A GLOBAL NGO NETWORK
FOR PRINCIPLED AND EFFECTIVE
HUMANITARIAN ACTION

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Scoping Study on
Civil Society Space in Humanitarian Action

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List of Acronyms

ACAPS	Assessment Capacities Project
ATHA	Advanced Training Program on Humanitarian Action
CAR	Central African Republic
CSO	Civil Society Organisation
DRC	Democratic Republic of the Congo
ICNL	International Center for Not-for-Profit Law
(I)(N)(L)NGO	(International) (National) (Local) Non-governmental Organisations
MENA	Middle-East and North Africa
NWoW	New Ways of Working
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PHAP	Professionals in Humanitarian Assistance and Protection
UNSC	United Nations Security Council

1. Introduction

1.1. Purpose, objectives and scope

The International Council of Voluntary Agencies (ICVA) commissioned[1] a scoping study on civil society space which aimed to explore ICVA member and NGO fora requirements and existing, complementary approaches, tools, best practices and lessons learned to engage with host governments. The purpose of the research was to identify civil society needs and the role of ICVA in helping them navigate civil society space in humanitarian contexts. Civil society space in humanitarian contexts is understood to be the both metaphorical and practical 'space' within which civil society actors work.

The objectives of the research were to:

- **Capture ICVA member and NGO fora challenges and needs when navigating civil society space with host governments when working in humanitarian contexts ("needs assessment")**
- **Illustrate how ICVA could add value to its members and NGO fora in supporting them to better navigate civil society and humanitarian space ("the role of ICVA")**

In the balance of the two objectives, the second, on the role of ICVA, was considered more important.[2]

1.2. Context

Humanitarian organisations work in challenging contexts, such as conflicts, settings of severe political instability, or human-made or natural disasters. These challenges are exacerbated by restrictions placed on organisations by host governments and others,[3] such as institutional donors and non-state actors.[4] The relationship between host governments and humanitarian NGOs is sometimes discordant. The ability of local NGOs and their INGO partners to meet the needs of the most vulnerable in society in a timely and effective manner is critical. In post conflict settings as well, civil society actors have an invaluable role to play in facilitating citizen participation and social accountability mechanisms to support the building and rebuilding of social cohesion.

It should be kept in mind, however, that challenges to maintaining a healthy space for civil society actors to fulfil their social missions is not exclusively an issue in environments of humanitarian crisis.[5] A humanitarian crisis will add a layer of complication to the underlying, pre-crisis, civil society space, through enactment of new NGO laws and regulations, often deteriorating state-civil society relations, and a general decreasing quality of the operating environment for NGOs. However, the humanitarian crisis is often not the original impetus for the limited space itself, and it can be questioned how much humanitarian organisations understand their status as civil society actors – as actors embedded in a civil society space existing outside the dictates of a humanitarian crisis. This underlying environment is important to understand.

Whether during a humanitarian crisis or in a longer-term development context, it should be remembered that host governments hold the keys to civil society access and can create an enabling

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[1] The study was commissioned externally and conducted by two independent consultants: Dr Andrew Cunningham and Steve Tibbett.

[2] It should be noted that respondents were often reluctant – for various reasons often including a lack of in-depth knowledge of ICVA – to prescribe or suggest specific roles for the organisation.

[3] See: Kahn, C. and Cunningham, A. (eds.) (2013).

[4] See: Bradbury, M. (2010) and Nelson, T. (2012).

[5] See Annex 3b for a list of key references and websites on general civil society space literature produced by, e.g., CIVICUS, ICNL, IDS, openDemocracy, Oxfam and Pax.

or disabling civil society space.[6] This civil society space needs thorough analysis and understanding to inform how NGOs can better engage with host governments. A review of the attitudes and practices, tools and initiatives, to help NGOs deal with this situation is currently seen as a gap in civil society knowledge and understanding.

Specific restrictions in a humanitarian context are many,[7] such as limitations on receiving foreign funding, or counter-terrorism laws affecting funding allocated to specific groups.[8] The inflow of international resources, even funding meant for aid activities, often elicits a strong restrictive response by parties to the conflict. Choices on whether aid should be facilitated or not is part of the set of calculations governments and non-state armed actors make in how a war should be prosecuted. There may also be needs that NGOs are not allowed to address, for example, protection concerns or certain reproductive health issues. These restrictions must be analysed and understood by humanitarian actors.

International NGOs also inhabit a different space than national NGOs, and large national NGOs are not the same in size and influence as small NGOs working in only one region of a country. An important question to ask concerns the capacity of local NGOs to manoeuvre. Does the government favour or disapprove of certain communities or groups and their associated NGOs? What form does this different treatment take and what are the implications for partnering between national and international organisations? A government can prevent international actors from working in direct partnership with local NGOs. But NGOs are more than individual entities – NGO fora are important actors, whether comprised of national, international, or mixed in nature. These play a role which must be better understood and supported, as collective action is a powerful tool.

Other actors who operate in the humanitarian arena[9] are also important to understand, such as private sector entities, philanthropic foundations, non-state armed actors, and other types of aid actors, such as multilateral organisations and Red Cross Societies. Non-state armed actors sometimes replace the state and can be treated in similar ways. Multilateral organisations enter a context with huge resources and political clout. National Red Cross Societies of course fill a unique politico-legal role in their countries. Less is known about how the private sector engages with the thematic, but it certainly plays a role. For instance, there is some evidence that the private sector is increasingly bidding for – and winning – contracts to implement humanitarian projects[10]. Philanthropic foundations may also be increasing their reach into the humanitarian sector.

Patterns and trends are important to look for, and some generic trends can be identified throughout the world and for all types of civil society actors. It is safe to say that one international trend has been the restriction of the space within which most civil society actors operate.[11] Ultimately this is a political decision on the part of the state, and can be seen in changing legal, administrative and bureaucratic practices being put into place which make it more difficult and costlier for civil society actors to work. But more than increased paperwork, the narrative about aid work has changed. The value of civil society involvement with the development of society, the worth of aid activities as a response to a

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[6] See: Cunningham, A.J. (2018); Greenhill, R., et al. (2013); Labonte, M.T. & Edgerton, A.C. (2013); and Nelson-Nuñez, J. and Cartwright, K. (2018).
[7] See: Collinson, S. and Elhawary, S. (2012) and Slim, H. & Bradley, M. (2013).
[8] See: Harvard Program on Humanitarian Policy and Conflict Research (2011).
[9] See: Hilhorst, D. & Jansen, B. J. (2010).
[10] See, for instance: Development Initiatives (2017)
[11] This is a key message from the recent work of CIVICUS and ICNL – see reference list for key documents from these organisations.

disaster, or the virtue of expressions of solidarity between different segments of international society concerning human or environmental rights, have all been increasingly demeaned by state authority. In many places civil society activists can suffer severe reprisals for their actions. It should be stressed that public opinion also matters. Through rhetorical devices, governments have communicated this change in narrative to their populations, diminishing further the space for fellow citizens to act together for the betterment of their communities.[12]

Yet each context is different and civil society space is defined, created or diminished in a unique way depending on the local context. Different types of actors are involved, different political and cultural histories exist, and different challenges are thus created. Phases are also important to attend to, as no environment is static – what may be an untenable relationship in one period may transform into an easier one in a later period. Whilst some work has been done to understand the relationship between international NGOs and states, less work has been done on understanding how national NGOs fit into the puzzle. Local civil society actors have their own unique political, ethnic or sectarian allegiances, particularly in times of conflict. Regional and sub-regional issues are also important, as often humanitarian environments are transnational in nature, particularly when considering the movement of people and the intra-state and inter-state conflicts which encourage these movements.

1.3. Methodology and data sources

The key data collection methodologies used in this study were a **wide-scale survey** (to understand the breadth of the issue and capture the widest possible range of views and experiences) and in-depth **interviews** (to build up a picture of both individual stories and a deeper understanding of the actors involved and their experiences and needs).

Both interview and survey invitees were selected through a collaborative process led by ICVA with input from the consultants, to ensure a range of views across ICVA staff, NGOs, INGOs, NGO fora (NNGO, INGO, and mixed).

In addition, a **literature review** was conducted to further understand the detail of the current challenges, tools and practices.

Survey

The number of survey respondents was **89 in total**. Those invited to take part in the survey, and those that responded, were generally drawn from INGOs, INGO fora, NNGOs or NNGO fora[13]. Geographically they were quite well spread, with the Americas being a notable gap.

Figure 1-1: Survey respondents by region

Region	Respondents
International/multi-regional	3
Asia-Pacific	35
Africa	30
MENA	10
Europe	10
US	1

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[12] See: Oxfam (2011); Walton, O. (2013) and Harrington, M. (2017).
[13] In this report the survey results are delineated between respondents from national and international organisations.

Their individual knowledge of - and interaction with - ICVA was variable as shown in the graphic below, but they overwhelmingly were made up of those that had been involved with humanitarian work over a long period of time.
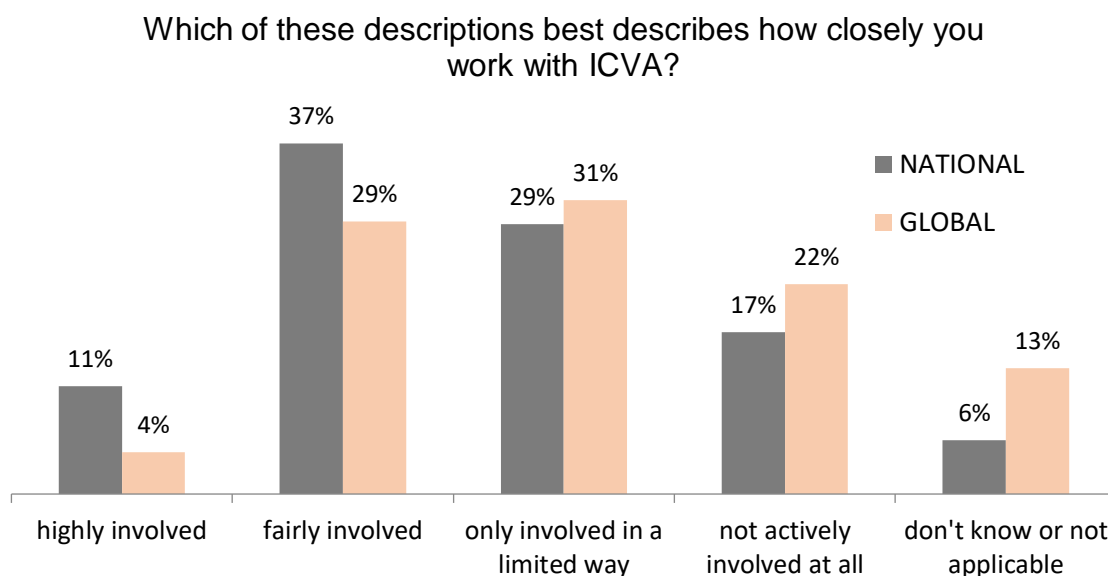
Which of these descriptions best describes how closely you work with ICVA?

