



# 2018 CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX

FOR SUB-SAHARAN AFRICA  
10th EDITION – NOVEMBER 2019



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**Developed by:**

United States Agency for International Development  
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Center of Excellence on Democracy, Human Rights and Governance

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**Disclaimer:** The opinions expressed herein are those of the panelists and other project researchers and do not necessarily reflect the views of USAID or FHI 360.

Cover Photo: Margaret Simon Gatluak, a community correspondent (at left) from Internews' Humanitarian Information Service radio station, Kondial FM in Bentiu, South Sudan, interviewed women leaders from an internally displaced persons camp on International Women's Day on March 8, 2019. Internews' Humanitarian Information Service serves the information needs of more than 500,000 people annually in South Sudan.

Photo Credit: Puot Panyuan, Internews



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# INTRODUCTION

The United States Agency for International Development (USAID) is pleased to present the tenth edition of the CSO Sustainability Index for Sub-Saharan Africa, covering developments in 2018.

This year's Index reports on the state of civil society organizations (CSOs) in thirty-one countries located partly or fully south of the Sahara Desert. The Index addresses both advances and setbacks in seven key components or "dimensions" of the sustainability of the civil society sector: legal environment, organizational capacity, financial viability, advocacy, service provision, sectoral infrastructure, and public image. The Index is intended to be a useful source of information for local and international CSOs, governments, multilateral institutions, donors, academics, and other partners and stakeholders who want to better understand and monitor key aspects of sustainability in the CSO sector.

The Index's methodology relies on CSO practitioners and researchers, who in each country form an expert panel to assess and rate these dimensions of CSO sustainability during the year. The panel agrees on a score for each dimension, which ranges from 1 (the most enhanced level of sustainability) to 7 (the most impeded). The dimension scores are then averaged to produce an overall sustainability score for the CSO sector of a given country. A Washington, DC-based editorial committee composed of technical and regional experts reviews each panel's scores and the corresponding narrative reports, with the aim of maintaining consistent approaches and standards so as to facilitate cross-country comparisons.

To ensure scoring consistency across countries, several dimension-level scores in this year's Index were recalibrated to better reflect the situation on the ground, as opposed to changes from the previous year. These scores are marked in the individual reports. Further details about the methodology used to calculate and recalibrate scores and produce narrative reports are provided in Annex A.

USAID works with a diverse array of partners, including CSOs, to advance the principles of self-reliance and locally sustainable development. The Index provides a comprehensive assessment of the capacity of civil society to serve as both a short-term partner in implementing development solutions and a long-term actor in ensuring that development outcomes are sustained. The Index empowers local CSOs to collectively assess their own capacities and the environment in which they operate as first steps towards achieving resiliency and self-reliance.

The 2018 CSO Sustainability Index for Sub-Saharan Africa complements similar publications covering other regions. The CSO Sustainability Index for Central and Eastern Europe and Eurasia assesses the civil society sectors in twenty-four countries; the CSO Sustainability Index for the Middle East and North Africa covers seven countries; and the CSO Sustainability Index for Asia includes reports on nine countries. In addition, the first report for Mexico is being published this year. These various editions of the CSO Sustainability Index bring the total number of countries surveyed in 2018 to seventy-two.

To further explore CSOSI's historical data and past reports, please visit - [www.csosi.org](http://www.csosi.org).

# ACKNOWLEDGMENTS

A publication of this type would not be possible without the contributions of many individuals and organizations. We are especially grateful to our implementing partners, who played the critical role of facilitating the expert panel meetings and writing the country reports. We would also like to thank the many CSO representatives and experts, USAID partners, and international donors who participated in the expert panels in each country. Their knowledge, perceptions, ideas, observations, and contributions are the foundation upon which this Index is based.

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# EXECUTIVE SUMMARY

This tenth edition of the *CSO Sustainability Index for Sub-Saharan Africa* offers a snapshot of developments in the CSO sectors of thirty-one countries in 2018. As in previous years, it confirms that the region's CSOs show great diversity in their strengths and weaknesses but are united in a strong drive to cooperate with governments, international agencies, beneficiaries, and other stakeholders to further their countries' democratization and socio-economic development.

The following summary is based largely on information presented in the reports themselves, with some contextual background added in. Like the individual country reports, the summary first outlines the political and economic contexts for CSOs' work in 2018, then considers general trends in civil society, and finally outlines significant aspects of each dimension of sustainability.

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## A YEAR OF INSECURITY – WITH A FEW BRIGHT SPOTS

Overall, sub-Saharan Africa recorded a decline in peacefulness in 2018, according to the 2019 Global Peace Index. Some areas suffered fresh scars as persistent armed conflicts spilled across borders or political violence increased. Deadly attacks involving non-state actors were particularly prevalent in the Sahel and Lake Chad regions. In northern and central Mali, armed extremist groups and rebel factions stepped up attacks on civilians, government forces, and international peacekeepers. The Nigerian military was still unable to contain the violent insurgency of Boko Haram, which entered its tenth year, and armed jihadists in Niger exploited community tensions to expand their control. In Burkina Faso, terrorists summarily executed villagers and local government officials and drove thousands of people from their homes. More than 140 armed groups killed hundreds of civilians and abducted or kidnapped 1,400 people for ransom in eastern Democratic Republic of Congo (DRC), and Mozambique's Cabo Delgado Province was again the scene of vicious terrorist attacks that the government seemed unable to control.

In some countries, intensifying political polarization or governments' failure to adhere to stated democratic norms drove the decline in peacefulness. In Burundi, for example, violent protests registered citizens' extreme discontent with repeated human rights violations. When thousands of Zimbabweans protested the reportedly fraudulent presidential election, the army responded by shooting and killing six people and injuring close to 300 more.

But against this backdrop of widespread unrest, several promising developments brightened the region's security picture in 2018. After five years of civil war, South Sudanese president Salva Kiir and rebel leader Riek Machar signed a power-sharing agreement that helped decrease fighting and allowed many displaced persons to return home. Mozambique's government and rebel forces took an important step towards peace when they signed a memorandum of understanding, which paved the way to a permanent ceasefire and peace agreement in 2019.

In Ethiopia, after anti-government protests led to the prime minister's resignation in early 2018, his replacement, Abiya Ahmed, promoted rapid reconciliation by lifting the state of emergency, arresting high-level government officials on charges of corruption and human rights violations, concluding a peace deal with separatist forces, and signing a peace agreement with Eritrea. In recognition of these striking accomplishments, Ahmed was awarded the Nobel Peace Prize in 2019. The Gambia continued to heal from the Jammeh dictatorship as President Adama Barrow initiated a massive process of transitional justice, including establishing a Truth, Reconciliation, and Reparations Commission. Political tensions in Côte d'Ivoire also eased as the president pardoned 800 people jailed after the 2010 election crisis and continued to strengthen democratic reforms.

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## CSOs ASSIST IN THE MIDST OF TURMOIL

CSOs in parts of sub-Saharan Africa affected by armed conflict in 2018 were urgently pressed to provide humanitarian services to affected populations. Overall numbers of people in need increased substantially in 2018 as a result of conflict and, to a lesser extent, extreme climatic conditions such as drought and floods.

The region continued to host the world's largest number of refugees and internally displaced persons (IDPs). At the beginning of the year, the United Nations High Commissioner for Refugees (UNHCR) identified an estimated

24.2 million people, including 6.3 million refugees and 14.5 million IDPs, as needing humanitarian aid, an increase of 30 percent over 2017. The country most affected by the flow of displaced people continued to be Uganda, which hosted more than 1 million refugees, followed by Ethiopia, Kenya, DRC, and Sudan. Nigeria, DRC, and Ethiopia had large IDP populations.

For CSOs seeking to meet the needs of these populations, it was a difficult year. Virtually all funding for humanitarian assistance came from foreign donors, who offered about \$6 billion for this purpose in 2018, slightly more than in 2017, according to the United Nations Office for the Coordination of Humanitarian Affairs. In countries riven by conflict, service provision was hampered by tensions between donors and governments, unsupportive local authorities, or hard-to-reach recipient populations.

International CSOs in Nigeria received significant amounts of funding for humanitarian relief and post-conflict settlement in the Northeast, but their effectiveness was undermined by tensions with the military and the hostile reactions of some aid recipients, who felt that the CSOs were taking advantage of their plights to enrich themselves. Malian CSOs received direct funding from international agencies only if they worked in insecure areas where even the government was absent. Ugandan CSOs providing services to refugees lost funding when some donors froze their support to the local office of the UNHCR because of corruption scandals. CSOs in Sudan had trouble providing health care, education, and other services to needy populations in part because the country's declining economy sent prices soaring and rendered budgeted resources inadequate to meet needs.

In addition, this humanitarian work was dangerous. Two hundred and forty-seven aid workers were killed, wounded, or kidnapped in the region in 2018, according to the Aid Worker Security Database. South Sudan, where well over half of the population needs aid, was again the most dangerous country in the world for aid workers, with sixteen killed in 2018. Deadly terrorist attacks prevented or complicated CSOs' efforts to deliver aid in Nigeria's Northeast. In Mali, violent crime and targeted attacks threatened CSOs delivering humanitarian aid and basic social services.

In countries in which efforts to reduce hostilities or political tensions gained traction, CSOs assumed a stronger advocacy role. Ethiopian CSOs seized advantage of improvements in the political environment to take steps towards making the legal environment more conducive for their work. The South Sudan Civil Society Coalition, a group of more than 200 organizations, made crucial contributions to that country's promising peace process. Gambian CSOs overcame years of fear to openly criticize the state and initiate a number of activities to hold the government to account, including protests against poor social services.

The obvious but essential conclusion is that CSOs perform bravely during conflict but flourish when conflict is held in check and they are allowed to assume more expansive roles. Given an opening, in fact, CSOs helped alleviate some of sub-Saharan Africa's most intractable conflicts in 2018, not only in South Sudan, but also in Madagascar, where they helped maintain public peace after contested elections. In Guinea, CSOs helped de-escalate tensions by mediating between sides in the country's political crisis, and in Niger, for the first time, CSOs led multi-actor dialogues on security, an area previously dominated by state security services and donors, and even helped improve relations among the Nigerien security forces.

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## **SOME ECONOMIC GOOD NEWS, BUT WORK REMAINS**

In 2018, many economies of sub-Saharan Africa continued to recover from the precipitous drop in commodity prices in 2015. Indeed, the region was home to several of the world's fastest growing economies in 2018. Rwanda and Guinea reported growth of gross domestic product above 8 percent, while Côte d'Ivoire, Benin, Ethiopia, Senegal, The Gambia, Burkina Faso, Kenya, Ghana, Zimbabwe, and Uganda posted growth of between 6 and 8 percent, according to the World Bank. These solid performances were abetted not only by rebounds in commodity prices but also by improved agriculture production, increased infrastructure investment, developing service sectors, and higher foreign direct investment, according to the African Development Bank.

