal Ministry for Economic Cooperation and Development (BMZ), developed a project that brought together radio stations, listening clubs, CSOs, local elected representatives, and internally displaced people and refugees to engage in regular discussions in a live radio show (Tangen, 2023). These initiatives helped mobilize local solutions, including access to medical care and education, and create awareness against the stigmatization of displaced people (Ibid.).

4.5. Pressuring national institutions through strategic litigation and international mechanisms

Failure of service delivery is not necessarily limited to the provision of basic needs, but also to access to fair justice processes. When the rights of specific groups are restricted, CSAs might opt for the provision of strategic litigation services and law clinics to draw attention to highly sensitive topics. As noted by Greenfield (2020), even if litigation cases fail, they can change public discussions, attract media and public support, promote community empowerment, and encourage shifts in behavior and attitudes towards marginalized groups. CSAs can also pressure governments to adhere to (previously signed) international standards and treaties or turn to international bodies such as the UN Human Rights Council for support. These efforts can be coupled with other advocacy activities such as social and cultural demonstrations, working with the diaspora community, and engaging with diplomats and embassies to provide support (Ibid.).

Although in regions such as Latin America, law clinics and human rights research centers played a pivotal role in data collection and case creation during and after periods of government repression and dictatorships (Villanueva et al., 2019), resorting to legal instruments can be interpreted as an open confrontation against state powers. Therefore, securing broad and strong alliances is important when opting for this strategy. Likewise, litigation may experience periods of progress and setbacks, with some actions managing to temporarily stall the introduction of detrimental bills.

Box 8

Litigation and legal aid services for women and LGBTQ communities in Uganda

The Human Rights Awareness and Promotion Forum (HRAPF) is an NGO that promotes, protects, and enforces human rights for disadvantaged groups in Uganda. HRAPF provides free legal aid services

to sex workers, sexual and gender minorities, women and girls living with HIV, elderly people, and refugees. In 2022, it handled over 2,000 cases and complete almost 80% of them (HRAPF, 2023).

In 2009, HRAPF opposed the introduction of the Anti-Homosexuality Bill (AHB) that criminalized homosexuality and dictated that organizations had to report any LGBTQ person that they knew. The organization sought the support of 50 organizations to dispute the bill's effect on restricting CSAs' freedom of association. The coalition prevented the bill's passage for four years until it was accepted in 2013. A year later, the law was declared void after HRAPF initiated litigation with the help of 10 petitioners, including members of the ruling and the opposition parties (Greenfield, 2020). Still, in 2023, the Anti-Homosexuality Act was approved. The court ruled out some of the original restrictions such as access to healthcare and the obligation to report acts of homosexuality. Nonetheless, it upheld the death penalty for cases of 'aggravated homosexuality' (Human Rights Watch, 2024).

Recommendations

for donors

With one-quarter of the population in situation of fragility and one-third experimenting 'closed' civic space, the intersection of both phenomena is becoming more than likely. Unfortunately, research on CSAs' reactions to shifts in civic space in fragility is still scarce. Based on the revision of available literature, this section summarizes seven recommendations for donors looking to support CSAs in contexts of fragility and their work towards the LNOB principle:

1. LONG-TERM ENGAGEMENT

The escalation of risk and control of 'foreign presence' in fragile contexts puts donors in the disjunctive of opting to (temporarily) disengage from the context or finding alternative ways to continue supporting CSAs. Upon this scenario, the wide recommendation is to bet for long-term engagement as ruptured relations are not permanent and institutional changes take long periods of time (Dowst, 2009; Klimis et al., 2017; World Bank, 2023). Furthermore, disengaging and withdrawing aid from complex and fragile contexts can come at a high price with the deterioration of human development outcomes and erosion of local capacities that are costly and difficult to revert (Cliffe et al., 2023). Opting for long-term engagement, however, is easier said than done, as maintaining open connections with CSAs can bring further repression. In these scenarios, moving away from project-to-project funding towards training and institutional building for CSAs can help capacity building for when the situation de-escalates and it is safer to press for more sensitive agendas and conflictive issues (Dowst, 2009; Sanborn et al., 2019).

2. FLEXIBILITY: THE NAME OF THE GAME

Unpredictability in fragile contexts challenges traditional donor programming due to constant shifts in security, laws, and power representatives (Brugger et al., 2022). Context shifts demand donors and grantees to be flexible and alert to emergency response and the windows of opportunities available to resume actions or (re)engage with actors (Cliffe et al., 2023; Klimis et al., 2017). Agile and flexible programming, thus, needs long-term engagement for CSAs to be ready to respond to these shifts. In the case of civic space, flexibility demands adapting and broadening different grant modalities for CSAs, as different restrictions call for different responses (van Wessel, 2023). Depending on the situation, flexibility can mean combining long-term capacity and institutional building with emergency response. [Lifeline](#), for instance, offers rapid response advocacy and resiliency grants to help local actors avoid and mitigate threats in high-risk environments. This type of flexible grantmaking can help support short-term but meaningful initiatives such as social movements (CIVICUS, 2023).

3. CONTEXT

This document emphasizes the importance of conducting context assessments to gain a deeper understanding on how situations of fragility are created, sustained, and exacerbated, and who is most adversely affected in these contexts. CSAs can play a crucial role providing comprehensive insights and data on vulnerable populations, shedding light on those who are structurally left-behind and who are increasingly at risk of being left behind (Klasen & Fleurbaey, 2019). Contextualization must not be seen as a one-time exercise, as fragility and vulnerability are not static conditions. The escalation or de-escalation of fragility can bring new barriers and opportunities for CSAs and to the groups and causes they represent.