Figure 1-2: How involved survey respondents are with ICVA's work

Identification of survey cohorts

A comparison was run between national and international based on respondents' self-identification in response to the following survey question: What is the geographical reach of your organisation? The breakdown of responses was as follows:

Figure 1-3: Survey Respondents by operating region

Category	Number of respondents
Sub national level	4
National level, operating in one country	26
National level, but with some cross-border operations	5
'Global' level	46
Regional or sub-regional level	8

Those identifying as operating "at sub-national level", "at national level operating in one country" and "at a national level, but with some cross-border operations" are included in the 'national' cohort. In doing this we compared responses from those within the first three sub-groups with the 'global' cohort.

Interviews

The overall number of interviews conducted was **30**. Interviews that were undertaken as part of the research are shown as an aggregated number in categories below.

Figure 1-4: Interviewees by category

Interviewee category	Number of interviews
ICVA staff	4
INGO/INGO network/INGO For a	12
National NGO/NGO fora	8
Regional NGO network	3
Mixed INGO/NNGO	1

Other civil society support organisations	2

Interview requests were made to several donors at the field level, but interviews were not possible to arrange due to timing issues as well as a lack of interest on the part of some donor representatives. As donors play an important role in the developing relationship between NGOs and governments, any further research on civil society space in humanitarian contexts must include input from donors.

Following the initial data collection stage, a meeting was held with key ICVA staff to discuss draft findings and recommendations, which also served as an input to the study.

2. Findings

2.1. Challenges and capacity weaknesses

2.1.1. Types (and origins) of challenges faced

The types of challenges relating to the restriction of civic space faced by civil society actors in humanitarian settings varies according to the political and social context, overlaid by historical, geographical and cultural factors. In the description of the types of challenges faced, those referenced were in general terms those known to the humanitarian sector, the issues breaking down into categories including the capacity of CSOs and government, corruption, governmental opposition to civil society, a lack of understanding and/or trust between governments and civil society actors and bureaucratic challenges.

These categories overlap and some of the practical problems, for example bureaucratic challenges, are at their root subsets or symptoms of larger challenges regarding a lack of trust and/or political choice. It is also the case that while a specific list of problems can be readily curated from the data below, the issue of restriction of civil society space, and sometimes the lack of facilitating, protecting and expanding it, is fundamentally a political choice.

The data does seem to strongly suggest that space for civil society organisations to operate effectively in humanitarian settings is shrinking over time and that even in stable countries civil society space has decreased.

The **survey** graphic below shows that most respondents find that challenges related to access are particularly important, but also that administrative and legal barriers are important concerns. This ranking holds for international actors and non-international ones (with overall results very similar between the two groups, in contrast to the next set of challenges, where there was some discrepancy). The ranking order is less clear when asked about host government practices, suggesting that these challenges are more equally perceived.

Based on your experience and knowledge, what are the most common challenges faced by humanitarian actors? Please rank the following challenges in order of importance between 1 and 5, with 1 being most important:

■ NATIONAL ■ GLOBAL

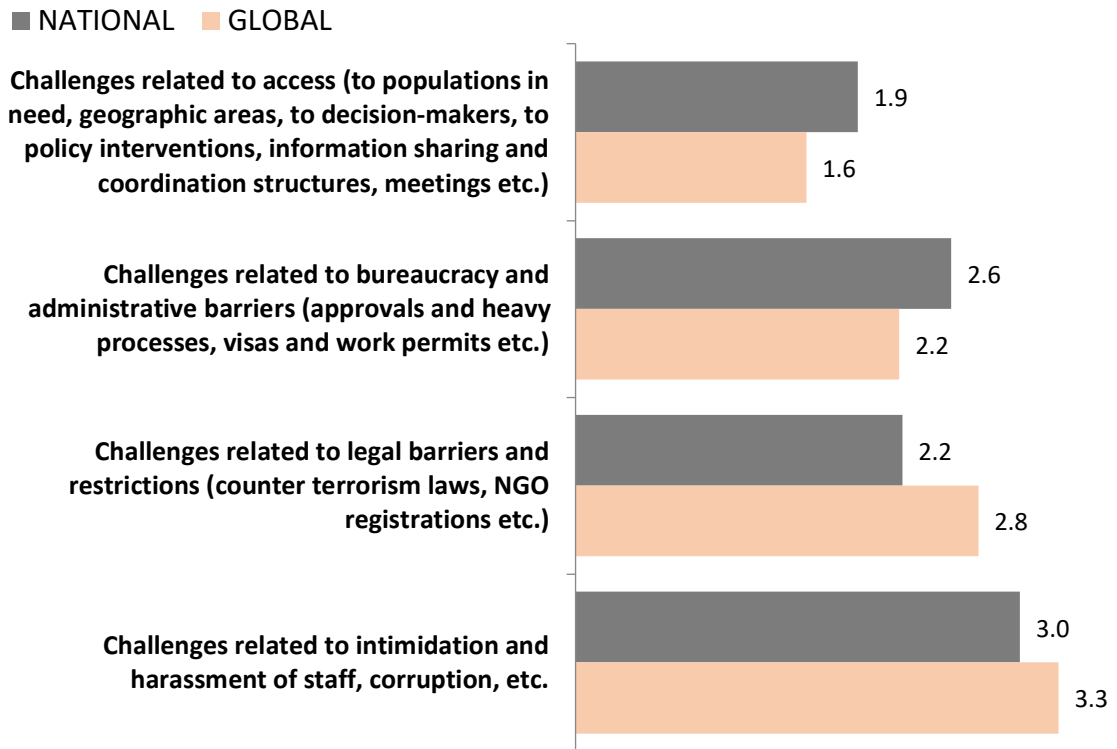|	NATIONAL	GLOBAL
Challenges related to access (to populations in need, geographic areas, to decision-makers, to policy interventions, information sharing and coordination structures, meetings etc.)	1.9	1.6
Challenges related to bureaucracy and administrative barriers (approvals and heavy processes, visas and work permits etc.)	2.6	2.2
Challenges related to legal barriers and restrictions (counter terrorism laws, NGO registrations etc.)	2.2	2.8
Challenges related to intimidation and harassment of staff, corruption, etc.	3.0	3.3

Figure 2-1: Common challenges (from the survey)

In the case of the practices of host governments, the survey graphic below shows a less clear ranking amongst the choices given.

Based on your experience and knowledge, what concerns and practices of host governments most contribute to limiting operating space for humanitarian actors? Please rank the following list of host government concerns and practices in order of importance be
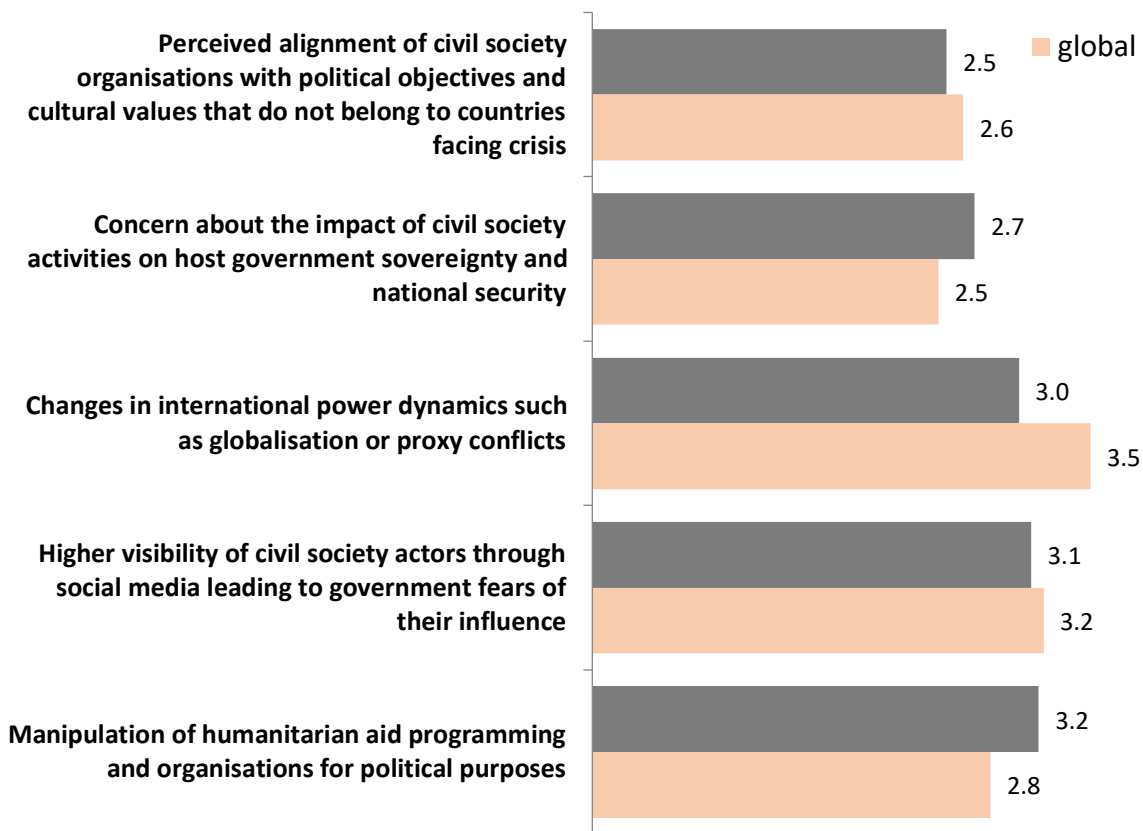

Figure 2-2: Government limiting actions (from the survey)

The view from the international perspective differs from more locally-based actors, as this comparison in the ranking of these challenges between (a) international actors and (b) those operating regionally, sub-regionally, nationally or sub-nationally shows:

Figure 2-3: Survey ranking of challenges

Ranking of challenges	Regional, national, sub-national respondents	International respondents
Perceived alignment of civil society organisations with political objectives and cultural values that do not belong to countries facing crisis	1	3
Concern about the impact of civil society activities on host government sovereignty and national security	2	1
Higher visibility of civil society actors through social media leading to government fears of their influence	3	4
Manipulation of humanitarian aid programming and organisations for political purposes	4	2
Changes in international power dynamics such as internationalisation or proxy conflicts	5	5

Over 50 respondents suggested other challenges in response to the question "What other challenges and government practices not mentioned above do you face when interacting with host country

governments and which impede humanitarian action?"[14] These can be categorised as bureaucratic (note that 'bureaucratic' challenges are often a symptom or practical manifestation of 'political' challenges); lack of understanding/trust; political/government opposition to civil society; and corruption. This part of the survey input is further summarised in annex 2c.

Respondents were also asked, "Apart from host governments, are there any other actors impeding your work? Please explain".

Figure 2-4: Other impeding actors (from survey)

Actor	# mentions
Armed NSAs/rebel groups	21
Other organisations (competing or not cooperating)	10
International donors/international community	4
Military	4
Government restrictions, security policies, etc	4
(Hostile/uncooperative) local communities	4
Elites/political interest groups	3
Nationalist/populist/religious leaders	3
Regional bodies	2
Media	2
Government endorsed/affiliated groups	2
Private sector	2

The responses from the **interviews** add further nuance and context to the findings with regard to the challenges. It should be noted that challenges are interlinked and are hard to categorise as external or internal, as external challenges feed internal change and vice versa. This section, however, tries to present challenges from the external perspective first then flowing into internal reactions and limitations. It is important to note that internal challenges also relate to needed changes in mindset, where NGO perspectives or lack of understanding challenge their ability to engage properly with governments.