But at 2.3 percent overall, the region's economic growth was slower than expected and down slightly from 2017, the World Bank reported. In some countries, growth was depressed by high inflation, growing deficits, rising public debt, and political and regulatory uncertainty. Sub-Saharan Africa's two largest economies—South Africa and Nigeria—recorded unimpressive growth, while the region's third largest economy, Angola, was in full recession.

Instability ravaged the Zimbabwean economy as the price of basic goods and services increased as much as 500 percent. South Sudan experienced a six-fold increase in food prices and an annual inflation rate of 83.5 percent, and Sudan's currency declined 80 percent against the U.S. dollar. In Namibia, where 46 percent of people under the age of thirty-five did not have jobs, the economy recorded its thirtieth consecutive month of recession in December 2018. These and other poorly performing economies exacerbated pressures on consumers trying to make ends meet, and strikes erupted in a number of countries, including Angola, Côte d'Ivoire, Guinea, South Africa, and Sudan.

The number of people living in extreme poverty in the region also increased in 2018. In fact, the World Bank reports that populations deprived of sufficient food, sanitation, shelter, water, health care, and education were increasingly concentrated in sub-Saharan Africa in 2018. Although the world's average poverty rate declined 21 percent from 1990 to 2015 (the most recent year for which there is robust data), in sub-Saharan Africa, the decline was only 4.1 percent. In 2018, more than 40 percent of the region's population lived below the poverty line, and nearly 23 percent faced food insecurity. The drivers of extreme poverty included conflict as well as years of extreme weather conditions, which have devastated agricultural sectors, the source of employment of as much as half of the region's work force.

In this context, the demand for CSOs' services was high, but organizations struggled to obtain sufficient funding to meet even the most urgent needs. CSOs continued to provide impoverished communities with many basic services, including education, health care, food, and water. But they received minimal financial support from local sources and remained dependent on foreign funding, which continued to decline. CSOs' inability to meet growing needs was perhaps most acute in Sudan, where the country's steep economic decline left many CSOs unable to pay for goods and their employees struggling to get their salaries released from local banks.

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## A NECESSARY FOCUS ON CORRUPTION

Behind countries' weak economic performance in 2018 was also the scourge of corruption, which continued to hollow out investments in national development and fuel public unrest. Although African leaders declared 2018 the African Year of Anti-Corruption, sub-Saharan Africa remained the most corrupt region in the world, according to Transparency International, with the misappropriation of funds, state capture, and weak or compromised oversight costing many billions of dollars each year. In 2018, Kenya and Liberia were rocked by major corruption scandals implicating public officials, and rampant financial mismanagement was reported in most government departments in Malawi.

Acknowledging the cancerous effect of corruption on national development, a number of countries introduced concrete steps or made promises to weed out corruption and corrupt individuals. South Africa's new president, Cyril Ramaphosa, promised to usher in a "new dawn" of intolerance for corruption, and Ghana established the office of a special prosecutor in charge of investigating allegations of criminal behavior by public officials. Sierra Leone's president appointed a new anti-corruption commissioner to fight graft. Transparency International highlights Angola, Botswana, Côte d'Ivoire, Kenya, and Nigeria as other counties that took steps to strengthen the fight against corruption in 2018.

CSOs across the region were actively involved in confronting governments and businesses on corrupt practices in 2018. In countries with relatively open environments and well-established anti-corruption movements, such as South Africa, Kenya, and Nigeria, CSOs tackled corruption on a number of fronts, including through the courts. Even in countries with more fragile civil societies, where advocacy organizations lack a solid footing because of government hostility or tepid public support, CSOs pushed for investigations into egregious cases of official wrongdoing. Mozambican CSOs, for example, continued their campaign to investigate the illegal debt scandal of 2015, and Liberian CSOs insisted on an inquiry into the disappearance of \$100 million in bank notes from the Central Bank. In Malawi, a newly formed coalition forced the Anti-Corruption Bureau to investigate the suspected transfer to the ruling party of \$200,000 in government funds and forced the minister of finance to cancel a \$5.5 million fund that was to be distributed to members of parliament in exchange for opposing proposed changes to the electoral law.

CSOs' efforts to fight corruption in 2018 were often met with retaliation and suppression. Liberian activists and journalists investigating corruption experienced arrests, death threats, and newspaper shutdowns. In a particularly

chilling development, the executive director of a Malawian CSO was fined in a personal capacity for initiating a corruption investigation involving a former minister of agriculture.

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## A MIXED PICTURE FOR CIVIL SOCIETY

In this dynamic and at times volatile regional political and economic environment, the experiences of civil society were diverse. Some countries suffered a closing of civic space, which encompasses the freedoms of association, expression, and assembly, as governments resorted to violence, arrests, repressive new laws, and bureaucratic red tape to silence or intimidate critics. In other countries, civic space opened up as progressive new leaders indicated their willingness to cooperate with CSOs and create an enabling environment for their work. Many countries presented a mixture of both trends, with service-providing CSOs often encouraged in their efforts while organizations focused on human rights and democracy experienced targeted constraints.

Countries experiencing notable openings of civic space in 2018 included Botswana, Ethiopia, Angola, The Gambia, and South Sudan. Botswana's new government followed up on its stated commitment to work with civil society by increasing funding, forming new partnerships, and recognizing CSOs' work publicly. The new prime minister of Ethiopia emphasized the need for a more enabling environment for civil society, and CSOs looked forward to positive changes as they worked with his office to draft a new law to replace the highly restrictive Charities and Societies Proclamation.

Angola's new president introduced a more open style of governance and implemented several notable legal reforms, including the abolishment of Presidential Decree 74/15, which had posed significant obstacles to CSO registration. As a result of this move, Angola's only gay rights organization, Iris Angola, was finally legalized in 2018. In The Gambia, civil society expanded as the new government removed barriers to registration and advocacy organizations engaged in significantly stronger, more successful campaigns. In South Sudan, although the authorities continued to harass CSOs, the country's advocacy CSOs managed to play a constructive role in the peace process.

Civic space in two countries—Burundi and Sudan—contracted noticeably in 2018. In Burundi, reports of human rights violations were widespread, and political violence was said to claim at least fifteen lives. In addition, the Burundian government suspended about 130 international CSOs—many of them funders of local organizations—until they proved their compliance with banking and hiring requirements issued in 2017. In Sudan, in addition to the government's violent crackdown on protests against the al-Bashir regime—protests which, in 2019, led to al-Bashir's removal from power—the country's steep economic decline affected nearly every dimension of sustainability.

In four countries—Malawi, Tanzania, Uganda, and Zimbabwe—civic space showed signs of contracting. Malawian CSOs were threatened with higher fees and a regressive new law at the same time that their financial viability and organizational capacity declined. Tanzanian civil society was constricted by new laws limiting access to information and freedom of expression, a ban on political assemblies, and arrests of journalists, activists, and opposition leaders. In Uganda, the government responded to political protests with bullets and tear gas and sought to silence free expression by monitoring electronic communications. Zimbabwe's new government accused CSOs of helping foment violence and responded to protests with lethal force.

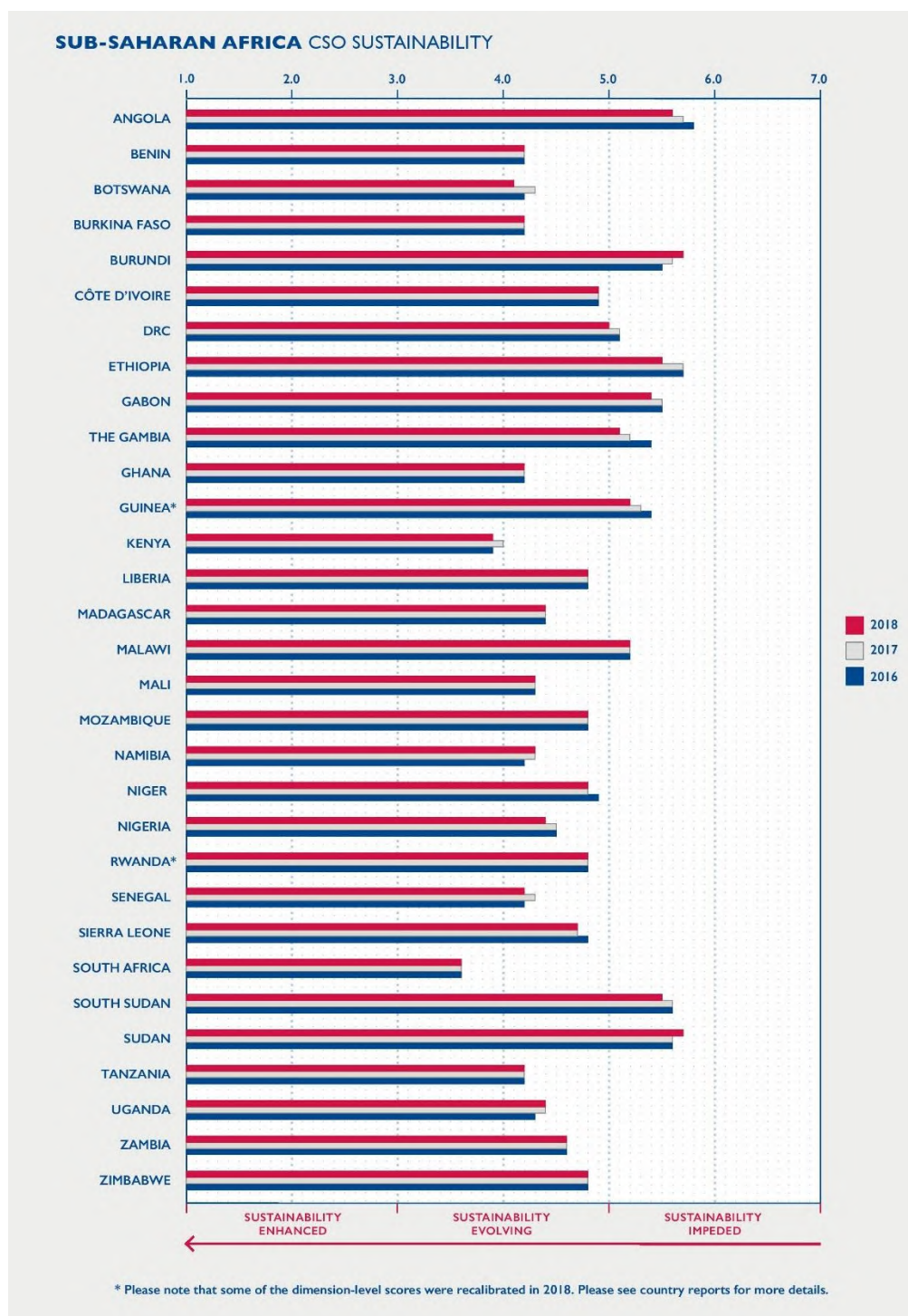
Several troubling efforts to constrict freedom of expression continued to gain momentum in 2018. Sub-Saharan Africa's rapid internet penetration has allowed civil society activists and service providers to use social media and smartphone messaging as efficient, secure means to communicate with constituents and each other. Several governments have responded to this development by trying to repress the use of digital media, especially during elections and periods of public unrest. The organization Access Now reported twenty-one internet shutdowns in Africa (including northern Africa) in 2018, an increase of about 50 percent over 2017. Affected countries included DRC, Ethiopia, Mali, and Sierra Leone.

