



## An overview on civic space, enabling environment and human rights defenders

Some useful basic definitions of key terms:

**Civic space:** “A healthy or open civic space implies that civil society and individuals are able to organise, participate and communicate without hindrance, and in doing so, influence the political and social structures around them.” These three fundamental freedoms—of association, assembly, and expression—define the boundaries of civic space (Source: CIVICUS).

**Civil society:** “The arena – outside of the family, the state, and the market – which is created by individual and collective actions, organisations and institutions to advance shared interests.” This includes non-governmental organisations, private voluntary organisations, people's movements, community-based organisations, trade unions, charities, social and sports clubs, cooperatives, environmental groups, professional associations, consumer organisations, faith-based organisations and the not-for-profit media. Civil society spans the ideological spectrum. (Source: CIVICUS).

**Enabling environment:** The UN Special Rapporteur on the Situation of Human Rights Defenders (HRDs) defined the conditions for a safe and enabling environment for HRDs (in law and in practice) as comprising eight elements: Source: United Nations, ‘Report of the Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya’, A/HRC/25/55, 2013).

- Conducive legal, institutional, and administrative frameworks
- Anti-impunity measures and access to justice for violations against defenders
- Strong, independent, and effective national human rights institutions
- Effective protection policies and mechanisms, including public support for the work of defenders
- Special attention for risks and challenges faced by women defenders and those working on women’s rights and gender issues
- Non-state actors’ respect and support of the work of defenders
- Safe and open access to the United Nations and international human rights bodies
- A strong, dynamic, and diverse community of human rights defenders

### On ‘Shrinking Space’ for Civil Society and HRDs

There is extensive documentation of the mechanisms, drivers, and authors of the global crackdown on civil society and HRDs including: restrictive regulations on freedoms of association, assembly, and expression; the stigmatisation and criminalisation of activists and groups; securitised environments and counter-terrorism measures, including mass and targeted surveillance; threats and violence against activists and communities; and blocked funding: Terms like ‘shrinking civic space’ or ‘closing space for civil society’ have been coined to characterise the growing intensity of this backlash against human rights and civic participation. A recognition and protection framework for HRDs built upon the 1998 UN Declaration on Human Rights Defenders, the recognition by UN resolutions and regional bodies of the rights and roles of civil society, and the growing ecosystem of domestic and cross-border civil society and HRD networks and their achievements in localities globally.

While the backlash from powerful state and non-state actors in democratic, semi-authoritarian, and autocratic states has a renewed vigor, some have questioned the novelty and validity of the concept and language of ‘shrinking or closing space’ and even of the HRD framework. They raise a number of conceptual problems: i) space for whom? – for women, LGBTI, and other marginalised groups there has been consistently little or no civic space; ii) that it homogenises diverse civic movements and de-politicises the nature of the crackdown; iii) that it does a disservice to the activism of movements and collective struggles that thrive despite the crackdown; iv) that the discourse, funding, and action around shrinking civic space in itself marginalises and excludes (esp. social movements); v) while the discourse on defenders and ‘enabling environments’ focuses more on individual instead of collective struggle.

### **Global, Regional and National Initiatives to ‘Push Back’ and ‘Open Space’**

The wave of restrictions and attacks has led to a range of responses via research, policy work, advocacy campaigns, coalition-building, protection mechanisms, training, and other technical assistance involving international NGOs, donors, regional networks, and national groups.

These important efforts have yielded mixed results. On one side, there is a surge in awareness, attention, support, and action, and a willingness to re-think and experiment while investing in sustainability, resilience, and self-care; Many groups continue their work and manage their safety in spite of deteriorating conditions. However, there remain significant shortcomings—often related to the fact that many of the efforts are driven by the international community (esp. INGOs and donors)—that limit potential impact, including: insufficient funding, a lack of political will, that associational membership is defined too narrowly and with too much of a focus on formal NGOs; and that action and funding are not well aligned with local struggles and strategies.

### **What is Not Addressed in the Struggle over Politics, Values and Power?**

But are we sufficiently addressing the root causes in fundamentalisms (religious and economic, i.e. neoliberalism); corporate capture of the state; accelerating land and resource grabs; rising authoritarianism, populism, and nationalism (masking bigotry, xenophobia, othering, and hatred)? The Transnational Institute argues for a political reframing, that *“‘political space’ for civil society is not ‘shrinking’, but rather being taken away, closed down, and rendered uninhabitable by the same forces that have hollowed out democracy and placed it at the service of corporations and private interests.”*

The struggle over narratives and values: Perhaps rather than a contest over civic space or even human rights, this is a struggle between competing narratives and values: those on one hand rooted in respect for human life, indigenous worldviews, and communities; protecting the environment; and deepening democracy, inclusivity, equity, and justice; versus those on the other hand that promote unfettered development, free market, authoritarianism, fundamentalisms and nationalism that privilege dominant discriminatory structures, norms, and groups at the expense of others. These narratives are shaped and contested in the public sphere, including by civil society actors, and the more limited the civic space, the less scope there is to reshape dominant worldviews and values.

Ultimately it is about power – of ‘power over’ being used to dominate and repress those less powerful, and those less powerful organising with others for collective, positive social change—hence the importance of a power framework and analysis for effective and appropriate strategies to (re)claim or create space and reinforce rights. This power analysis needs to address both the actors and their freedoms of association and expression, and the underlying social norms, narratives, and values that define the acceptable boundaries for social change and human rights struggles.