Overall the problems seem to stem from a trend, and that trend is a political choice: that governments have increasingly decided – and informally collaborated in some cases – to cut down civil society space, especially involving any activities that go beyond service delivery. One trend is therefore the narrowing of humanitarian actors' role to service deliverers. In part this is because governments perceive civil society actors as causing problems for them, either by challenging them in various ways, or by pushing 'foreign agendas'. The way the issue has manifested itself is manifold but seems to come down to three categories of constraint: bureaucratic barriers (by far the most popular), legal barriers and funding barriers. One example of a legal barrier was described by an INGO forum staffer: "There is a new INGO law which … is really about controlling INGOs. It has reduced INGOs to service delivery. The divide between humanitarian and wider development sector is false".

This is an international phenomenon, clearly, but with local realities. Even stable countries have gotten worse in terms of access: the issue used to be simply because of security concerns or limited access because of conflict, but now other restrictions apply. Legal issues, administrative barriers, and

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[14] It should be acknowledged that the voice of the host government is missing in this study and any subsequent follow-up research on this topic should endeavour to bring the views and perspectives of host governments into the picture.

registration issues are now major constraints even in countries not beset by conflict or that suffer from active political instability. Underpinning these, a trust deficit between NGOs and governments has developed. How much of these barriers are used by governments to react to this trust gap?

Sensitive issues which NGOs are often involved with, particularly concerning rights-based approaches to aid, do not help matters, and sometimes NGOs make tactical mistakes and pay the price for them. An example of a tactical mistake would be to publicise rights-based approaches in contexts where these are highly suspect, where less sensitive alternative ways to describe and explain programming could be found. Other examples include acting outside legal or administrative procedures or not taking political realities into consideration when negotiating access. At the extreme end are instances of NGOs foregoing negotiations altogether and acting without any substantive discussion with the relevant authorities.

This trust deficit affects all NGOs but may materialise differently depending on the status of the NGO. Motivations and agendas will be perceived differently between national NGOs and international NGOs. As well, governments will perceive an NGO's allegiances and obligations differently whether the NGO is considered a foreign agent or a national resource.

Legislative and administrative environments put into place by governments are often restrictive and not conducive to planning, nor are financial reporting mechanisms put into place by institutional donors, and the two often work at cross-purposes. An example is a case where funding for a project from a donor does not match a bureaucratic timeframe, e.g., six months to organise funding for a planned year-long project which, because of the delay no longer matches the organisation's registration period and, in the end, only leads to three months of access permits.

Economic challenges should also not be forgotten and play a role in both the humanitarian crisis itself and the response by humanitarian organisations. Resources are always a major factor in political decision-making. The tensions between communities and local and national governments, the existence of corruption, and suspicion of outside agencies, can all be linked to economic factors. In the words of one INGO respondent: "Inequality and economy is where the current of conflict and tensions come from."

On a final external issue, there are a whole set of challenges surrounding the involvement of military and paramilitary actors with which NGOs must deal. These may be regular military personnel, security/intelligence agents, armed guards, peacekeepers or rebels. All of these actors provide further limitations on access to areas of conflict.

Humanitarian aid agencies must respond to these challenges but often have an uncomfortable relationship with political failure and conflict, as humanitarian agencies cannot solve the political problems or the conflict but are generally only there to provide relief for the populations suffering the consequences of the conflict and political failure. Governments are also not monolithic – different levels of government will provide different challenges. Sometimes government can be an ally, or NGOs can be caught-up in political battles between levels of authority, such as between federal and state levels. There may also be a changing view of civil society as political regimes change – governments are also not static. Narratives change with contextual changes, as do the political calculations governments make to meet these changing environments. Finally, governments are fearful of seeming weak and ineffective – to their populations, their political rivals, as well as to the international community. NGOs must understand all of these political changes.

Another mindset challenge involves a lack of understanding on the part of many NGOs of civic space as a concept, in that humanitarian NGOs do not always consider themselves as civil society actors.

Those inhabiting a purely humanitarian space may sometimes undermine or ignore the wider civil society positions taken by longer-term development-oriented organisations – a short-term goal-oriented approach suspicious of governmental 'interference' may clash with a trust-based and cooperative approach to relationship building taken by organisations with longer timeframes. This theme highlights the question of the differing perspectives between national and international actors, and purely humanitarian and multi-mandate organisations. Each has its different perspective and relationship with power. A question also emerges of how wide a field of civil society actors humanitarian NGOs look to for support in creating a healthier civic space. These conceptual discordances will have an impact on how humanitarian NGOs approach their relationships with governments.

This discordance particularly applies to INGOs, which come from an international perspective and do not always feel embedded in the contexts in which they work, as their home societies are elsewhere. The experience of European INGOs in the refugee response in Europe, which has thrown many Europe-based INGOs off guard and into existential crises, is illustrative. European humanitarian NGOs are not used to confronting their own governments and their own home societies about a humanitarian crisis in their own countries and region. Given that these are their funding sources adds a level of complication to the question of advocacy. Approaching a humanitarian crisis as embedded civil society actors which are concerned with longer-term relationship building has therefore been a challenge.

The relationship between NNGOs and INGOs in coordination mechanisms and in figuring out collectively how to deal with the government is therefore often problematic – there is sometimes an unhealthy competition and differentiation made between types of organisations. As one INGO respondent said: "Fragmentation between NGOs is the main problem." National NGOs sometimes feel used by INGOs as entry points or for leverage and there is a certain amount of risk transfer inherent in this. National NGOs face a number of pressures, such as differential insecurity given that they are embedded in the societies in which they work, and capacity issues, as they often have fewer resources to work with. Differing levels of resources also impacts accountability and standards setting and adherence, such as in the implementation of complaint mechanisms and safeguarding policies. More positively, NNGOs often have better access – to populations, to governmental interlocutors, to sensitive geographical areas, and certainly have a better understanding of the context.

For all types of NGOs, there is also often a lack of constructive engagement with potential allies, such as private sector actors, philanthropic foundations and diplomats. There are of course complexities around the involvement of the diplomatic community and private sector actors – their involvement can be useful, but it can also have negative consequences. An embassy can advocate on behalf of the humanitarian community, adding weight to the search for access, and assist with making linkages between NGOs and government personnel. But this engagement may as well backfire if the political relationship between the embassy's government and the host government deteriorates. The same can be said of changing business environments and the role of private sector actors.

Finally, the findings have supported the view that there is often a poor political understanding by NGOs and senior managers, even concerning how governments work, but especially about the changing views of the governments with which they must interact. This is yet another mindset challenge. This can be termed 'political illiteracy'. NGOs do not always know when they should be supportive of the government and work with it, or when they should resist, or even how to resist. NGOs also do not always know at what level to talk with governments, or when to communicate a political message and when to stick with technical issues. Tactical mistakes are therefore prevalent, and a poor understanding of the political calculations governments are making, and why, does not

facilitate good tactical or strategic decision-making. Rapid change-over of senior field and HQ personnel on the part of INGOs does not help.

Some key questions arise from the discussion of challenges:

- How does the narrative of the humanitarian imperative relate to how organisations respond to these challenges? Can it be said that the reason most NGOs, national or international, advocate for humanitarian space and access to populations is related to the humanitarian imperative to protect, provide life-saving assistance, and restore dignity to affected populations? Or are there other reasons to advocate for increased space?
- Is there a difference between categories of NGOs – do national NGOs consider the humanitarian imperative in the same way as international organisations? Do multi-mandate organisations in the same way as organisations which only implement humanitarian activities?
- How does advocacy concerning protecting humanitarian space, as opposed to protecting broader civil society space, differ? How does ICVA's advocacy or NGOs' humanitarian advocacy differ to that of human rights organisations and those working on general civil society space issues? More clarity is needed on commonalities and differences in how civil society space is approached by different types of civil society actors. ICVA must ask itself, and its members, how to better link challenges related to humanitarian space to broader discussions of civil society space.

2.1.2. Recent trends

As recognised implicitly above and reinforced by the **survey** findings below, there is a strong consensus that things have been getting more challenging over time.
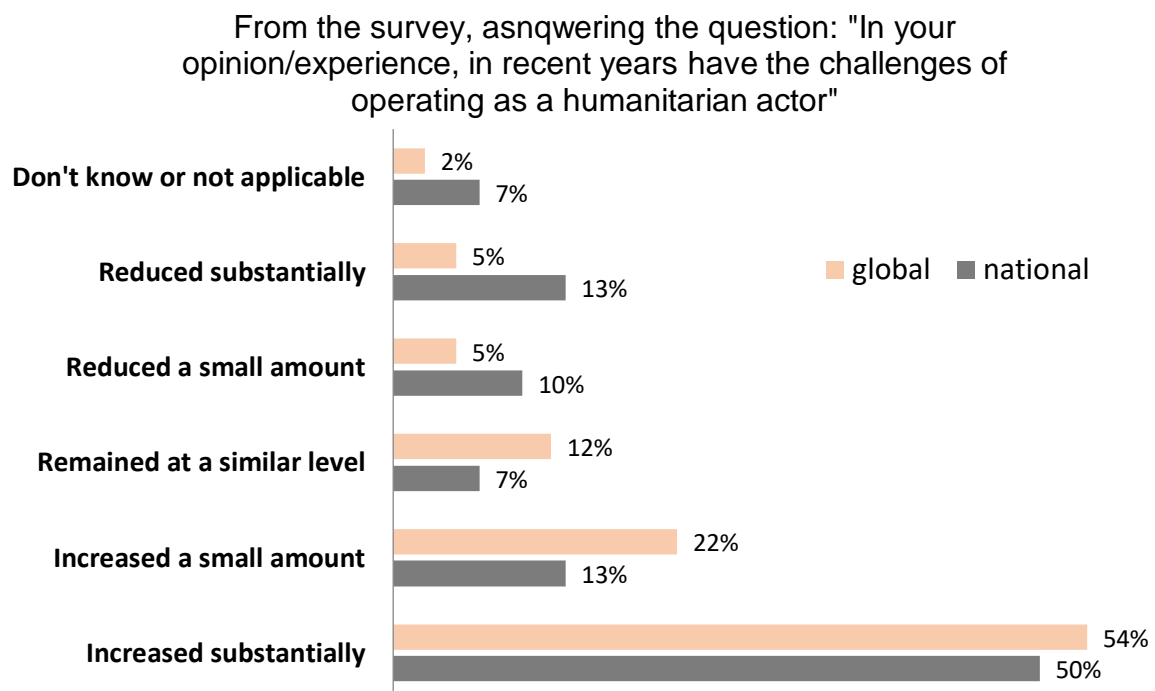
From the survey, asnqwering the question: "In your opinion/experience, in recent years have the challenges of operating as a humanitarian actor"

	global	national
Don't know or not applicable	2%	7%
Reduced substantially	5%	13%
Reduced a small amount	5%	10%
Remained at a similar level	12%	7%
Increased a small amount	22%	13%
Increased substantially	54%	50%

Figure 2-5: Changes in challenges (survey)

Interviewees generally concurred with this finding, illustrating the narrative of a deteriorating situation in recent years in most countries and regions with specific stories about the closing of space

in countries and regions such as Myanmar, the Philippines, Pakistan, Palestine, East Africa, the Horn of Africa, and elsewhere.