Governments also sought to control internet use by imposing new fees and tightening regulations in 2018. The Beninese government imposed a tax on text messages and social media and reformed the digital code to criminalize the use of social media for "incitements to hatred and violence." The Ugandan government imposed a tax on social media use, and the Tanzanian government issued new regulations requiring bloggers to register and pay a fee of more than \$900. Meanwhile, the Senegalese government put forth a draft law on the internet that critics viewed as a move to censor online content and constrict freedom of expression. In Kenya, the

Cybercrimes Act (2018), which imposed a heavy burden on users to verify the truthfulness of information before disseminating it, went into effect but was suspended a short time later, pending the resolution of a suit brought by several CSOs.

## REGIONAL TRENDS IN CSO SUSTAINABILITY

### Overall Sustainability





Overall CSO sustainability in sub-Saharan Africa made slight gains in 2018, driven by stronger advocacy, service provision, and sectoral infrastructures. Ten countries recorded improvements in overall sustainability,<sup>1</sup> led by Ethiopia, where a dramatic loosening of the political environment allowed CSOs' legal environment, advocacy, and public image to strengthen. A notable improvement was also recorded in Botswana, where a supportive government and a stable economy led to better performances in nearly every dimension.

Overall declines in sustainability were posted only in Burundi, which was convulsed by violent political protests and abusive government crackdowns, and Sudan, which suffered from extreme economic stress.

In other countries, the status quo prevailed. Although individual dimensions often showed fluctuations, the overall sustainability of civil societies in nineteen countries did not change. South Africa continued to enjoy the region's most sustainable civil society sector. Kenya also continued to host a well-established, stable civil society. Nine countries in the region—one fewer than a year earlier—were in the Sustainability Impeded category, with scores of 5.1 to 7, and the rest were in Sustainability Evolving (3.1–5). No country had an overall CSO sustainability score in the Sustainability Enhanced (1–3) category in 2018.

## Legal Environment

Continuing a trend documented in 2017 and 2016, about half (fifteen out of thirty-one) of the countries covered in this edition of the *Index* reported declines in their legal environments in 2018, caused mainly by difficulties with registration, new legal restrictions, and increased government harassment. Fifteen countries were in the Sustainability Evolving category, and sixteen were in the Sustainability Impeded category.

Botswana, Burkina Faso, Ghana, Namibia, and South Africa boasted the most enabling legal environments. In these countries, CSOs were generally able to register easily, enjoy some tax advantages, access legal support, and operate free of state harassment in 2018. In Namibia, however, the legal environment deteriorated slightly in 2018, as government harassment increased.

CSOs working in impeded legal environments experienced arduous and inconsistent registration processes, intense scrutiny by government officials, and harassment or impaired operations if they spoke out against the government. Ten of the region's sixteen impeded legal environments in 2018 experienced declines from the previous year, mainly because of repressive new laws and increased harassment.

However, two countries with impeded legal environments showed stunning improvements, while remaining in the Sustainability Impeded range.<sup>2</sup> The Gambia's legal environment improved by .5 points as restrictions on registration loosened, and Ethiopia's legal environment strengthened by .3 points as a result of the government's new willingness to work with CSOs. The legal environment in Angola also improved slightly, as legal reforms introduced by the new government eased the registration process and operations of CSOs.

## Organizational Capacity

Throughout the region, CSOs struggle to develop their internal capacity. Most organizations, from the largest and most established to the smallest and most remote, have trouble building constituent bases, conducting effective strategic planning, nurturing effective management processes and staff, and acquiring and maintaining advanced technology. The majority of CSOs inconsistently adhere to their core missions as they pursue funding. In Mozambique and South Africa, for example, organizations moved away from their missions and strategies in 2018 because of poor funding environments. Brain drain is also an issue, with qualified and experienced CSO staff often poached by international CSOs or government entities. Domestic CSOs often play a supporting role to large international organizations, which deprives them of the chance to develop their own competencies in key areas. These difficulties kept the organizational capacity of CSOs in fifteen or about half of the countries in sub-Saharan Africa in the Sustainability Impeded range in 2018. The remaining countries were in the Sustainability Evolving category.

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<sup>1</sup> Guinea's overall CSO sustainability score shows a change as a result of a recalibration of the legal environment dimension. This does not represent an improvement in overall CSO sustainability, which remained largely the same in 2018 as in 2017.

<sup>2</sup> Guinea's score for the legal environment shows a change of .3 because of a recalibration. The change does not reflect an improvement in legal environment, which remained largely the same in 2018 as in 2017.

Declines in this dimension were reported in Malawi, Namibia, Sudan, Uganda, and Zimbabwe, in large part because CSOs lacked the funding to recruit personnel or retain skilled staff.<sup>3</sup> Eight countries posted improvements in this dimension. The reasons were diverse and ranged from better relationships with constituencies to more active boards. Unexpectedly, declining funding had a positive effect on CSOs in The Gambia, which improved their organizational capacities in response to intensified competition for funding. A similar dynamic was evident in Botswana, where limited funding forced CSOs to rely more effectively on interns and volunteers.

## Financial Viability

Financial viability has consistently been the weakest dimension of CSO sustainability in sub-Saharan Africa. The overall average for the region, 5.6, remained well in the Sustainability Impeded range. About half (fourteen out of thirty-one) of the countries reported declines in 2018. Most CSOs are highly dependent on foreign support, and donors prefer to work with or through international organizations, crowding out smaller CSOs. Even larger domestic organizations that receive donor funding directly rarely receive multi-year grants, support for core costs, or opportunities to improve their internal capacities.

For the most part, CSOs have not diversified their funding sources. Domestic funding sources still make up only a small percentage of CSOs' income, and funding from domestic governments is scarce to non-existent, except in South Africa and Botswana, where government support increased in 2018. Few CSOs conduct traditional or social media fundraising campaigns, although the practice is beginning to catch on in some countries. Corporate social responsibility programs provide some support in Angola, Ghana, Kenya, Madagascar, and Namibia. Most organizations lack the procedures and tools to manage financial resources efficiently and compliantly.

One bright spot is organizations' increasing ability to find ways to generate their own revenue. CSOs in Benin, Botswana, Guinea, Tanzania, Zimbabwe, and elsewhere raise revenue by renting space to other groups or marketing products and services. Social enterprises are becoming more common in Kenya, Mozambique, and Sierra Leone, while Nigerian CSOs engage effectively in crowdfunding, an opportunity that is also being explored by Tanzanian CSOs.

## Advocacy

As in 2017, advocacy was the strongest dimension of CSO sustainability in sub-Saharan Africa in 2018. In fact, the region's CSOs experienced a flowering of advocacy during the year. Twenty-five countries recorded better advocacy performance, including a .4 improvement in the case of Ethiopia and .3 in The Gambia and South Sudan, thanks to the freer political climates in those countries. Nine countries reported moderate improvements of .2, including Angola, whose advocacy moved from the Sustainability Impeded to the Sustainability Evolving category. Only three countries—Burundi, Tanzania, and Uganda—reported deteriorations in advocacy, and three countries—Burkina Faso, Côte d'Ivoire, and Sudan—reported no change. Advocacy was the strongest dimension of sustainability in twenty countries.

Advocacy capacities varied significantly across the region. Ethiopia, Burundi, and Sudan were in the Sustainability Impeded range, while South Africa and Kenya were in the Sustainability Enhanced range (the only scores in the Sustainability Enhanced category in this year's *CSO Index for Sub-Saharan Africa*). CSOs in countries with stronger advocacy sectors, including Burkina Faso, Botswana, Ghana, and Nigeria, work effectively with central and local governments on planning, oversight, and policy reform. But in many cases, CSOs are not meaningful partners in policy or legislative development. For example, although government processes involve civil society in Liberia, Malawi, and Zambia, CSOs often work in a review or rubber-stamp capacity rather than as meaningful co-drafting partners with credible influence.

Among the areas of focus for CSO advocacy in 2018 were national or local elections, which took place in many countries. In Sierra Leone, CSOs helped ensure the elections' credibility by serving as observers and distributing timely, accurate information. Guinean CSOs helped de-fuse tensions by mediating between the main parties after tense local elections.

CSOs addressing issues of concern to women were increasingly well organized and assertive in 2018, as seen in Benin, Malawi, Mozambique, Namibia, Niger, Rwanda, South Sudan, and Uganda. Groups focused on lesbian, gay,

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<sup>3</sup> Rwanda's score for organizational capacity shows a change of .2 because of a recalibration. The change does not represent a deterioration in organizational capacity, which remained largely the same in 2018 as in 2017.

bisexual, transgender, and intersex people were also active or actively seeking to come out of the shadows in Angola, Botswana, Ghana, Nigeria, and Uganda. Environmental issues, land rights, and the rights of disabled people were other important topics for advocacy, with some efforts resulting in tangible impacts, such as the launch of a government initiative to protect the rights of people with albinism in Malawi. In a number of countries, including Côte d'Ivoire, Liberia, and Uganda, advocacy efforts were promoted through unstructured social movements that often used social media effectively to mobilize supporters.

One area in which CSOs have not been as actively engaged as might be expected is on laws pertaining to their sector. Exceptions to this rule in 2018 included Ethiopia, where CSOs' main advocacy effort was to work with the government to draft a new law conducive to their work; Benin, where CSOs led efforts to reform the law on associations, which remained in draft form at the end of the year; and DRC, where CSOs mobilized against government attempts to reduce their freedoms by revising relevant laws.

## Service Provision

Service provision has been a reliably strong and stable dimension of CSO sustainability in sub-Saharan Africa over the last ten years. CSOs remained active in service delivery across a range of areas and regions in 2018. Thirteen countries reported improvements, while only five—Burkina Faso, Burundi, Côte d'Ivoire, Liberia, and Sudan—reported deteriorations because of funding shortfalls. After advocacy, service provision was, along with CSOs' public image, the strongest dimension of CSO sustainability across the region.