4. RISK MANAGEMENT AND MONITORING UNINTENDED CONSEQUENCES

Contextualization and flexibility require paying attention to the different risks that emerge in fragile contexts and how to manage them. These risks include

the unintended consequences that donors may create to their grantees that relate to the Do No Harm principle, which are rarely monitored (van Wessel, 2023; Willems & Lobbrecht, 2023). For donor work with CSAs, this might mean assessing the balance between transparency and security issues to make sure that actors' identities and activities remain undisclosed (CIVICUS, 2023). It can also mean monitoring to what extent CSAs work with vulnerable populations is fueling divisions and conflict that can expand and spillover to other areas or groups (Willems & Lobbrecht, 2023; World Bank, 2023). CSAs can also benefit from training and quality legal support to avoid and manage risk and confront issues when they arise (Gutbrod, 2017).

5. LOCALIZING FUNDS AND SUPPORTING CSAS AUTONOMY

Although there is widespread recognition of the importance of localization in grantmaking and donor planning, putting true localization into practice is challenging. Donors operating in fragile contexts often opt to partner with CSAs to implement their projects and activities, essentially using them as subcontractors (Brugger et al., 2022; Verbrugge & Huyse, 2020). Although this type of funding provides resources to the actors involved, it diminishes their creative control and ownership over these activities (Bhusan et al., 2018). Localization requires a greater willingness to take risks, shared distribution of resources and agenda control, as well as context and LNOB-sensitive engagement approaches with CSAs to define the (re)allocation of strategies for rapid and effective responses (CIVICUS, 2023).

6. SUPPORT COALITIONS

At moments of shocks and crises, supporting broad coalitions and networks that can help avoid atomistic and uncoordinated responses towards common and time-sensitive threats (e.g., repressive legislations). They can also fuel and lead discussions that confront public discourses against vulnerable populations and the role of CSAs (Sanborn et al., 2019; World Bank, 2005). Although these coalitions may represent a unique space of dialogue and collaboration between local and national CSAs, and between CSAs, private actors, and the government, there are chances that they might be short-lived due to competition and internal feuds. Donors can be a source of conflict in these

coalitions, creating divisions between CSAs perceived as ‘donor darlings’ and those systematically left out of funding opportunities (Sander, 2023). Thus, the importance of monitoring the role of donors during coalition building.

7. MAINTAIN SERVICE DELIVERY, BUT DO NOT ABANDON OTHER ACTIVITIES

This document has highlighted the role of service delivery in opening windows of opportunity for CSA engagement with public actors and fostering interpersonal trust through civic representation and community participation at a local level. Moreover, it provides a channel to attend to the direct needs of those most affected by situations of fragility. Nonetheless, this role should ultimately be provisional to avoid the creation of parallel systems, as this task should be taken by the government as part of mending the social contract with citizens (Willems & Lobbrecht, 2023). In this sense, service delivery can and should be supported, especially at moments of high repression, but should not replace advocacy and other activities championed by CSAs.

The PSP Refract project aims to complement these findings by analyzing CSAs operating in fragile contexts at risk of donor disengagement. This analysis will provide more comprehensive recommendations on how donors can support CSAs and their work toward the most vulnerable in challenging times.

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About PSP REFRACT

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Our Ambition

We critically examine the evolving dynamics of fragility and resilience amid escalating crises. By engaging with policymakers and exploring the causes, lived experiences, and impacts of these crises, we want to inform policy responses. Through rigorous analysis and collaborative dialogue, we propose innovative and inclusive strategies that are firmly grounded in the daily realities of affected by these crises, and that strengthen resilience while addressing systemic drivers of fragility.

Our approach

We advance knowledge and inform policy through research conducted within a structured framework comprising four thematic work packages and two cross-cutting work packages:

- 1 Humanitarian-Development-Peace (HDP) Nexus:** This work package examines the challenges of implementing the HDP triple nexus in local contexts. It offers actionable recommendations to address these challenges and enhance the integration of humanitarian, development, and peace efforts.

- 2 Localisation of Aid:** Focusing on empowering local actors in development interventions and humanitarian responses, this package seeks to clarify the concept of localisation and tackle barriers hindering its effective implementation in fragile contexts, thereby promoting a more inclusive aid agenda.
- 3 Civic Space and the “Leave No One Behind” Principle:** This work package explores the difficulties faced by civil society actors operating in fragile, conflict-affected, and increasingly authoritarian environments. It aims to identify approaches that foster resilience and inclusion in shrinking civic spaces.
- 4 Political Economy of Conflict and Civil War:** Addressing the evolving dynamics of conflict and fragility, this package investigates the political and economic dimensions of conflicts, civil wars and authoritarian contexts, with the aim to suggest new approaches and adapt existing policy frameworks
- 5 Methodological and Epistemological Challenges:** This cross-cutting package focuses on research methodologies suited to fragile contexts, emphasizing ethical and collaborative practices that respect and incorporate local knowledge and perspectives.
- 6 Gender Lab:** Integrated across the thematic packages, the Gender Lab prioritizes women’s rights and participation in resilience-building efforts, ensuring gender considerations are central to the research agenda.

Where do we work?

Our geographic focus includes the Sahel and the Great Lakes region of Africa, with a particular focus on Burkina Faso, Niger, Mali, the Democratic Republic of Congo, Rwanda, Uganda, and Burundi.