Interviewees described changes in governments that can and have drastically changed the space organisations must operate within. The impetus for these changes can be local, regional or international. Certainly, however, there is an intersection between these levels which changes per context. For example, there may be a wave of populism in a certain region which may have a synergistic effect. Sometimes supra-national political institutions may pressure the development on the ground, or vice versa.

2.2. Needs of civil society

2.2.1. Existing partnerships, tools and initiatives

Many organisations work on these issues from various perspectives and at differing levels. To mention a few which work on issues surrounding civil society engagement: : CIVICUS, the International Center for Not-for-Profit Law (ICNL), the Working Group on Enabling and Protecting Civil Society (Community of Democracies), Pax, openDemocracy, ACAPS, Article 19, Search for Common Ground, the World Movement for Democracy and the Act Alliance.[15] There are also others which work on NGO support, especially to humanitarian organisations working in complex environments, such as Saferworld and the International NGO Safety Organisation (INSO). Other consortia and professional organisations share similar concerns, such as Professionals in Humanitarian Assistance and Protection (PHAP), the International Humanitarian Studies Association and Interaction. And finally, most big international organisations work on these themes, and many national organisations have as well. Although private sector organisations do not appear to be vocal in their support very often, private philanthropic organisations have organised themselves via the Council on Foundations,[16]

But not to be forgotten from this list are organisations which specialise in training, such as RedR. Various academic institutions and think tanks also have worked on, or are interested to work more on, the general themes covered in this scoping study, such as the School of Public and Environmental Affairs at Indiana University Bloomington, Tufts University, Erasmus University/ISS, the Advanced Training Program on Humanitarian Action at Harvard, Institute for Development Studies, Groupe URD, the Humanitarian Conflict and Response Institute at Manchester University and the Overseas Development Institute, to name only a few based in the North.

Even concerning international organisations and institutions, the above list is far from exhaustive, and many others work on such issues locally and regionally. Most certainly each context and region will have its own set of actors which can provide support to local organisations. Local initiatives and institutions should not be ignored, and although Northern support to these is generally welcome, it should be remembered that North-South is not a hierarchical relationship. South-South interactions are as well welcome, even if sometimes facilitated by Northern actors.

There is a strong desire on the part of most actors to ensure that ICVA does not reinvent the wheel but rather complements the work of others. It is not feasible for this scoping study to do a comprehensive review of all of the tools and documents and research streams that exist, given the great extent of the work out there and the number of organisations working on similar issues. A firm

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[15] See the annotated reference list for several key documents and work streams produced by these organisations and others as well as relevant websites.

[16] https://www.cof.org/topic/closing-space-civil-society-philanthropy. See also the meeting notes 'Enhancing the agency and resilience of local civil society' at Conrad N. Hilton Foundation/CIVICUS (2018).

recommendation can be made, however, that work should be done to properly map out where gaps exist and where ICVA can fit. The above list is a good place to start. Three categories are envisaged: Research products; capacity development programmes; and civil society development initiatives.

For this study CIVICUS and ICNL were interviewed and both expressed interest in working more closely with ICVA on meeting the challenges of shrinking civil society space. One issue that arose was that organisations such as CIVICUS and ICNL do not normally work on humanitarian-specific issues, as they have a much wider scope. This should be viewed as an opportunity for all, as ICVA can bring in an underrepresented perspective and organisations with a broader mandate can assist with framing humanitarian challenges in new and innovative ways. As has been mentioned above, international humanitarian organisations often do not consider themselves civil society organisations in the countries of operation. This creates an interesting dynamic between local organisations which do consider themselves civil society organisations embedded in the local socio-political environment. It is an open question how ICVA fits into this dynamic, but it can be stated that some interviewees requested ICVA to be more aware of the civil society dynamics in humanitarian action.

From the point of view of these organisations, ICVA can play an important convening role, be it convening physical events or virtual convening through information sharing and peer support activities. How this can work is a critical question for ICVA to engage with.

2.2.2. Tools and other support needed

The research shows a clear need for further support amongst civil society organisations. There were a wide spectrum of recommendations and suggestions on what tools and support were needed in the survey and interview findings.

Overall the point was repeatedly made that unity within, and better coordination of, civil society is one key plank to mitigating many of the problems seen by civil society organisations. The concrete manifestations of this would – it was suggested – include a wide range of interventions including capacity building on coalition building, enhanced convening of civil society organisations (perhaps by an organisation like ICVA) and the production of set of 'red lines' or advocacy asks for the operation of civil society, which civil society organisations would collectively agree to and advocate around. Such red lines could also be agreed with UN agencies and might include things like civil society organisations collectively agreeing not to comply with certain 'unreasonable' regulations or bureaucratic rules.

A related point to the above was that advocacy itself is at the core of the defence of humanitarian civil society space. However, it was clear that a wide variety of views exist about what advocacy might mean in such settings, and what might be the role of international, regional and national bodies. There were also a range of views about what type advocacy strategies to employ and whether a united, 'full-throated', advocacy approach might bear fruit or whether such approaches might make things worse in some situations. One comment in this regard from an INGO actor working in a complex and controlled setting was: "Advocacy depends on how you define it: lots of people think it is like Human Rights Watch and Amnesty. We have an obligation to be much more nuanced. We maybe can't do overt public advocacy. There is space, but the approach needs innovation and a light touch."

Some interviewees and survey respondents saw the need for greater research and more public availability of data with regard to the closure of civil society space. One idea was to produce an annual report: "To have an external organisation with clout to have benchmarks [about how open space is] and show the extent to which we are colluding or keeping the space open." This is a role that CIVICUS, ACAPS and others already play, but not specifically in the humanitarian arena or not at a local enough

level – the analysis lacks granularity. All of this reinforces the necessity for greater linkages between civil society actors with complementary perspectives and mandates.

Sharing skills and capacities was also a major theme of feedback. Civil society organisations need greater capacity across a range of issues including coalition building, advocacy, policy development, lobbying and networking. Some governments – who see civil society actors either as a threat or as competitors – also need capacity building on understanding the role of civil society and how to engage with it. There was a call to have more South-South skill-sharing and collaboration. One comment from an INGO commentator was that: "Everything seems to go North-South and South-North. Capacity development rather than capacity building is what we should be doing: don't perpetuate a trickle down. It is more expensive … there are a lot of security risks, for example."

The need for the translation of key documentation and research into Arabic and other national languages was mentioned by quite a few interviewees and survey respondents. Information sharing, peer support, and learning is facilitated greatly through accessing documentation is one's own language.

A further point made by several interviewees and survey respondents is that humanitarian funding is locked into international organisations and that organisations and advocates need to push for more funding to go to national NGOs and civil society actors that are closer to the ground and more representative of and sensitive to local needs. National NGOs and local civil society actors sometime face less suspicion than international organisations and are better equipped to understand local factors, government thinking and language.

A whole range of support requests revolved around the needs of NGO fora, and can be summarised in the following points:

- Fora of all types need strengthening – fora are very important and useful tools. But, national and international fora work too often in isolation and even in competition. The exact needs for support of the fora will change per context, phase of a crisis, etc., and will need to be gauged case by case. However, strengthening them should be a priority as they are the best bet for creating synergies, leverage and united fronts. Fragmentation within the sector needs addressing.
- Individual NGOs and NGO fora, when examining their specific challenges, need help with the analysis of challenges – what are the key questions and how to collect and analyse data; what is missing in the analysis?
- It should be noted, however, that fora are not the sum total of civil society action as has been discussed – understanding of civil society engagement with the aid system must be undertaken.
- Beyond the local fora themselves, their members desire increased capacity. Support to building media and communications skills were mentioned several times. This also links with the questions: how does this fit with the localisation agenda?

Standards were also a subject of interest. Some informants thought that there was a need to better keep members accountable; to support rewriting the humanitarian narrative and to bring humanitarian organisations closer in line with it. Standards exist but need reinforcing in implementation. Bench-marking and oversight is important. Related to this, some respondents focused on civil society governance issues, as often donors shy away from this, but governance issues surround much of what the sector does, especially in areas where there is a small government footprint. What constitutes 'governance', however, needs fleshing-out. Is governance really about

government corruption? Or is it about NGO governance in relation to standards, such as prevention of sexual abuse and exploitation (PSEA), accountability, transparency? Or a mixture of both? The two streams of governance are, of course, interlinked, and should be thought of as a system. Governments and NGOs must decide together their limits of responsibility. PSEA is a good example – what are the limits of NGO investigation and reporting mechanisms in relations to governmental oversight, particularly in relation to criminal acts?

The point made by a few interviewees was that host governments are sometimes not very well organised and need capacity-building themselves in developing their own institutions, especially around managing NGOs. A few also highlighted the lack of understanding by governments of civil society actors. Many felt that governments and regional bodies also need capacity development (the types of 'training' or other interventions is to be determined, and may refer more to awareness and capacity building), although how this need should be communicated is sensitive in nature, as such a message would appear patronising to governments.[17] Governments, however, clearly need to better understand the role of civil society. Periodic meetings between NGOs and governments are good but need to be pitched at the right level – one interesting idea from CAR was to have bi-weekly interactions between NGOs and government representatives for the purpose of each learning about how the other works and thinks, but this assumes mutual interest.[18]

More concretely, requests revolved around such activities as workshops, sharing of best practices, capacity building; hubs (within countries) for info sharing; and regional information sharing in situations where there were sufficient commonalities. Help was also requested with formalising local partnering between organisations – peer support, such as putting more advanced organisations in touch with those needing capacity building. Strong support was given to the need for more capacity development on political engagement with governments.

2.3. ICVA's role, and the role of others

2.3.1. Current (perceived) added value of ICVA on improving civil society space

Many comments outlined how ICVA has been very supportive on advocacy, had organised meetings, put together partnerships, facilitated and co-hosted both NGO and INGO meetings, as well as had undertaken research and provided important materials. ICVA is seen as a credible partner and the organisation does not generally attract the criticism that it undervalues or ignores Southern NGOs at the expense of Northern or international ones.

The survey data shown below illustrates that two connecting-type roles in particular - information sharing among civil society actors and connecting organisations to collaborate with each other – come out top in terms of people's experience and observations of the benefits of ICVA's work.

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[17] See United Nations (2018).
[18] See the work done with the Civil Society Action Committee, co-lead by ICVA: http://refugees-migrants-civilsociety.org/organisation/

When navigating civil society space, to what extent have you experienced (or observed) the following benefits from the work that ICVA has been doing?