CSOs' services are predominately needs-driven but can be skewed by the priorities of international funders. Foreign and central governments' support for education, health care (including HIV/AIDS services), and a range of other social services is generally responsive to community needs. Larger CSOs use needs assessments, baseline surveys, and stakeholder consultations to identify the priorities of their beneficiaries, while smaller CSOs often base their programs on their first-hand knowledge of their communities.

CSOs in Guinea and Rwanda use local development plans to identify needs, while CSO service provision in Sudan and South Sudan is based mostly on those countries' humanitarian response plans. CSOs in many countries deliver services as subcontractors to international CSOs, which determine the needs.

Local, provincial, and central governments often acknowledge the role of CSOs in service delivery and perceive their activities as complementary to rather than threatening their authority.

## Sectoral Infrastructure

In 2018, nine countries reported improvements in the infrastructures supporting their CSO sectors, driven by factors ranging from stronger CSO collaborations to new training opportunities.

In countries with stronger infrastructures, such as Madagascar, South Africa, and Tanzania, resource centers usually provide services, although they are generally insufficient in number. In addition, intermediary support organizations (ISOs) or local grantmaking organizations offer financial support, and trainings opportunities are relatively abundant. CSOs usually work together in networks and coalitions, although in many instances, including in Botswana, South Africa, Madagascar, and Zambia, competition for scarce resources, personality conflicts among leaders, and ethnic or political differences have divided CSOs. Kenya reported strong intersectoral partnerships between CSOs and government, with CSOs providing technical assistance to government offices and helping develop a framework for participatory audits. In Botswana, which recorded a .2 improvement in sectoral infrastructure, intersectoral partnerships were particularly active in combatting HIV/AIDS.

In countries with weaker infrastructures, such as Angola, Côte d'Ivoire, Ethiopia, Guinea, and South Sudan, resource centers, ISOs, and local grantmakers are few to non-existent, and training opportunities are scarce. The deterioration of the sectoral infrastructure in three countries—Burundi, Sierra Leone, and Sudan—in 2018 was generally due to the closure of resource centers and other funding-dependent factors.

## Public Image

Sixteen countries reported improved public images in 2018, boosted by generally positive media coverage and better public understanding of CSOs' work. Only four countries—Liberia, Namibia, South Africa, and Sudan—reported declines.

Ethiopian CSOs' public image improved significantly as the media gave positive coverage to their advocacy work and the government stopped making critical comments, which helped more supportive public attitudes begin to develop. The public image of CSOs in five other countries—Angola, Botswana, The Gambia, Malawi, and Sierra Leone—improved moderately as a result of effective advocacy and better media coverage.

Governments generally seem more willing to express approval of CSOs working in service provision, while many continue to target specific advocacy organizations with harsh remarks. The public's view of CSOs remains largely positive, although the public appears still to have only a vague and often inaccurate understanding of the nature and role of CSOs, particularly advocacy organizations. Businesses' understanding of CSOs lags behind.

In nearly all countries in the region, CSOs increasingly rely on social media as the most effective means to reach constituencies and promote their activities. For the most part, CSO sectors have yet to recognize the importance of credible codes of ethics.

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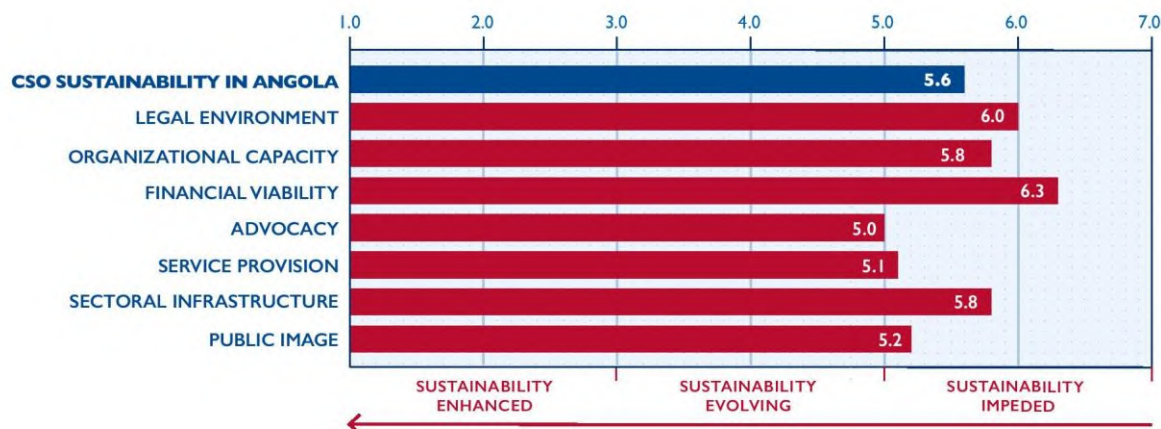
## CONCLUSION

While progress has been slow over the last ten years, the overall improvement in CSO sustainability in sub-Saharan Africa in 2018 is a promising signal for the region's future. The 2018 *CSO Sustainability Index for Sub-Saharan Africa* presents a picture of civil societies with exceptional advocacy and service-providing capacities. Nevertheless, to meet their countries' needs, they require greater internal capacities, more meaningful relationships with a broader range of stakeholders, and, above all, more enabling legal environments and more generous and flexible financial support. The responsibility for fulfilling these conditions lies with governments, donors, the international community, and CSOs themselves. With time, effort, and support, the region's civil societies will increasingly flourish to become one of sub-Saharan Africa's proudest achievements.

# ANGOLA

Capital: Luanda  
Population: 30,355,880  
GDP per capita (PPP): \$6,800  
Human Development Index: Medium (0.581)  
Freedom in the World: Not Free (26/100)

## OVERALL CSO SUSTAINABILITY: 5.6



The election of President João Gonçalves Lourenço in 2017 introduced a new, more open style of governance in Angola. Although the country continued to be classified as “not free” in the Freedom House 2018 Freedom in the World report, it was named as a country to watch in anticipation of the new president’s moves to “stem endemic corruption [and] ease restrictions on politics, the media, and civil society.” According to World Report 2019 issued by Human Rights Watch, Angola’s legal environment improved in 2018 with the increased separation of political and judicial powers and the legalization of Angola’s only gay rights CSO, Iris Angola. The government introduced several notable legal reforms, including the law establishing the Angolan Social Communication Regulatory Authority (ARCA), which facilitates the creation of private radio stations; the Bank Loan Facilitation Law, which helps start-up businesses; and the Law on the Coercive Repatriation, which establishes conditions for voluntary repatriation. Angola also fared relatively well in terms of internet freedom, ranking twenty-seventh out of sixty-five countries in Freedom House’s 2018 Freedom on the Net report.

The new approach to governance did not result in significant economic improvement in the daily lives of Angolans. The economic crisis that began in 2014 continued in 2018, as the local currency suffered an unprecedented devaluation of 47 percent. The cost of living escalated while salaries in the public sector were frozen, and in May 2018, the Union of Angolan Justice Officers called a five-day strike after the Ministry of Justice failed to fulfill its commitment to raise wages and improve working conditions for union members. According to the union, participation in the nationwide strike was 100 percent. The two sides finally reached an agreement in August. Other major strikes during the year included the first national doctors’ strike, called by the National Union of Doctors of Angola, an organization less than a year old; a weeklong strike by the Union of Maritime, Port, and Railway Workers, calling for improvements in members’ wages, allowances, and health insurance; and strikes for better salaries by teachers and nurses.

A more favorable environment for CSOs emerged in 2018 as the new government reaffirmed the importance of their contributions. The government’s legal reforms and efforts to alleviate red tape helped improve the legal environment for CSOs. Advocacy improved moderately as CSOs took advantage of opportunities to collaborate with the government, and service provision also improved moderately as CSOs diversified their services. The

\*Capital, population, and GDP for all country reports are drawn from the Central Intelligence Agency, The World Factbook, available online at <https://www.cia.gov/library/publications/the-worldfactbook/>. Human Development Index data available at <http://hdr.undp.org/en/composite/HDI>. Freedom in the World data available at <https://freedomhouse.org/report-types/freedom-world>.



opening up of the media and better public understanding of CSOs' role helped improve the sector's public image. CSOs' organizational capacity, financial viability, and sectoral infrastructure were unchanged.

In 2018, 439 domestic and 22 international CSOs operated in Angola, according to the Institute of Promotion and Coordination of Aid Communities (IPROCAC), the main oversight body for CSOs. These figures represent a significant change from 2017, when 309 domestic and 55 international CSOs worked in the country. The increase in domestic organizations is probably due to the relaxation of registration procedures, while the decrease in international CSOs reflects the steep reduction in funding from foreign donors.

## LEGAL ENVIRONMENT: 6.0



CSOs' legal environment improved slightly in 2018 as a result of the new government's legal reforms, which eased the registration process for CSOs and promised to restore a degree of the transparency lost under the previous regime.

In July 2017, the Constitutional Court struck down Presidential Decree 74/15, which had posed significant obstacles to CSOs' operations. The president formally abolished the decree in December 2017, whereupon the legislation governing CSOs reverted to earlier laws, including Law 6/12 of 2012 on private associations. Under the revised legal framework, any organization wishing to register must submit various documents, including a constitution and staff appointments, statutes, a tax identification number, and a request for authorization

to operate, to the Ministry of Justice and Human Rights. Upon obtaining the ministry's approval, the organization then registers with IPROCAC and provincial authorities in the geographic areas in which it intends to work. Provisions were removed that in the past allowed the Ministry of Justice and Human Rights to suspend the legal status of CSOs working on lesbian, gay, bisexual, transgender, and intersex issues, land tenure, or other sensitive matters. In a significant achievement, Angola's only gay rights advocacy group, Iris Angola, which had been founded in 2015, was finally able to register in 2018. The Ministry of Justice and Human Rights also modernized its services, allowing CSOs to register online. CSOs saw the modernization as a major sign of the new government's commitment to working together in a productive manner.

Despite the improved legal environment, bureaucratic obstacles persisted at the provincial level. For example, the organization Okumi-Ombaka-Vih, which works on HIV prevention in Benguela, was unable to obtain provincial registration in 2018 for unclear reasons. The International Humanitarian Organization, an umbrella group, stepped in to help Okumi-Ombaka-Vih with its registration process, which was expected to be completed in early 2019.

In a continuation of a trend that started in 2016, there were no reports of state harassment of CSOs in 2018.

The laws governing the taxation of CSOs did not change in 2018. Registered CSOs are entitled to duty-free import of items needed for humanitarian work and income tax exemptions for staff upon application to the General Tax Administration. There is no value-added tax in Angola. The government drafted a new law that would offer deductions to individuals and institutions making donations to CSOs, which awaited approval at the end of the year.