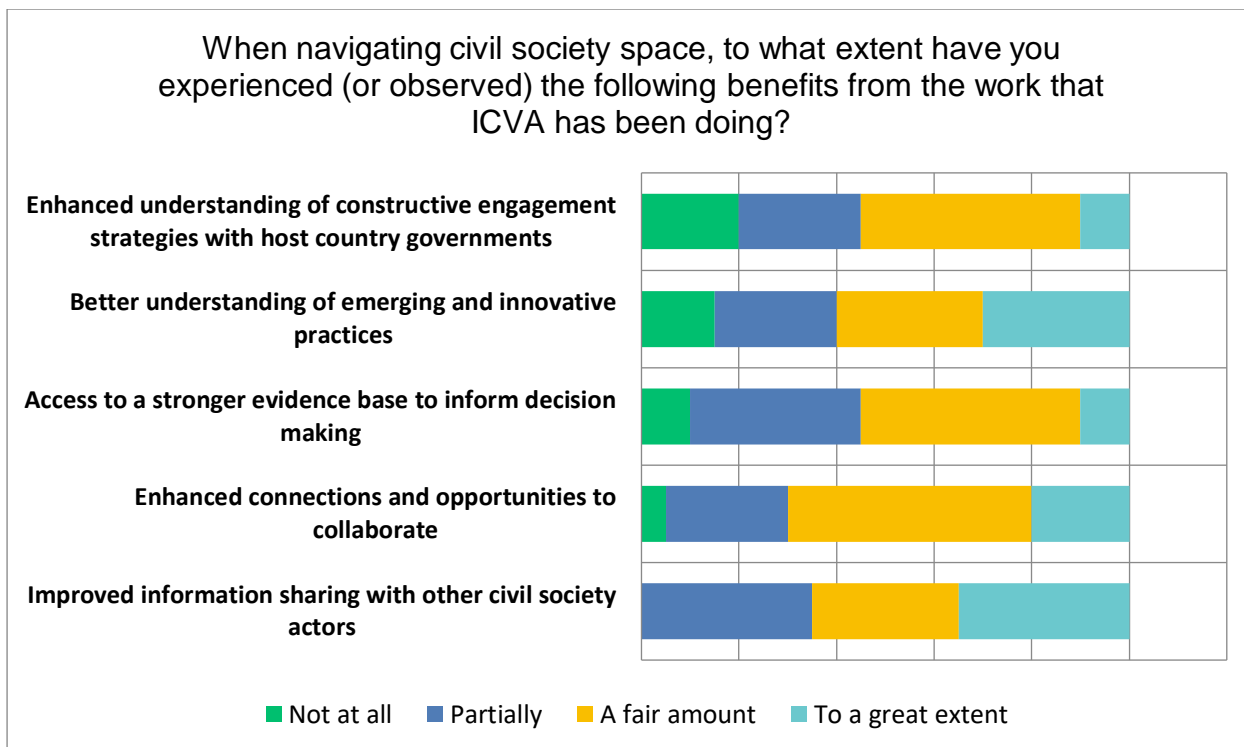Legend: ■ Not at all ■ Partially ■ A fair amount ■ To a great extent

Figure 2-6: Benefits from ICVA (survey)

As mentioned above, many felt that ICVA needs to be more engaged with a broader view of civil society development. NGOs are a sub-set of civil society actors, and humanitarian NGOs are again a sub-set of those. Civil society is broad in scope – it is often defined as the 'third sector', which means any social initiative (outside the immediate family) which is not an initiative of government or the private sector. Therefore, religious groups, non-public and not-for-profit educational institutions, philanthropic foundations, social groups, sport clubs, as well as advocacy and campaigning groups, human rights and environmental organisations, and a whole range of self-help and community mobilisation societies and groups are part of civil society. Some also provide what can be thought of as humanitarian aid – what is more traditionally thought of as relief activities in many areas. Some of these actors are organised as NGOs, but many are not.

To be more inclusive and to take into account the variety of actors participating in aid operations, a wider view should be taken on the concept of civil society. Peer support, lessons learning, and mutual support activities would all benefit from a wider view. An argument can be made that NGOs working in isolation will never be able to positively affect the relationship with governments. This argument interacts with the question about strengthening NGO fora, as concentrating too much on NGOs and their collective action may limit the ability of civil society actors in a broader sense to work collectively. Working with fora is needed but should not limit broader civil society engagement.

2.3.2.   Utility of ICVA resources

In general terms, in both interviews and in the survey responses there were positive comments and findings with regard to the utility of ICVA resources. One comment from an ICVA member was: "The bulletins are very useful. Webinars have been really helpful. Nice to chat to the regional rep, who is very supportive." One NNGO respondent said: "I attended one of the training courses. It was very helpful.''

The survey also produced positive comments. Respondents were notably enthusiastic when talking about regional support offices. One respondent noted that: "ICVA is helpful to international

organisations as a whole and helps give voice to macro level coordination issues at country level from time to time but is not that applicable on day-to-day management matters, nor is it expected to be." another said: "I shamelessly circulate ICVA's briefing notes, for example the Nexus, they are very good."

In the survey, respondents were asked, "Which existing ICVA resources and support, if any, have you found particularly helpful when navigating civil society space?" This question lends itself to relatively straightforward categorisation of answers:

Figure 2-7: ICVA support (survey)

Support	#s mentioning	Sample quotes
Regional support	4	*I have developed a very good working relationship with the Africa Regional Representative. He has been particularly helpful sharing with us info about NWOW, the nexus and discussions going on at Geneva and continental level.* *The ICVA Regional office in Bangkok has been exceptionally helpful.*
Meetings/workshops/ideas exchange	4	*Identifying common positions and seeking consensus among members through meetings and exchanges*
Networking and linking	4	*The opportunity of engaging with other actors from other contexts are helpful as one gets some new perspectives of looking in to the issues and their solution.*
Information sharing and analysis (more generally)	4	
E-learning/webinars	3	
Convening/coordinating engagement with decision makers	3	*Helping the preparation of statements, for example durable solution preparation for UNHCR*
Briefing papers	2	
Newsletter	2	

3. Recommendations and next steps

3.1. Discussion of potential future ICVA roles

The research gathered together for this study shows that there are a number of interlocking and overlapping roles that ICVA could potentially play which broadly speaking can be broken down into the following categories: **convening** roles, **advocacy** roles, **capacity** roles and **other** roles.

It is – given the analysis of resources available and the analysis of other players in the field – self-evident that ICVA cannot possibly fully and effectively play all of these roles simultaneously, thereby successfully fulfilling the various needs that the sector has. This point was also echoed by interviewees, some of whom were keen to set a challenge of specific prioritisation as well as general recommendations: "I think it is good they are looking at this [but they] need to focus on one or two issues. It could end up being too generic. Should be focused."

In the following section we make suggestions about potential 'pathways' for ICVA to choose between or combine, but this section serves as a discussion about what roles it could potentially play and weighs up some the merits of potentially doing so.

To begin, it is informative to view the survey results in this area, as shown the graphic below. The first pattern that emerges is that in all areas more support is valued, but that research, tools and guidance and peer support are considered most important. Second to this – perhaps unsurprisingly – there is a strong finding that national organisations appear to want and need more support than international organisations.
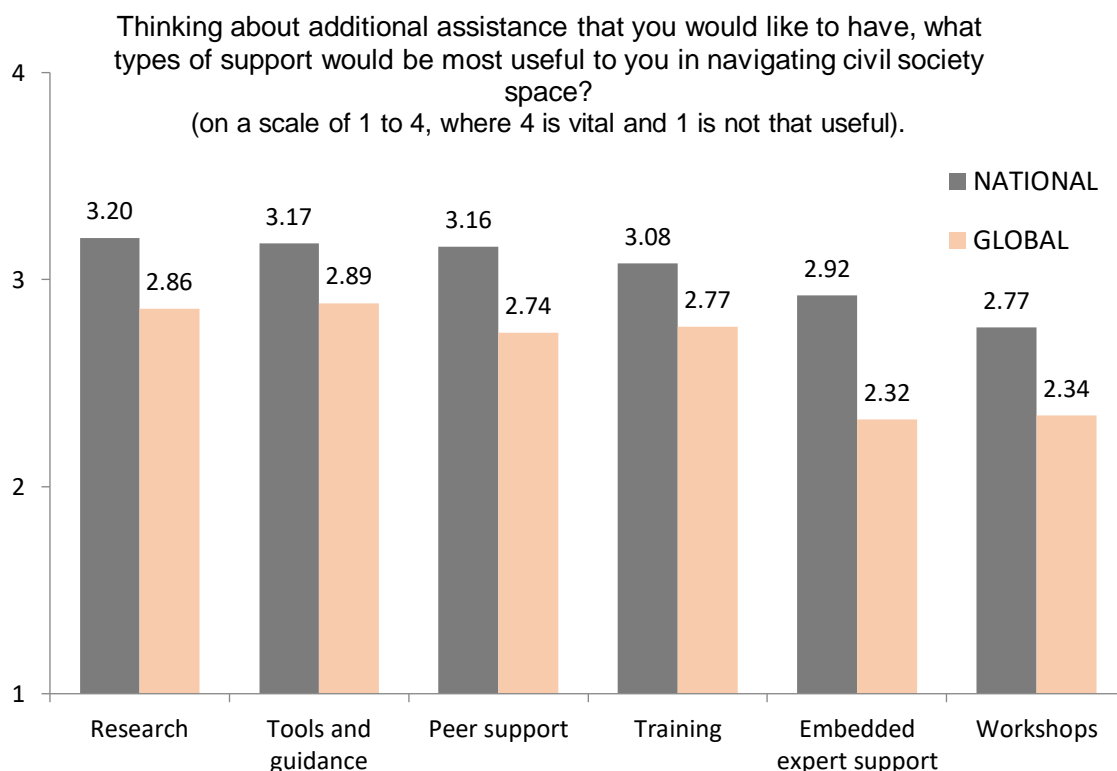

Figure 3-1 Support needed (survey)

The research, including the survey and interviews, has helped to delineate between roles, what roles might mean in practice, and also to drill down into what other roles and tasks there potentially are for

ICVA to consider. Therefore, we have categorised and delineated the following potential roles for ICVA to consider.

3.1.1. Advocacy roles

Within the field of advocacy, which itself is a contested and fluid term within the sector, there are several discrete categories of advocacy role that ICVA could potentially play, within which there were number of sub-roles and specific ideas suggested by respondents.

3.1.1.1. Roles in relation to governments

One role that ICVA could play is to be a resource point for some NGOs and governments, especially donors, as they launch into negotiations with governments at the national and regional levels. This is not to say that ICVA would be involved with the negotiations themselves but would be able to help donor governments and NGOs and NGO fora prepare their case. This might include framing the issues, sharing lessons learned, facilitating discussions between relevant actors, and being a liaison between policy circles and field realities.

One comment from an NNGO saw ICVA as potentially leveraging donor power: "ICVA could also play a role in opening a dialogue between the donors and civil society and the government. The donor could put pressure on the government to tell them to allow CSO's oversight [public sector engagement]." Another survey comment was: "The regional representatives of ICVA have a high potential of engaging with some of the government offices and providing sort of diplomatic support to the members in those countries." However, there were also warnings that such a role has its limits and that there is little room for ICVA to do any upfront advocacy with governments themselves.: "In sensitive political contexts, maybe having an external agent such as ICVA involved would cause more harm than good?"

3.1.1.2. International advocacy roles

There are a number overlapping international advocacy roles that ICVA could play, including educating and enlightening donors on the issue of shrinking civil society space and providing support and advocacy 'back up' to civil society fora and organisations by engaging with and advocating towards governments and inter-governmental organisations in Geneva. In this sense there was a feeling that ICVA can play role to better link "local voices with international networks for the purpose of advocacy, for example, to link local CSOs with interventions at Geneva or UNSC [UN Security Council] level," as one survey comment put it, or do "Advocacy and lobbying at international level to raise awareness on the deteriorating situation", as another suggested.