CSOs are not permitted to earn a profit from the provision of good and services, although they may charge fees to cover their administrative costs, which usually range from 5 to 15 percent of total project costs. To compete for government contracts, CSOs must have public utility status, which recognizes that they help fulfill the tasks of the government, especially in community development. All operational CSOs have public utility status if their registration documents are up-to-date. However, CSOs usually find it difficult to obtain government contracts, since the competitive tendering process is unclear, and recognition of CSOs' entitlement to compete is not uniform.



Legal support for CSOs in Angola is weak. Few lawyers work for the CSO sector are familiar with CSO law. However, a group of independent lawyers known as Mãos Livres, which provides legal aid to the poor, sometimes provides pro bono legal services to CSOs.

## ORGANIZATIONAL CAPACITY: 5.8

CSOs' organizational capacity in 2018 was largely the same as in the previous year.

A number of CSOs worked more closely with their constituencies by forming alliances with community-based organizations (CBOs) in 2018. The number of informal CBOs grew as the result of a project funded by the European Union (EU) and the Angolan government, which embedded 624 community health agents in twenty municipalities in seven provinces in 2018 to help CBOs tackle local health, hygiene, and development issues. The health agents worked closely with CBOs to build their capacity to deliver services, facilitate access to information, and create advocacy groups. They also helped CBOs develop feasible, community-oriented programs. For example, in cooperation with the community health agents, the Platform of Angolan Women (PMA), Social Support Fund, Action for Rural Development and Environment (ADRA), People-to-People Development Aid (ADPP), and other organizations developed community-based projects. PMA also worked with CBOs in Bengo on a successful campaign to reform the waste management practices of a private plastic company, which posed a potential health hazard to local populations. In addition, with funding from the United Nations Development Program (UNDP), the International Humanitarian Organization (OHI) worked with CBOs to raise awareness of HIV.



Foreign donors such as the Global Fund to Fight AIDS, Tuberculosis, and Malaria now demand strategic plans as part of their due diligence investigations prior to awarding funding. OHI, PMA, and Youth Forum for Health Support and AIDS Prevention (FOJASSIDA) reported that they received funding in 2018 from several small bilateral donors and foundations based in part on their strategic plans. In the context of the country's changed political situation, a number of CSOs reflected on their roles and visions for organizational development and engaged in discussions with the communities in which they work to better define their strategic directions. Among the CSOs that developed or revised their strategic plans in 2018 were FOJASSIDA, PMA, OHI, ADRA, Ecological Youth, SOS Habitat, Mosaiko Cultural Center, Prazedor, Political and Social Observatory of Angola, and Mwenho Network of Women Living with HIV. Smaller and rural organizations do not typically pay attention to strategic planning, primarily because of their weak organizational capacity.

In accordance with Law 74/15, CSOs must have clearly defined management structures that include executive directors, general assemblies, and boards of directors. However, in reality, most CSOs have boards that are constituted solely to meet legal requirements and are not involved in the actual governance of their organizations. It is common for executive directors to run their organizations fully, with boards acting as rubber stamps. The majority of CSOs do not have written policies to guide their operations.

Most CSOs continued to experience difficulties retaining experienced and qualified staff in 2018 because of insufficient income. CSOs that failed to pay salaries sometimes saw their qualified staff move to other CSOs with more stable funding. Larger, well-established organizations such as ADPP, ADRA, Prazedor, FOJASSIDA, and Development Workshop (DW) were able to retain staff, recruit new employees, and hire local activists for community-based activities, such as the distribution of posters and pamphlets. Smaller and rural CSOs relied on voluntary support from local communities. In general, CSO employees learn from their peers and on-the-job experience rather than through formal training opportunities.

CSOs based in the major cities and with stable income typically rent office space equipped with internet services, computers, and furniture. In contrast, small and rural CSOs often operate from private houses close to municipal or communal administrative offices. Internet services in Angola expanded in 2018, and CSOs in major urban

locations usually accessed the internet through wi-fi and cellular systems, while CSOs in rural areas tended to rely mainly on cell phones. CSOs' use of platforms such as WhatsApp and Viber increased in 2018, especially for the transfer of data and photographs.

## FINANCIAL VIABILITY: 6.3



CSOs' financial viability stayed the same in 2018, as total foreign funding decreased but the number of funding sources giving small grants grew. Nevertheless, because of funding cuts, about 70 percent of national and foreign CSOs had to reduce their activities significantly in 2018, according to IPROCAC.

CSOs rely on both foreign and domestic sources of funding. The EU reduced its funding in 2018. The EU's main projects provided EUR 3.5 million (approximately \$4 million) to strengthen sustainable development in Benguela, Huila, Cuanza Norte, Luanda, Malanje, Moxico, and Uige provinces. Recipient CSOs included Alliance for the Promotion and Development of the Hojya-Henda Commune (APDCH), Mosaiko, Norwegian Church Aid (in partnership with ADRA), and International

Development Volunteers, in partnership with the Institute of Religious Sciences of Angola. The EU also provided EUR 810,000 (approximately \$950,000) for human rights projects to Omunga, SOS Habitat, Radio Eclésia, and Youth for Democracy (JPD).

Offsetting the overall decrease in foreign funding and the steep devaluation of the kwanza, a larger volume of small amounts of funding came from sources such as the Embassy of France, the Global Fund, and Amplify Change, a multi-donor challenge fund that supports sexual and reproductive health and rights. As in 2017, a limited number of larger CSOs obtained most of the funding. The Office of the UN High Commissioner for Refugees and the World Food Program funded a project to assist refugees in Lunda Norte, which was implemented by World Vision with other organizations. The Embassy of Japan provided \$40,000 under its Community Projects Assistance program for projects related to de-mining and education. In September, the French embassy launched the first call for proposals under its Innovative Projects of Civil Societies and Coalition of Actors program, which focuses on agricultural innovation by small landholders, training for youth in agricultural entrepreneurship, and the processing of products derived from family farming. Funding under the program will be released in early 2019.

The government tends to offer funding for larger social projects, thereby bypassing small beneficiaries, such as farmers' cooperatives. In 2018, FOJASSIDA continued to receive funding from the municipal administration of Cazenga and the provincial administration of Bié for social projects targeting youth groups and others. Since CSOs are nonprofit organizations, government agencies usually reimburse actual costs incurred.

Some corporate funding is available to CSOs. Exxon, Chevron, Total, and Sonangol oil companies have corporate social responsibility (CSR) programs that support projects in areas such as agriculture, orphanages, the construction of health centers, de-mining efforts, and HIV/AIDS prevention and care. In 2018, BFA Bank supported CSOs' work in education, health, and social sectors under the banner BFA Solidário. The telecommunication companies Unitel and Movitel offer CSR funds to support health fairs and other events. The company Grupo Simples funded a longer-term agricultural project in the peripheral areas of Luanda, which was implemented by ADPP.

Several CSOs have managed to diversify their sources of funding. For example, in 2018, the Angolan Network of Non-Governmental Organizations to Fight HIV/AIDS (ANASO) received small amounts of funding for HIV testing and HIV, malaria, and tuberculosis prevention from the Ministry of Health, private donors, and the CSR fund of the Sonangol Group. OHI obtained funding from Coca-Cola and the National Institute of Meteorology and Geophysics to work on HIV/AIDS prevention in Benguela.

Several larger CSOs, including OHI, PMA, ANASO, Prazedor, and FOJASSIDA, earn income by contracting for services such as social projects for youth. ADPP, for example, received funding from municipalities, private companies, and ministries to educate teachers in 2018. CSOs do not conduct fundraising campaigns and do not usually charge membership dues. A few CSOs generate revenue for programs by selling products. In 2018, ADPP continued to raise funds by selling second-hand clothing and shoes, PSI sold impregnated mosquito nets and liquid chlorine for water purification, and People Living with AIDS sold handicrafts.

The financial management systems of most CSOs continued to be weak in 2018 because of their inability to invest in such systems. Only larger CSOs, such as ADPP, DW, Mosaiko, and the World Council of Churches, use advanced financial management software such as Primavera.

## ADVOCACY: 5.0

CSO advocacy improved moderately in 2018 as the new administration offered CSOs more opportunities for collaboration than in previous years. In an unprecedented development, more than eighteen CSOs participated in quarterly meetings of the Committee on Education, Culture, Religious Affairs, and Social Communications (Sixth Committee) of the National Assembly, which addresses issues such as the repatriation of external funds, the abortion law, the law on religious freedom, the right to land, and human rights. Angolan CSOs were also invited to take part in regional debates of the Southern Africa Development Cooperation in 2018, and more than 100 CSOs took part in discussions about the 2018–19 national budget with the Committee on Economy and Finance (Fifth Committee) of the National Assembly.



On December 4, 2018, for the first time in Angola's post-independence history, the president opened the doors of his palace to meet with CSO representatives, some of whom had been critical of the government and opposed the previous regime. At the meeting, the CSO representatives agreed with the president to establish a communications channel that would facilitate the construction of an inclusive society. The twelve participating organizations included Handeca, Political and Social Observatory of Angola, Mãos Libres, Mosaiko, ADRA, Youth Council of Luanda, Union of Local Associations of Angola, and Justice, Peace, and Democracy Association (AJPD). Presidential guards prevented the participation of a representative of the Open Society Foundation, whom the previous government had imprisoned for his activities. Upon becoming aware of the incident, the president invited the individual to a private meeting the following day and promised to conduct an inquiry into the incident.

In another indication of the positive climate for CSO advocacy in 2018, Mãos Libres succeeded in raising the profile of human rights in Angola, particularly human rights violations by police and other law enforcement agencies. The Ministry of Justice and Human Rights conducted public consultations on Mãos Libres' strategy for protecting human rights and its proposal to create a national prize recognizing the contribution of individuals, corporations, and CSOs to protecting and promoting human rights in the country. The government's deliberations about the proposal were continuing at the end of the year.

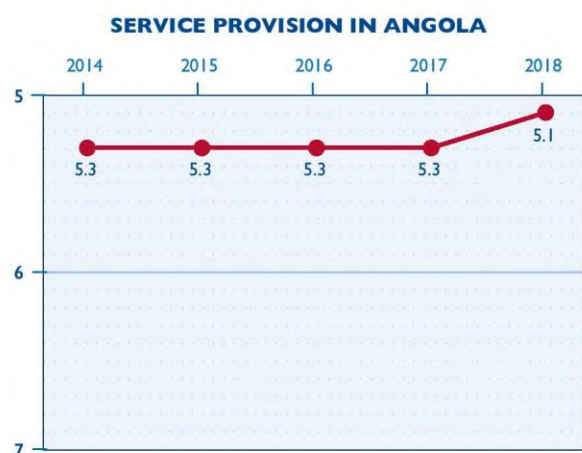
In other advocacy activity, ADRA carried out public consultations on the local authority electoral package, which is the first step in devolving power to local authorities in advance of local government elections in 2020. ADRA conducted consultations in twelve municipalities in Benguela, Cunene, Huila, Malanje, Huambo, and Luanda provinces, in which nearly 1,300 people participated. ADRA also organized meetings in pastoral communities and the indigenous San community about their participation in the local government elections and citizenship. The organization Omunga, as a member of the Civil Society Electoral Platform of Benguela, organized a meeting with women and teachers from Bocoio municipality to discuss women's rights, land rights, and other topics. In May 2018, several CSOs organized a conference on transparency in the oil sector. Mosaiko denounced the flight of

capital from mining areas and assured residents of extremely poor communities in the areas that it would send documentation about the situation to the president.

In lobbying activity, ANASO urged the relevant parliamentary commission to allocate sufficient resources to continue the fight against endemic diseases in Angola, which had been suspended for eight years.

After the president abolished Presidential Decree 74/15 in December 2017, CSOs were content with the less restrictive legal environment and did not focus on further legal reform.

## SERVICE PROVISION: 5.1



CSOs' service provision improved moderately in 2018 as the sector diversified the services that it provides. Despite the continuing economic crisis, CSOs were able to provide basic services in areas ranging from water and sanitation to education and youth mobilization. In addition, several organizations began supporting Congolese refugees arriving in the northern province of Lunda Norte and, under USAID's ongoing Linkages across the Continuum of HIV Services for Key Populations Affected by HIV (LINKAGES) program, worked with the Ministry of Health to improve HIV response in Angola.

CSOs worked closely with communities to meet their needs in 2018. For example, ANASO provided services to more than 500 people affected by HIV/AIDS in Luanda

with support from the Ministry of Health, National Institute to Fight AIDS, and international donors. With funding from BP Angola, ADRA provided agricultural cooperatives in Huambo Province with better quality seeds and other agricultural resources to help increase crop yields. ADRA also procured a tractor and van for Bem-Vindo Cooperative. ADPP trained primary school teachers to advance education and rural community development, and eighty-four new teachers graduated from ADPP's teacher training school in Cunene Province in 2018. ADPP's Frontline Institute in Huambo trained twenty-two mid-level managers during a yearlong course to assume greater project management responsibilities. In the refugee camp established in Lovua municipality, which accommodated approximately 33,000 Congolese refugees, international CSOs offered humanitarian support, ADPP offered educational services, and the Jesuit Refugee Service worked on refugee rights.

CSO services often reach a broad clientele. For example, in 2018, PMA addressed women's development and community needs with studies of women's empowerment and the possibility of establishing a community water supply station in Icolo e Bengo. PMA also conducted meetings with companies such as Cuca and Eca, Sumol + Compal, and the Beverage Distribution Society of Angola about school rehabilitation, the safe disposal of industrial solid waste, and the need for a law on the social responsibilities of companies. In collaboration with World Vision, ADESPOV held a workshop in Huambo to analyze planning in the provincial educational sector, in which municipal administrative personnel and experts from the educational sector participated. In September 2018, the CSO Haja Productions launched the Angola-Israel Interaction project to create links and improve understanding between Christian and Jewish communities. ECUNB in Benguela provided training and other forms of support to the elderly. CSOs generally provide their services without discrimination on the basis of gender, ethnicity, or sexual orientation.

Some organizations charge for services to recover costs. FOJASSIDA, Prazedor, and the Association of Social Development and Integration of Vulnerable Populations (ADESPOV) have service contracts with municipal administrations that cover their costs.

The government and the National Assembly responded positively to CSOs' contributions in 2018. The government recognized the expertise of CSOs and turned to them more often for advice on a range of issues. For example, DW worked on land reform with a national committee facilitated by the Ministry of Urbanization and Territorial Administration, and ADRA had a memorandum of understanding with the Ministry of Agriculture to advise on



agriculture for subsistence farmers. The envisaged decentralization of government in Angola will have a major impact on CSOs' programs, projects, and service provision, especially as the Ministry of Social Action, Family, and Gender Promotion intends to shift community programs to the municipal level. To fulfill this task, the ministry has indicated that it will count on partnerships with CSOs and in 2018 signed a partnership agreement with ADPP to work on women's empowerment in various provinces. CSOs welcomed the president's invitation to a meeting in December, when the president recognized the contributions that CSOs and journalists have made to Angola's development.

## SECTORAL INFRASTRUCTURE: 5.8

The sectoral infrastructure supporting CSOs did not change in 2018. Only a few resource centers and libraries hosted by DW, AJPD, ADRA, Omunga, Mosaiko, and several other organizations offered opportunities for learning, research, and information exchange. No ISOs exist in Angola.

Few organizations are known to re-grant donor funding in Angola. In 2018, ADPP sub-granted funding from UNDP to OHI, Prazedor, and the Center for Youth Support for HIV testing and awareness raising in various provinces.

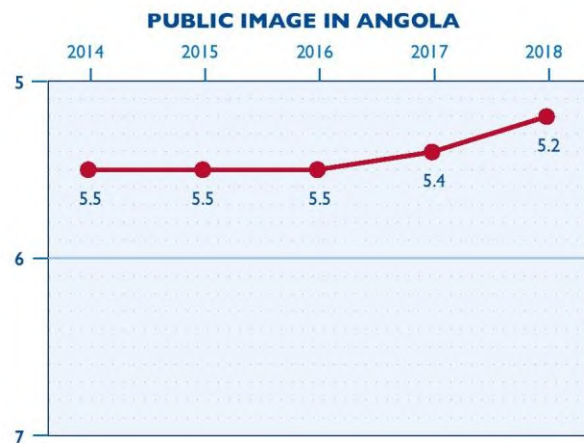
Although the impetus to develop networks and consortiums originated as a response to the financial crisis, the positive outcomes of collaboration perpetuated cooperation in 2018. CSOs demonstrated a high degree of solidarity in helping one another achieve their goals. For example, a consortium composed of ADPP, Mentor Initiative, Anglican AIDS Program, and the Angolan Council of Churches received funding from Elimination 8, a global fund that supports efforts to fight malaria in eight member countries of the Southern Africa Development Community. A group composed of ADRA, APDCH, Mosaic Cultural Center, and Norwegian Church Aid cooperated on sustainable development projects with funding from the EU.

CSOs enjoyed several training opportunities in 2018, some of which were offered by consortiums and donor programs. In partnership with the Global Fund, ANASO trained forty organizations on HIV/AIDS prevention and project management, and the Italian CSO Cooperation for the Development of Emerging Countries offered training on justice and education as part of its staff qualification program for local CSOs. OHI, FOJASSIDA, and PMA offered training on budget preparation, reporting, and information technology, and PMA helped Fuaka, Venceremos, Meninas de Rosa in Benguela, and several other organizations draft project proposals and strategic plans. As part of its efforts to combat malaria, Elimination 8 offered capacity building in data gathering and community awareness.

Cooperation between the government and CSOs improved in 2018, as seen in their willingness to work together on a human rights strategy. The president seemed open to CSOs' recommendations and asked them to bring any concerns that they might have to his office. CSOs viewed the new communications channel with the administration as a positive development that ministerial departments should follow. CSOs also worked effectively with the media in 2018. For example, local media helped disseminate CSOs' materials on human rights, citizenship, and other topics.



## PUBLIC IMAGE: 5.2



In continuation of a trend that began in 2017, CSOs' public image improved moderately in 2018, thanks to increased media coverage of their activities.

In a reversal of conditions under the previous regime, when freedom of expression was curtailed and CSOs' messages were censored, especially in state-controlled media, both state and private media appeared eager to cover CSOs' activities in 2018. In particular, television stations such as the state-controlled TPA and the private stations TV Zimbo and Palanca TV covered CSOs' work during the year, including ANASO's march on World AIDS Day and ADRA's launch of the Education Report. The government newspaper Jornal de Angola and the online news service Angola Press published more stories about CSOs' activities in 2018, including the graduation

of primary school teachers supported by ADPP. OHI reported that private and public media covered more of its activities in 2018 than in previous years.

CSOs generally enjoy positive public perceptions, although uninformed and politically biased views persist. In 2018, the public seemed to develop a better understanding of CSOs' role, viewing them as more supportive of communities and increasingly engaging in their work. For instance, targeted communities in Benguela applauded the work of OHI after the organization provided them with information about HIV prevention and mitigation. The public generally showed greater support for CSOs' efforts to eradicate HIV and malaria, thanks in part to the increased media coverage of CSO programs.

The government's perceptions of CSOs were more positive in 2018. Whereas the previous administration tended to downplay CSOs' contributions and refused to cover their activities in government media, the Angolan Ministry of Social Communication publicly committed to developing an open public information service in 2018. During its two-day national workshop strengthening the community health system in June, the Ministry of Health praised the role of CSOs in educating communities about the reproductive health of young people. The president also applauded the work of civil society when he met with CSO representatives in December.

The Angolan private sector was similarly supportive of CSOs' work in 2018. For example, the Angolan Corporate Social Responsibility Network (RARSE) worked with Bridge Global, a local CSO, to organize a second meeting of more than twenty-five CSOs and twelve private-sector entities in Luanda in December. RARSE members spoke about the importance of CSOs' work, expressed their commitment to supporting the sector, and individually or collectively funded small grants for CSOs.

CSOs are aware of the importance of a good public image, both for their visibility and their reputation. CSOs have found that launching new projects with public announcements or disclosing results when closing projects helps achieve a better public image for their organizations. In 2018, People in Need launched a food security project in Bié Province by announcing its targeted goals. The launch was covered by ANGOP, which also reported on ADPP's launch of a new literacy project in Bié, Huambo, and Malanje provinces in 2018. CSOs have good relationships with journalists, who often want to cover CSO activities without waiting to be invited or informed of events by mail.

A majority of CSOs ascribe to internally agreed core values. CSOs often share reports on their projects and field activities with partners, ministries, and municipal and provincial governments. CSOs are obliged to submit quarterly activity reports to IPROCAC. Codes of conduct exist in individual organizations.