An example from Pakistan given by an interviewee is illustrative of the role ICVA could potentially play in this regard: ''Fair enough that the Government of Pakistan is asking donor governments to not fund NGOs not registered, that's their right, but that doesn't mean that governments can't advocate for 'their' NGOs, in-country, and they, and the INGO Forum, may need help with this, help ICVA could provide.''

The following were some specific ideas that emerged in interviews and in the survey:

- On the donor side ICVA could try to **build donor capacity** (e.g., through awareness building and advocacy) that [lack of civil society space] is a serious challenge. For example, Norwegian ministry of affairs will still give money [to support civil society organisations to strengthen them to protect civil society space but other don't]. (Interview response)
- [ICVA could] **debate with donors** on how USAID contractual obligations can be imposed on INGO's use of own funds/other donor funds. (Survey comment)

- **Advocate to UN**: often worst offenders do not abide by humanitarian principles which then impact on NGOs when NGOs attempt to maintain humanitarian space. (Survey comment)
- ICVA should improve its **engagement at higher political levels**, even within humanitarian organisations. (Survey comment)
- ICVA can help with **defining general red lines** of action and making sure these are communicated to OCHA and UN agencies. (Survey comment)
- The broader the umbrella the better/easier to hide behind. There is a role for a **disinterested party** where they can protect space. (Interviewee comment)
- ICVA's role is **strong with UN and other international actors,** such as IASC, etc., as well as with those based in Washington DC, London and Geneva. (Survey comment)

The discussion around ICVA's advocacy role is therefore complex. Respondents made a number of propositions, sometimes contradictory. There was a strong call to have someone, if not ICVA itself, give support on advocacy in different ways.

A few representative views, taken and/or condensed from both the interviews and the survey, are listed here to give a flavour for the attitudes and perspectives of the membership:

- ICVA should find ways to facilitate interactions between actors in **post-conflict environments** and over the longer-term.
- There is space for **regional networks** to be built and supported – for capacity building and advocacy, but outside the countries themselves. An example mentioned was the sub-region Pakistan, Afghanistan and Iran, where regional conferences and regular regional meetings, inclusive of government representatives, has been helpful.
- [ICVA] could help with a **typology of advocacy**, where they would delineate what advocacy can mean and be effective. What is successful advocacy and how can people choose.
- There is a need to **increase diversity [of engagement],** for example by engaging more with universities in the South. Academia is often less restricted than other civil society actors.
- National/regional-level sub-committees, groups or platforms could be established for effective advocacy and high-level coordination with the authorities for gaining access.

3.1.1.3. *Helping to rebuild a positive narrative*

It can safely be said that there was broad agreement that one thing that is very important for a network organisation such as ICVA, with good representation in policy circles, is help with (re)building the NGO narrative with states – a positive narrative of NGOs as useful organisations that are not threatening to governments.

ICVA can potentially reach higher levels of decision-makers and a wider variety of political actors. Representation at Geneva level with host government delegates may help with this. But there does seem to be some scepticism about ICVA's involvement at local levels, although regional and sub-regional roles may be more useful and acceptable.

3.1.2. Convening roles

The convening role is one which ICVA already specialises in, to some extent. Several interlocking convening roles can be discerned.

3.1.2.1. *Regional convening roles*

Regional convening is already a clear role for ICVA via its regional representatives. However, the point was made by several respondents that ICVA regional representatives cover a vast and complex set of contexts and conditions and it is arguably impossible for regional representatives to cover the entire region. An idea which has emerged from the findings has been the need to focus on sub-regions, such

as South Asia, or Iran-Afghanistan-Pakistan. Other suggestions included organising events around political institutions such as the African Union, the Southern Development Community (SADC), the Economic Community of Western African States (ECOWAS), etc. Another suggestion was to link together NGO fora across the MENA region. Many felt that ICVA needed deeper integration into regional contexts, especially to understand better the needs of local organisations.

3.1.2.2. 'Thematic' Convening

Convening organisations that face similar challenges is another type of convening role that can be imagined for ICVA. This would involve **making closer links with the range of organisations** listed above, amongst others. Thematic links, and those centred around geographical areas, would factor into how events – physical and virtual – would be organised and capitalised upon. This would both be for the benefit of ICVA to learn and develop its own support capacities and for the members (and other interested parties) involved in such events.

Thematic convening roles may include the following suggestions (from both the survey and interviews):

- ICVA should participate in **increasing knowledge about the political ramifications of aid and how NGOs interact with political systems.** It would be good to work with others on this
- There is a role for **convening platforms for peer support**, such as webinars around civic space for example. ''How do we work in complex emergencies in ways that don't compromise our space?''
- Facilitate **stakeholder meetings in different countries** (e.g. bring together different stakeholders in the UK).
- I would like more **meetings between donors/INGOs/[local]NGOs** (like the one at last annual conference) as well as regular discussions with donor representatives and UN leadership to increase collaboration between all parties.
- Maybe also start relations within **alternative partners** such as businesses, universities, private sector, institutions, media, etc. to develop innovative partnerships.
- Continue work linking with **philanthropic organisations and networks**, such as attendance at the April 2018 meeting convened by the Conrad N. Hilton Foundation and CIVICUS[19]

3.1.3. Capacity building roles

The role of capacity builder also has several possible iterations.

3.1.3.1. Structured capacity building and development

Some suggestions revolved around capacity building via a structured capacity building offer, which is, potentially, a clear and delineated role, although it may ultimately be one in which ICVA does not choose to specialise itself. It might instead seek to partner with other organisations to take this area forward. A few of the ideas put forward in this regard are listed below.

Capacity building for civil society organisations
- Enhance training and support to field operations with more frequent thematic workshops in areas of **protection, assistance and solutions** to enhance staff performance.
- Training is needed on **how to engage with host governments** on principled humanitarian action and do no harm approaches.
- There are a lot of INGOs who are partnering with government departments. This will be a sea-change [and there is a risk that] corruption sets in: how can we navigate this? Some kind of

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[19] See: Conrad N. Hilton Foundation/CIVICUS (2018) for the meeting notes

guidance or advice on **how we can do agreements [with the government],** for example by bringing in the federal government. It is also about neutrality and how can that be protected in government partnerships.

- Assist organisations to **better protect themselves** and conduct better risk analysis.
- Work on **civil-military relations** through embedded support and guidance for NGOs.
- Seminars on **evaluation of humanitarian needs** are needed.

Capacity building offer to governments
- "When they move the [NGO] registration process to different departments it would be good to train the government people, **let them know what humanitarian work is** all about."

3.1.3.2. *Capacity building via facilitating peer support*

There was wide support for the idea of a role for ICVA in regard to **capacity building via facilitating peer support.** This role includes the idea that ICVA could pull out and disseminate success stories and good practices, common messages and allow those with similar experience to learn from each other, develop common approaches and support each other's efforts.

- Lessons learnt in other contexts, **best practices [and] informational pieces** to read and reflect on and more importantly laws [could be contextual or at international level too] as they relate to navigating civil society space.
- One area [that would be helpful] is, for example, issues around the **evidence and trends,** for example around barriers to access and the impact those things, what has worked in other countries that would be helpful.
- **Success stories and good practices** should be collected and [ICVA could] disseminate these. For example, when Saudi or other countries do this, how do you deal with government and regional blocs? Help with advocacy strategy would help.
- There are so many issues around the humanitarian area they [ICVA] should maybe work on one or two issues: for example, in Myanmar we cooperate with human rights organisations, they can put pressure on us and ask questions. Perhaps ICVA could **look at whether access is for access sake** or more than that? Conflicts are going on for many years and rights are continuing to be [denied].
- We need collective responses from INGOs [and show what works]. On Palestine they are going to be doing similar things. ICVA could try and **pull out the common messages**. We need to learn [from others].
- If ICVA wanted to try and **unpack those things at a regional and international level,** then that is a gap they could fill. Learning from other countries might be helpful. Peer support for example. We feel we can't put our head above the parapet. We continue not to assert our rights. How we can message those with government better would be useful. For example, we don't talk civic space, we talk about an enabling environment and so we talk about what we contribute to the country.

3.1.4. Other suggested roles and tasks for ICVA

There were a number of other suggestions for roles and tasks for ICVA to consider:

- Resources should be more readily made available in **more languages** [commonly mentioned in survey responses as well as interviews].
- For Grand Bargain work streams, some of the pilot initiatives are happening in some countries but the [**local**] **NGO in those countries are not consulted** and included in this process. This should be corrected.

- ICVA could maintain a **database** where NGOs can go and get help, collecting information about where they can go to get help.
- ICVA must support **small grants to member** for implementing and strengthening existing network in Cambodia.
- Have **more presence in the regions**. Difficult as that would necessitate a bigger budget on ICVA.

3.1.5. Potential for duplication and appropriateness of roles

It is crucial that ICVA remains aware of the risk of duplication of the roles of other organisations and, rather, look at the potential for linkages with them. A very important role is to facilitate linkages with other groups, such as CIVICUS, ICNL, OCHA, and increase its role in understanding civil society actors and civic space. Although it is important that ICVA or others are not seen to 'interfere' in national political discussions, many interviewees noted that there is a need to understand and engage with civil society at a deeper level. However, sometimes what may be needed is information and connections rather than 'help'. One comment from an NNGO commentator was: "Sometimes governments have vested interests. When they can't act correctly the question is how can ICVA connect with civil society? [ICVA should] make sure it has a clear objective. It needs to be open-minded. It should be conducting complementary work [alongside civil society]."

3.2. Recommendations for action

3.2.1. Areas for further research

This research project has identified a number of areas that are important but also potentially require deeper and further research.

Recommendation 1.   Decide on and take forward research plans

A fuller mapping of other organisations working in the area of civil society space

As has been stated repeatedly in the findings section, the need for deeper linkages with other organisations came out strongly as well as the idea that there is no reason to for ICVA to re-invent the wheel. There are many organisations working on related issues (as listed above) and their capacity can be brought into the picture. A lot needs to be done to better map what is out there – this scoping study has only been able to start the process. Three categories of research are recommended: research outputs, civil society initiatives, and capacity building programmes. With this detailed knowledge ICVA can make better decisions about where and with whom to engage.

A fuller mapping of problematic countries/governments

Ideally, a fuller picture of challenges and blockages to civil society space in humanitarian settings could be discerned in order to provide a comparative resource for civil society organisations to draw on and understand other settings, but also to inform future ICVA interventions, depending on the path chosen. The different challenges faced by national versus international organisations should be delineated.

3.2.2. 'Core' recommendations

What follows are a set of recommendations about the way that ICVA operates and things that it could do better and/or differently. (These core recommendations are suggested as a set of actions to be adopted, whatever 'pathway' or scenario is adopted below).

Recommendation 2.   Translation of materials

ICVA should more regularly consider either conceiving of reports in local or regional languages or translate reports more rapidly into regional and local languages, where budget and time allows. In particular, ICVA should consider translating all key publications into Arabic and all relevant MENA-oriented publications should be conceived and drafted in Arabic.

Recommendation 3.   Dissemination of research

It is important that relevant research produced by ICVA is widely available and that relevant organisations are aware of and - commensurate with Recommendation 2 – are able to access ICVA research and other materials. This will require a more proactive dissemination strategy, including using social media, traditional media and reconsidering research publication and dissemination formats and styles.

Recommendation 4.   Private sector and philanthropic foundations

This study has not found significant interest in or depth of views on the role of the private sector and there is a need for more research on the role of business and its potential to increase or reduce civil society space in humanitarian settings. This is a relatively new area and one where primary research is needed from the field perspective.[20] A decision will have to be made, based on research findings, how much ICVA will want to integrate this issue into its support agenda.

Engagement with philanthropic foundations by humanitarian actors is also an emerging trend which would benefit from further research.

ICVA's orientation and reach

Recommendation 5.   National NGOs

ICVA should seek to reach beyond the INGO-NNGO fora nexus and work more directly with local NGOs. Although working to support fora is essential, there is a benefit to working more directly with national NGOs. In the first instance this will be to gauge better their specific needs and then decide how much ICVA would address these needs or link with other organisations to help support local NGOs.

Recommendation 6.   Regional issues

ICVA should be more strategic in convening of events/workshops outside a regional logic. The regional set-up and the work of the regional representatives has been highly valued by the ICVA membership. There remains a question, however, whether there is a need to create sub-regional interventions. This is not to say create more regional representations, but to find innovative ways to help foster sub-regional linkages. This could be through virtual means or through convening events, workshops, or the like. 'Thematic regions' could also be considered, i.e., linking together countries based on priority themes rather than geography. An example would be countries with especially strict NGO law regimes.

Capacity building

Recommendation 7.   Capacity building involvement

What is ICVA's role in conducting capacity building? A decision should be made limiting how much ICVA should be directly involved with conducting capacity building and development offers, or whether link with others, such as ATHA, PHAP, RedR, to work on content creation?

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[20] See: El Taraboulsi-McCarthy, S., et al. (2017).

More capacity development is needed, but it may not be for ICVA to implement the such a programme itself.

As a general comment, it should be re-stated that there are actions that ICVA can be responsible for itself, and there are things ICVA can work with others to see happen.

3.2.3. Recommended 'pathways' and choices

In this section, in the spirit of the point made by both ICVA staff and many others, we seek to ensure that ICVA does not simply face a long list of recommendations to adopt unrealistically, or potentially commit to too many actions. Rather it is suggested that ICVA **choose to focus on a specific 'strategic path' or direction**.

We suggest a number of pathway options for further consideration below. The choice of path obviously has an impact on the future planning and actions connected with each of the activities below. It should be noted that all the pathways are not necessarily mutually exclusive, but it is suggested that some paths are 'actively' *not* selected to be adopted in an effort to prioritise actions.

Pathway 1: ICVA specialises in providing international advocacy support to the sector.
This would include:
- Focus on advocacy work with international institutions, such as the UN, humanitarian policy bodies, philanthropic foundations, and the like.
- Provide a platform for country level voices at the international level.
- Consider building a more formal relationship with CIVICUS to advocate together or in tandem, internationally.
- Seek internationally recognised champions (perhaps partner with the Elders or others who have high level access).
- More systematically engage with host governments at the international level.

Pathway 2: ICVA aims to expand resources available to the sector in the form of research, capacity development and facilitated peer support, to include the following actions:
- Isolate further research needed, starting with the themes listed above, and roll out an expanded research agenda.
- Expand, actively engage with and develop a portfolio of peer support and learning activities.
- Become the sector focal point for the development of peer support platforms on civil society space for humanitarian NGOs
- Consider options for expanded involvement in capacity development.
- Seek funding for this type of work.

Pathway 3: Facilitate/convene platforms:
- Link bilaterally more closely with other specialist organisations to form new partnerships, such as CIVICUS and ICNL.
- Create a community of practice with a range of like-minded actors.
- Decide how regions are conceptualised, as described above. Then strategically expand the concept of regions.
- Seek to support and further strengthen NGO fora of all types.
- Convene a network of trainers and provide content development support.

Pathway 4: Work in depth on 3-5 countries:
- Increase depth of knowledge and understanding of civil society space in those countries.
- Work to support wider civil society in a variety of ways.
- Keep only a passing interest in other areas.
- A choice of countries would have to be made carefully, but one criteria of selection would be to discount countries where civic space is so closed that intensive attention will not lead to increased benefits.

Pathway 5: Research and pressure group role:
- Become a kind of CIVICUS for the humanitarian sector by publishing a 'state of international humanitarian civil society space annual report', or similar, documenting abuses at a national level
- Work towards becoming the primary source for expertise and knowledge about the state of *humanitarian* civil society space.

Annex 1: Suggested workplan[21]

Recommendation	Actions required	Timeframe[22]	Responsibility
Recommendation 1: Decide on and take forward research plans	Identify further research needed	Six weeks	For ICVA to assign
	Establish and ringfence in-house capacity, or consultancy budget for each project	Further three months	For ICVA to assign
	Commission/conduct research in each area	Nine months	For ICVA to assign
Recommendation 2: Translation of materials	Choose materials to be translated	Six weeks	For ICVA to assign
	Any MENA specific research ideas to be done first in Arabic	Three months	For ICVA to assign
Recommendation 3: Dissemination of research	Dissemination role to be directly linked with decisions on advocacy role, organisation linages/network creation, and convening role	Three months	For ICVA to assign
	Draft and agree dissemination strategy	Six months	For ICVA to assign
Recommendation 4: Private sector and philanthropic foundations research	Decide on importance and relevancy	Six weeks	For ICVA to assign
	Private sector and philanthropic foundations research plan drafted and adopted as necessary	Six months	
Recommendation 5: Reach – National NGOs	Scope specific needs of national NGOs	Six months	For ICVA to assign
	Decide on role	Six months	For ICVA to assign
Recommendation 6: Regional issues	Consider sub-regional or thematic region support	Six months	For ICVA to assign
	Design and agree a strategic plan for how ICVA's convening role will be refined, addressing the following questions: • With whom? • For whom? • On what themes? • Where? • How often?	Six months	For ICVA to assign

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[21] This workplan intends to map out an initial planning period of one year. Beyond that a new planning exercise would have to be conducted.

[22] At this stage this is an estimate and there are clearly a number of dependencies and resource implications. Future plans will need to be revised according to strategic choices made and specific recommendations accepted and agreed.

	• And, most importantly, why? Each event must contribute tactically to a common strategic goal – what, ultimately, is ICVA trying to accomplish?		Page 29 | 42
Recommendation 7: Capacity development involvement	Decide on limits of action	Three months	For ICVA to assign
Recommendation 8: Choose path(s)	Theory of change exercise to decide path to be taken.	Six to nine months	For ICVA to assign
	Further actions to be implemented	One year onwards	For ICVA to assign

Figure 0-1: Workplan

Annex 2a: Survey answers on kinds of additional support sought

From the survey [Q20]: "In those areas that you have suggested are vital or highly useful, what kind of additional support would you like to see? Please be as specific as you can, for example about possible subject matter", the following narrative answers were given.

Materials/research

- Reading materials
- Mailing list of like-minded entities for quick information sharing
- Database of available experts in specific areas
- In country contextualised resources along with agreed common action plans across agencies i.e. collective response plans
- More research on economic and other benefits of NGOs; work that counters the bad press that NGOs often receive
- Research has to help to understand new civil society dynamics concerning humanitarian sector
- Case studies of strategies that have been successful.
- Currently the research that is taking place is mainly on the impact of delays in issuance of NOCs very superficially, UNOCHA collects the information on the number of NOCs delayed, the volume of the financial resources and intended number of the beneficiaries who will be affected due to delays, but there is no perspective of the beneficiaries themselves.

Capacity development: workshops, training, peer support/exchange

- Dialogue fora for Exchange of experience and mutual learning
- Regional Workshops, Experience Sharing and Training to build the local actors' capacity to navigate the civil society Space
- documents and training material on advocacy for example that could enhance the capacity of our staff. 2. provision of short-term consultants on need based
- Organisation of workshops with specific subjects and segments of the civil society, using local resources and expertise on doing research and a knowledge sharing mechanism among peers.
    - o Risk
    - o Compliance
    - o Accountability
- Enhanced training in staff safety and security, strengthening programming and monitoring skills as well as practical training in dealing with the NWoW and the Grand Bargain, including reporting.
- Sharing the information and experiences in the actors related to the humanitarian responses
- Train my Organisation members to handle on--war crisis like which a situation we have never witnessed before
- how to build trust with government actors, best practices on how to deliver meaningful work in a highly restrictive working environment (access, permissions), not compromising humanitarian principles; exchange forum with actors from other countries, but with similar challenges
- Trainings in management of development projects agriculture and environment: production of the biogas
- Training and developing for a localised monitoring and evaluation policies and toolkit
- Training on Media, communication and advocacy
- Training on fundraising

- Training on Negotiations for Access
- Training on risk management and "organisational resilience" so that actors can better plan for and cope with the restrictions they face. (We are planning this)
- Workshops or networking events that bring together CSO activists with humanitarian service providers to address shrinking space (We are planning this) acknowledging that hum access is closely connected with human rights related to assembly and association.
- Secondments to other areas of work, learning and skill development relevant to humanitarian work.
- Research, training and peer support on conflict dynamics, humanitarian access, conflict sensitivity, programme design. I do think that we do need to take a bit of more distance and look more at larger sphere more pragmatically
- Training not only of the humanitarian organisations but supporting the government to train those officials who carry out the clearances etc, they many times do not understand the dynamics of the humanitarian sector, and if they see anything like protection, women rights, gender mainstreaming etc, they take longer than usual in processing.
- Tools and guidance: the main problem is the confusion and unclear SOPs in issuance of the NOCs, the previous SOPs are outdated, and the host government has not given any feedback on the revised SOPs which we have given them, lack of some constructive forum for engaging with the government beyond HCT.
- Workshops: could be separate for the Civil society organisations from the countries where the access issues are acute like Pakistan and Myanmar, or some engagement forums for the government officials of the countries who have no such issues and countries with severe issue, so that the officials of the problematic countries can learn from the well-off countries officials on how to develop a certain level of trust with the NGOs. Support on digital and physical security for HRDs
- More capacity-building and sharing on a wider humanitarian approach - especially inclusion-based - would be appreciated.
- Technical staffs to be embedded within the government to support the harmonisation and ensuring we have equal space among actors
- Exchange Programmes among various humanitarian actors.
- Exchanging experience and create community of practice would be useful. I think this tends to be more useful and relevant than training.

Facilitated advocacy/Influencing
- Opportunity to engage directly with donor agencies and express the local situation and local stand points
- CS space and good governance programming; ability to influence CS space through strong evidence and day to day lobbying for DRR / Disaster Management policy implementation at local/municipal levels.
- Civic-Military relations guidance as this relationship is very weak to non-existent right now and one of the keys to progress in opening space for civil society in Myanmar.
- Clear and simple ways to track access of INGOs and deliver key messages to host governments.
- Public communications strategies.

Other
- Safety and Security support for staff and partners
- INGO laws and regulatory frameworks - through ICNL

- We have good ideas about what is needed to impact shrinking space in our country, but access to funding through local bi- and multi-lateral donors is a recurrent problem. We would like national and international advocacy support for addressing the root causes of shrinking space in each country, and for more courageous, as well as evidence-based donor engagement along those lines.
- Engagement in localisation processes

Annex 2b: Survey answers on what ICVA could to support civil society

From the survey [Q21]: Do you have any other suggestions on what ICVA could do more of, or differently, to support you when navigating civil society space?