# BENIN

Capital: Porto-Novo  
Population: 11,340,504  
GDP per capita (PPP): \$2,300  
Human Development Index: Low (0.515)  
Freedom in the World: Free (82/100)

## OVERALL CSO SUSTAINABILITY: 4.2



Benin has undergone significant political, economic, and social reforms since wealthy businessman Patrice Talon was elected president in 2016. In July 2018, the National Assembly approved reforms to reduce the number of political parties from 200 to around ten. Legislative elections were set for April 2019. In July, the government imposed a tax on text messages and social media. The public and CSOs protested the tax, denouncing it as an effort to curb dissent, through a social media campaign under the hashtag #TaxePasMesMo (“don’t tax my words” and “don’t tax my megabytes”). The government repealed the tax in September. In October, the Court for the Punishment of Economic and Terrorism Infractions, created in August 2018 to prosecute cases of corruption, drug trafficking, and terrorism, sentenced one of Talon’s main political rivals to twenty years in prison on charges of drug trafficking. The defendant claimed the charges were unfounded.

According to the World Bank, Benin’s economic growth increased from 5.6 percent in 2017 to 6 percent in 2018. Benin’s economy depends mainly on re-exports to Nigeria, as well as agriculture. The poverty rate is high, and corruption remains a major concern. While Benin has made progress in business creation and electricity connectivity in recent years, the business environment remained lackluster in 2018, and Benin ranked 151 out of 190 countries in the World Bank’s 2018 Doing Business report.

Overall CSO sustainability in Benin was unchanged in 2018. Organizational capacity was strengthened by a new CSO certification program, while advocacy improved with an upsurge in election-related activities and efforts to reform the law on associations. On the other hand, CSOs’ legal environment declined with new restrictions on freedoms of assembly and expression, and financial viability worsened as CSOs continue to depend on foreign donors for funding. CSOs’ service provision, sectoral infrastructure, and public image did not change.

Benin’s civil society sector is a huge and dynamic network of both formal and informal organizations. There is no database of CSOs in Benin or recent census of registered CSOs. In 2015, the Ministry Charged with Relations with Institutions, Civil Society, and Beninese Abroad reported that there were approximately 6,000 registered organizations, but that only about 500 CSOs were up to date in their submission of annual reports and therefore considered active. The government keeps no record of inactive organizations.

## LEGAL ENVIRONMENT: 4.1



The legal environment for CSOs in Benin worsened in 2018 as a result of new restrictions on CSOs' freedoms of assembly and expression.

According to the 1901 law that governs CSOs, in order to register, organizations need only to declare their existence. Local CSOs must declare themselves to the prefecture in which their head office is located, and national-level CSOs must declare themselves to the Ministry of the Interior. No capital investment or minimum number of founders is required, and the only restrictions on organizational objectives are that they are lawful and do not disturb the peace or offend public decency.

Civil servants continued to require CSOs to pay for and use bylaw templates in the registration process, even

though this is not required by law, thereby limiting their ability to develop their own internal systems and structures. CSOs that refuse to use the template have had their registration refused.

CSOs also faced other problems with registration in 2018. The prefect of the City of Cotonou unilaterally required CSOs registered in the city to re-register and pay XOF 20,000 (about \$35). The Littoral Department declined to issue a registration receipt to the Benin Coalition of Human Rights Defenders (CBDH) in 2018, without giving a reason. The coalition took legal action, and a verdict in the case was still pending at the end of the year. In addition, public authorities sometimes misplace documents related to a CSO's registration.

Article 25 of the constitution and Article 10.1 of the African Charter on Human and Peoples' Rights, to which Benin is a signatory, guarantee freedoms of association, expression, and assembly, as well as the right to information. However, the national and local governments severely restricted the freedom of assembly in 2018. In March, the Littoral Department implemented Ruling 8/0083/DEP-LIT/SG/SP requiring organizations to include their registration receipts with their requests for permission to hold marches and other public demonstrations, even though no law requires a CSO to be formally registered in order to organize such events. In June, the parliament unanimously approved a new criminal code, which includes rigorous restrictions on marches, demonstrations, and other public gatherings, including prohibitions on gatherings that could disturb the peace on public roads and in public places. Violations of these provisions are punishable by between two months to five years in prison or expulsion from Benin. No organizations are known to have been punished under the new criminal code in 2018, although this became an issue in 2019.

The government also impeded the freedom of expression in 2018. On May 23, the High Commission for Audiovisual Media and Communications determined that a series of articles in the daily newspaper *Nouvelle Tribune* were offensive to Benin's president and required the paper to suspend publication. The international organization Reporters Without Borders denounced this action as baseless and overreaching. Four of seven television stations that the commission had arbitrarily shut down in 2017—Sikka, La Chrétienne, Unafrika, and La Béninoise—resumed broadcasting from outside Benin in 2018, although their programming was only available in Benin on the internet. The Cotonou Superior Court required the commission's president to pay a fine of XOF 50 million (approximately \$87,000) for shutting down Sikka TV.

The president of Benin promulgated Law 2017-20, on Benin's digital code, in 2018. The digital code criminalizes the use of social media for "incitements to hatred and violence." The effect of the law remains to be seen.

CSOs' tax-exempt status is set forth and approved in the finance law at the beginning of each year. Individual CSOs sign framework agreements with the government that grant them tax-exempt status. However, the government complies with such agreements on a case-by-case basis. For example, the Little Sisters of the Poor for the Protection of Oblate Catechists (SSPH/OCPSP) had a tax exemption framework agreement with the government from 2012 to 2016. Although the organization began the process of renewing its agreement in 2017 and relevant government offices have issued the required documentation, no new agreement had been signed as of the time of

writing. Also, CSOs may only claim tax exemptions on sums up to XOF 50 million (approximately \$87,000); for any purchase over that amount the difference between the total and XOF 50 million is taxable.

CSOs may earn income through the provision of goods and services and must pay taxes on any income earned. CSOs are not entitled to respond to calls for bids on government contracts. However, the government sometimes awards contracts to CSOs for educational and training services. In such cases, the minister of finance decides on applicable taxes on a case-by-case basis.

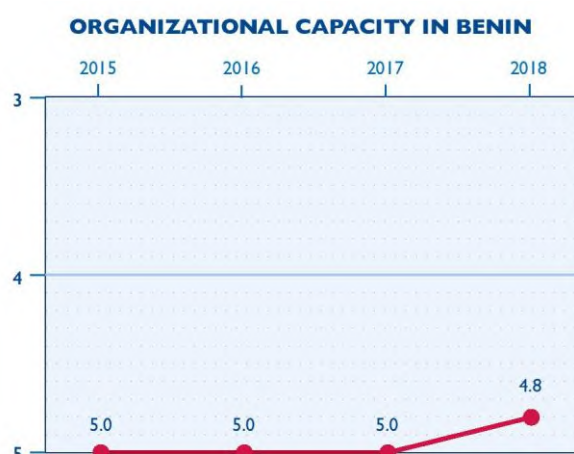
Several attorneys offer pro bono legal advice to CSOs in Benin.

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## ORGANIZATIONAL CAPACITY: 4.8

CSOs' organizational capacity improved in 2018, as a result of a newly created certification program for CSOs. In addition, CSOs increasingly use strategic planning.

With funding from the Swiss Agency for Development and Cooperation, the Civil Society House (MdSC) launched a unique CSO certification program in May 2018 to help CSOs stabilize their operations and improve their ability to implement projects. The overarching goal of the program is to affirm CSOs as credible and innovative actors in Benin. The program is open to registered CSOs that meet a variety of legal and international standards, including the Istanbul Principles on development effectiveness. Certification is valid for three years. In 2018, CSOs in four departments received certification: Local Economic Development Center (CDEL), Alinagnon, Miwadagbe, and Social Watch Benin in the Littoral Department; SSPH/OCPSP in the Atlantic Department; Association for Integrated Development and Environmental Protection (ALDIPE) in the Zou Department; and Mother and Child Survival in the Collines Department. These organizations are expected to improve their organizational capacities in 2019 and 2020.



Active CSOs have a positive impact on their target groups in many areas, including health, water, and sanitation. In 2018, CSOs continued to identify potential beneficiaries and create relationships with them. For example, the association Youth and Green Jobs for a Green Economy (JEVEV) completed water channeling projects in three villages and installed a filtration system using water hyacinths in another part of the country. The Association for the Promotion of Local Initiatives (ASSOPIL) organized HIV/AIDS education sessions for sex workers, bar waitresses, and inmates at the Abomey Calavi prison.

The MdSC has encouraged many organizations to focus on longer-term work, rather than working in several sectors on short-term projects. CSOs that shifted their focus in this way included CDEL, Miwadagbe, Social Watch Benin, and Mother and Child Survival.

CSOs increasingly use strategic planning, especially when donors want to verify that potential partners' plans align with their own priorities or they want to monitor partners' activities over the long term. Many donors provide CSOs with the technical expertise needed to prepare strategic plans. According to the MdSC, fifty-six CSOs that received training in strategic planning in 2018 used their ability to train other CSOs, thereby building capacity across the sector.

In general, CSOs' internal structures are improving. Some organizations have boards of directors, executive committees, and management teams. Other CSOs have more rudimentary bodies, with little distinction between the roles of the board and the staff.

A few organizations are able to hire small numbers of full-time staff to manage their day-to-day operations aside from projects. CSOs with permanent staff include Regard d'Amour, a child rights foundation; West African Network for Peacebuilding (WANEP)–Benin, which works on good governance, democracy, and fundamental freedoms; Benin Franciscans, which provides health care to the poor and fights violence against women;

Association against Racism, Ethnocentrism, and Religionism (ALCRER) and Action Group for Progress and Peace (GAPP)–Benin; and agricultural cooperatives. The MdSC has significant numbers of management staff, thanks to donor support. Most CSOs have limited funds and offer inadequate salaries, which makes it difficult for them to retain and train staff. They also do not engage in succession planning, including internal staff transfers and promotions. When they are not working on funded projects, most CSOs rely on qualified volunteers for staffing. The Charities Aid Foundation’s World Giving Index 2018 reports that in 2017, 17 percent of Beninese volunteered and 48 percent helped a stranger.

Some funders, including USAID, the European Union (EU), Open Society Initiative for West Africa (OSIWA), and FHI 360, cover the costs of computers and other equipment for CSOs. Larger CSOs, such as ALCRER, Social Watch Benin, and WANEP, are especially well equipped and have internet connections and updated software. However, most CSOs are unable to upgrade their computers or office equipment because of a lack of funding.

## FINANCIAL VIABILITY: 5.4



CSOs’ financial viability worsened in 2018.