Best practice sharing/Capacity building of civil society
- Lesson learnt in other contexts - best practices informational pieces to read and reflect on and more importantly laws [could be contextual or at international level too] as it relates to navigating civil society space
- Enhance training and support to field operations with more frequent thematic workshops in areas of protection, assistance and solutions to enhance staff performance.
- We know that the internally displaced persons need financial and material need but only after the training
- Strengthen civil society voice in Kenya. Non-existent
- Work on Civil Military relations through embedded support and guidance for INGOs
- How to engage with host governments on principled humanitarian action and do no harm approaches
- Provide good examples of how I/NGO country networks have been effective in this.
- Share innovations in navigating civil society space that have worked in other countries
- Widely information sharing to the local and national NGOs
- seminars on evaluation of humanitarian needs

Convening/network building (This sometimes crosses over with the above and below)
- Facilitate stakeholder meetings in different countries (e.g. bring together different stakeholders in the UK)
- Facilitating regional contacts (Latin America...)
- I would like more meetings between donors/INGOs/LNGOs (like the one at last annual conference) as well as regular discussions with donor representatives and UN leadership to increase collaboration between all parties. Maybe also start relations within alternative partners such as businesses, universities, private sector, institutions, media, etc... to develop innovative partnerships.
- Assist organisations to better protect themselves and conduct better risk analysis.
- More networking civil society/government

Advocacy
- ICVA can better link local voices with international networks for the purpose of advocacy. E.g. link local CSOs with interventions at Geneva or UNSC level.
- Advocacy and lobbying at international Level to raise awareness on the deteriorating situation.
- Seconding technical staffs to the government.
- The regional representatives of ICVA have a high potential of engaging with some of the government offices and providing sort of diplomatic support to the members in those countries.
- National/regional Level Sub-committee or group or plate form should be established for effective advocacy and high-level coordination with the authorities for access.
- Debate with donors on how USAID contractual obligations can be imposed on INGO use of own funds/other donor funds, as per most recent ruling on NPA.
- Advocate to UN - often worst offenders to not abide by humanitarian principles which then impact on NGOs when NGOs attempt to maintain hum space
- more advocacy is required on the behalf of CS with the government of Afghanistan

Other

- For grand bargain work streams, some of the pilot initiatives are happening in some countries but the LNGO in those countries are not consulted and included in this process. This should be corrected
- NTR
- ICVA must be supporting small grant to member for implementing and strengthening existing network in Cambodia
- Have more presence in the regions. Difficult as that would necessitate a bigger budget on ICVA
- Resources available in more languages.

Annex 2c: Survey categorisation of challenges

Political/governmental opposition to civil society[23]

- Often the host country government is part of the conflict and therefore not impartial
- Governments sometimes lean towards specific humanitarian actors over others
- Local organisations are often both humanitarian service providers and human rights defenders and are therefore harassed also for speaking up against social injustice
- ''The rise of nationalism and extremism that does not tolerate divergent views and other opinions that what the government is telling is the line. The perceived partiality and alignment of hum[anitarian] actors with potential armed or subversive elements in some form of conflict with the government.''
- Perpetrators of violence against populations are sometimes either state actors or agents close to the government and/or military
- ''Government agencies would like to take the ownership in the humanitarian context and did not want to share the operational space to CSOs.''
- Fear of public criticism by CSOs which feed into political decisions of governments and to anti-NGO rhetoric
- Suspicion of faith-based organisations
- ''Government is hostile to any form of criticism or pressure and INGOs and UN do not use leverage to counter Governments tactics that impede humanitarian actions. There's limited civil/military engagement and the military has no checks and balances at this time.''
- There is an inherent contradiction – or perception thereof - between humanitarian agenda and political/commercial agendas

Bureaucratic challenges

- Changing practices concerning NGO registrations, including complexity in receiving, cost of applications, and shortened durations once obtained. Taxation is a burden.
- Beyond registration, many other forms of permissions and certifications are needed and often many different departments, at many levels, are involved
- It is not only about the NGOs themselves, but about those seeking aid – humanitarian space can be looked at as the space in which aid recipients meet aid providers, and therefore it is a two-way interaction – if aid recipients cannot reach the aid provided then that is as much of a problem
- Poor planning processes by governments, particularly for governments recently created or transforming into more open political societies
- The reaction of government in case of disaster is very slow
- High burden of information requested by governments, e.g. financial information, with questions about the legality of asking for such information

Lack of understanding/trust between governments and civil society actors

- Government does not have a good understanding of humanitarian principles
- Communication is often difficult and lacks transparency
- Cultural issues play a role
- Policy incoherence on the part of governments on how to engage with vulnerable populations

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[23] Direct quotations are marked as such.

- Many challenges are due to the distrust between host government and humanitarian actors and has been proving very difficult to overcome
- To be noted that is about a lack of understanding on the part of humanitarian organisations about how governments function.

Corruption

- ''Abuse of power from political authorities and civil servants to seek for financial gains (direct income, jobs for relatives, and so on).''
- ''In partnership with governments to deliver on humanitarian programmes, the issue of staff allowances that eat into the budget are common. Government staff will request for exorbitant amounts of money which humanitarian organisations don't agree to.''

ANNEX 3a: Data sources - Interview list

NGOs and NGO fora

- NGO Forum in Palestine
- NGO in Turkey
- NGO in Jordan
- NGO in Lebanon
- Two NGOs in Iran (national and international)
- NGO Forum in Yemen
- NGO Forum in Libya
- African NGO Forum
- NGO Forum in South Sudan
- Oxfam International
- NGO Forum in Central African Republic
- Regional perspective from two INGOs in East Africa
- NGO Forum in Nigeria
- NGO Forum in DRC
- NGO Forum in Somalia
- Three NGO Fora in the Philippines
- NGO Forum in Myanmar
- NGO in Myanmar
- NGO in Pakistan
- Two NGO Fora in Pakistan

Other organisations

- International Center for Not-for-Profit Law (ICNL)
- CIVICUS Geneva

ICVA

- Africa Regional Hub
- Asia Regional Hub
- Middle East and North Africa Regional Hub
- Geneva Secretariat

ANNEX 3b: Literature references and data sources

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Annex 3c: Key websites, document and work streams from other organisations

ACAPS (https://www.acaps.org) is an independent service helping humanitarian actors respond more effectively to disasters and has a work stream on humanitarian access:

- ACAPS (2018). Humanitarian Access Overview https://www.acaps.org/sites/acaps/files/slides/files/acaps_humanitarian_access_overview_august_2018_0.pdf

  This methodology uses nine variables, grouped under three dimensions, to gauge the level of access for humanitarian organisations: access of humanitarian actors to affected population; access of people in need of humanitarian aid; and security and physical constraints.

  It would be interesting for ICVA to engage with the ACAPS methodology to determine its usefulness to ICVA members. The methodology may lack granularity to be useful to local NGOs.

ARTICLE 19 (https://www.article19.org/law-and-policy/)

- As described in their mission statement, 'ARTICLE 19's legal and policy work sits at the core of what we do, from fighting for protection for human rights defenders under threat to influencing international standards on digital rights. We provide legal analyses of national laws relating to free expression, submit expert opinions through amicus briefs to national and regional courts, and shape international standards on the right to freedom of expression and information through UN advocacy and the production of policy documents on core free expression issues. Our legal experts have enabled us to engage with states and international actors to shape standards in new areas of international law, as well as providing toolkits and resources for civil society in order to challenge violations and tackle "hate speech"'.

  It is recommended that ICVA have a discussion with ARTICLE 19 to see if there are tools or perspectives that they can share.

CIVICUS (https://www.civicus.org/) works on several key work streams which could be of value to ICVA:

- CIVICUS Enabling Environment National Assessment: https://www.civicus.org/index.php/eena-country

  The Enabling Environment National Assessment (EENA) is an action-oriented research tool designed to assess the legal, regulatory and policy environment for civil society. This methodology is not unique to humanitarian NGOs or environments but opens the assessment of civic space to a wide variety of civil society organisations. As such, many typical humanitarian environments are not covered. An example of an output is: Firmin, A. (2017). Contested and under pressure: A snapshot of the enabling environment of civil society in 22 countries. CIVICUS. https://civicus.org/images/EENA_Report_English.pdf

  This methodology has good potential for use by ICVA members but would first need to be tweaked for use gauging civic space in humanitarian contexts.

- CIVICUS Civil Space Initiative. CIVICUS has partnered with the International Center for Not-for-Profit Law (ICNL), ARTICLE 19, and the World Movement for Democracy to undertake a three-year

project aimed at protecting and expanding civic space by fostering an enabling legal environment for civil society. https://www.civicus.org/index.php/what-we-do/defend/civic-space-initiative

It is recommended that ICVA engage with CIVICUS on this initiative.

- CIVICUS (2018). Resilient Roots: How constituent accountability helps organisations to counter closing civic spaces. https://www.civicus.org/documents/resilient-roots-summary-jan18.pdf

Another useful initiative produced by CIVICUS, the Resilient Roots initiative, coordinated by CIVICUS, in collaboration with Keystone Accountability and Accountable Now, will test whether organisations who are more accountable and responsive to their primary constituencies are more resilient against external threats.

- Conrad N. Hilton Foundation/CIVICUS (2018). Meeting notes: Enhancing the agency and resilience of local civil society, April 25 - 26 2018, Agoura Hills, California.

A worthwhile initiative with which to engage.

Council of Democracies: https://community-democracies.org/?page_id=580

- The Council of Democracies has a Working Group on Protecting and Enabling Civil Society which aims to foster collaboration among states, civil society and international organisations to counter the growing international trend of constraining civil society.

It is recommended that ICVA contact this working group to determine areas of common interest.

The International Center for Not-for-Profit Law (ICNL) (http://www.icnl.org/) also works on relevant initiatives which may be useful to ICVA:

- ICNL (2018). The state of civic freedoms In the Middle East and North Africa: Access to associational rights in Morocco, Tunisia, Lebanon, Jordan and Kuwait. Washington, DC. http://www.icnl.org/news/2018/The%20State%20of%20Civic%20Freedoms%20in%20MENA%20FINAL.pdf

This is a good example of the work ICNL does which could be useful to ICVA. As with CIVICUS, this work stream is not unique to humanitarian contexts or environments but is broader in scope. This should be viewed as a positive dimension, as perspectives from a wider range of civil society actors could be useful.

- ICNL (2018). Effective Donor Responses to the Challenge of Closing Civic Space. Washington, DC. http://www.icnl.org/news/2018/Effective%20donor%20responses%20FINAL%201%20May%202018.pdf

This document provides views from the donor perspective on how they can help NGOs with the closing of civic space. It is recommended that ICVA engage with ICNL on increasing engagement with donors on this issue.

- ICNL Civic Space Initiative: http://www.icnl.org/programs/international/index.html

This is the same initiative as described above but from the ICNL perspective.

- ICNL Civic Freedom Resources: http://www.icnl.org/research/resources/index.html

  ICNL has a number of resources on current issues affecting the legal framework for civil society law. At this link resources on 12 topics are outlined.