CSOs, especially those that focus on good governance, women’s empowerment, youth, and capacity building, are highly dependent on foreign funding. There is no database on funding in Benin and CSOs are reluctant to discuss their funding sources and amounts, so overall CSO funding levels remain unknown. The EU’s Civil Society Strengthening and Participation Program (REPASSOC) funds CSO projects in targets areas such as agriculture, youth employment, and children’s rights. USAID and the U.S. Embassy support good governance, democracy, agriculture, education, and skills-building for women. The French Embassy’s Innovative Projects from Civil Societies and Coalitions of Actors (PISCCA) program offered micro-grants to CSOs in 2018,

including, for example, for AFDO Vignile’s project to help preserve mangroves. Other funders include the World Bank, German Society for International Cooperation (GIZ), United Nations Development Programme, Global Affairs Canada, OSIWA, Netherlands Institute for Multiparty Democracy, Friedrich Ebert Foundation, and Konrad Adenauer Foundation. Entities providing funding to faith-based CSOs in 2018 included the Liliane Foundation, Aleimar, Amici di Francesco, Buena Nascita, and Society of African Missions. In 2018, the Belgian Development Agency Enabel increased its work in Benin and funded agricultural projects such as pineapple production.

Most foreign funding is short-term and for specific activities. The EU offers CSOs the option of forming consortiums, so that they can secure larger funding amounts. Most donors do not fund operating expenses. In addition, donors prefer to fund larger CSOs with a proven track record in specific areas; CSOs that target multiple sectors in an effort to expand their pool of potential donors tend to lose credibility with donors.

Local funding is scarce and comes mainly from international foundations with local branches in Benin, such as Rotary International and Lions Club International.

Although CSOs cannot bid on government contracts, the government sometimes awards sub-contracts, especially for agricultural projects, to large CSOs with good reputations. For example, the Ministry of Agriculture is developing many partnerships with CSOs, including the Platform of Civil Society Actors in Benin (PASCiB), which provides services to farmers. The central government gives significant support to sports associations, especially the Benin Football Federation. The private sector makes no financial contribution to CSOs.

In addition to international funding, most urban CSOs also receive some funds by selling their products or taking loans from local banks. Some rural organizations and rural women’s cooperatives earn income by selling products and raising funds from their members and supporters. JEVEV generates revenue from the hot springs that are most frequently visited by eco-tourists, using these funds to clean up these areas. CSOs that work in the agricultural sector also have access to micro-loans or sell products to earn income, although this does not necessarily make



them more financially stable over the long term, due to capacity limitations. Some multinational companies have created local foundations, including the MTN Foundation, the MOOV Foundation, and the Zinsou Foundation, that directly engage in local projects; these foundations do not support other local CSOs.

Few CSOs have financial management systems, conduct independent audits, or publish annual reports with financial statements. CSOs with certifications from the MdSC document their activities and must undergo annual audits.

## ADVOCACY: 4.0

CSO advocacy improved slightly in 2018, as CSOs began to work on election-related activities. In addition, GAPP-Benin led efforts to reform the law on associations.

Since the 2016 election, CSOs have had little influence on the government's activities. Nothing requires the government to involve CSOs in creating or implementing policies other than conditions imposed by funders such as the EU, USAID, and the Netherlands Finance Development Company in the areas of justice, health, and education. The Ministry of Mining and Energy began involving CSOs in some discussions on energy in 2018. As in 2017, the Ministry of Health, Ministry of Youth and Sports, and Ministry of Agriculture requested that CSOs review their action plans and took steps to update CSOs on their activities. The Network of NGOs for Sustainable Development (RODD) is working with the Ministry of Planning and Development to reach development goals by 2030. CSO advocacy in 2017 resulted in the creation in 2018 of the Benin Commission on Human Rights, an independent commission that promotes and protects human rights. The Commission's members were installed by the Constitutional Court on December 28, 2018, and the president came from civil society.

On the municipal level, the Beninese Association of Disabled Persons and the CSO Network for Community-Based Rehabilitation succeeded in having budgetary line items added for activities that serve people with disabilities in 2018. Beninese typically do not advocate on issues such as the environment, health, or social infrastructure, such as housing and schools.

Preparations for the 2019 legislative elections began in 2018, and advocacy by Beninese CSOs increased as donor funding became available for this purpose. The Election Platform of CSOs in Benin used social media, television, and radio to conduct information campaigns to promote transparent, fair, and peaceful elections.

Women in Law and Development in Africa–Benin and Equality Now have implemented the Comic Relief-funded MAANDA project, which seeks to “improve girls’ legal protection against early marriage, through advocacy, skill-building, and strategic legal actions.” The project came to an end in 2018 and efforts began to measure its results.

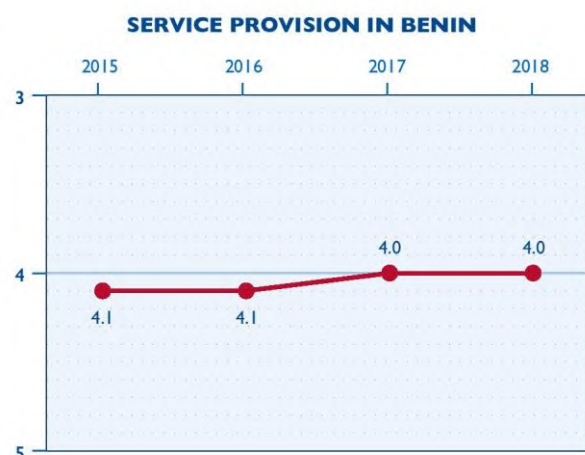
CSOs in Benin are not very comfortable with the concept of lobbying, and their influence on the legislative process is limited. Rather than lobbying, most CSOs prefer to engage in limited demonstrations and secure media coverage. However, following advocacy by SSPH/OCPS, the National Assembly approved Law 2017-06 on the protection and advancement of the rights of people with disabilities in Benin in September 2017. This opened the way for the Ministry of Social Affairs and Microfinance to fund activities by the Beninese Association of Disabled Persons in 2018.

For several years GAPP-Benin, with support from the International Center for Not-for-Profit Law (ICNL), has led efforts to reform the framework law on freedoms of association, expression, and assembly. A draft law was developed in 2012 through a broad consultative process involving CSOs. Among other changes, the draft law proposes that if the government does not respond to a registration application within ninety days, the organization will be considered registered, and the government can prohibit such registration or an organization's activities only by going to court. Government officials have not reacted favorably to the draft law, which was still with the parliament for review at the end of 2018. In November 2018, GAPP-Benin held a national forum with CSOs, the



government, and development agencies on the need for inclusive and participatory reform of the law on freedom of association.

## SERVICE PROVISION: 4.0



CSOs' service provision did not change in 2018. CSOs provide a diverse range of services in areas such as health, handicraft training, women's cooperatives, and food storage. CSOs such as Bethesda, SOS Children's Village, Regard d'Amour Foundation, Songhai Training Center, Oxfam Quebec, SSPH/OCPSP, and various Christian and Muslim organizations continued to play a major role in providing basic social services during the year. In 2018, the Association of Women Lawyers in Benin (AFAB) offered free consultations to parents and guardians of minors who were victims of violence or in trouble with the law, meeting with 594 adults and 728 children. The network of CSOs in the agricultural sector gave scholarships to 102 Beninese university students.

To avoid duplication of efforts, some international funders require the central government and CSOs to

collaborate on actions such as building schoolrooms or providing health services. Relationships between municipalities and CSOs developed further in 2018, with CSOs continuing to handle waste management, sanitation, and well management in many municipalities.

CSOs provide services to anyone who seeks their services without discrimination. Most CSOs provide goods and services, including medications, school buildings, dispensaries, and maternity clinics, for free.

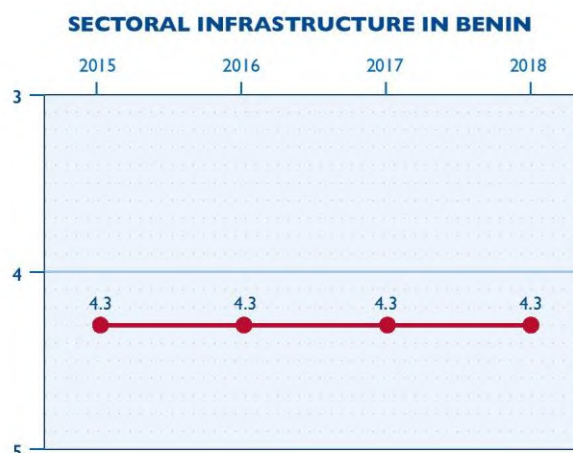
The government acknowledges the value of CSOs' contributions and the quality of CSOs' fieldwork by working with CSOs on joint projects. For example, the government cooperates with citizen participation units, small organizations in border communities, on projects related to peace, border crisis management, cross-border crime, HIV/AIDS prevention, human rights, and gender equality. CSOs and village women's organizations manage a local liaison system for the Ministry of Family and National Solidarity's micro-loan program for women.

## SECTORAL INFRASTRUCTURE: 4.3

In 2018, the sectoral infrastructure supporting CSOs was stable.

The library of the Benin Educational Activity Council (CAEB) in Porto Novo offers CSOs space for meetings, as well as inexpensive internet access. CAEB also has branches in the six largest cities of Benin's twelve administrative departments, which also provide services to CSOs. The office of the UN High Commissioner for Refugees and the U.S. Embassy also have public libraries and work spaces that CSOs often use. CSOs can do research on human rights at the Law Library and Information Center (CDIJ). No Beninese organization re-grants donors' funds.

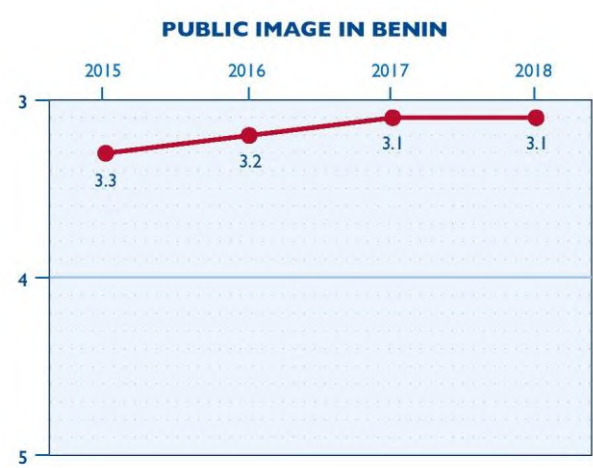
With 900 members, the MdSC serves as the primary platform for information sharing among CSOs and is the only platform that can mobilize the majority of Benin's CSOs. In 2018, the MdSC and Center for Civil Society



Promotion provided technical support and training to CSOs at the national level focusing on project proposal preparation, organizational development, and advocacy. The MdSC also provided basic management training to CSOs in the capital and second-tier cities on topics such as CSO participation in political dialogues, public policy, organizational management, project management, corporate social responsibility, and fundraising. Available training generally meets local CSOs’ needs. Local trainers with expertise in CSO management are available. Training materials are available in French but not local languages.

The relationships between CSOs and the government could be improved, although there are some examples of partnerships. For example, in 2018, through the World Bank-funded West Africa Agricultural Productivity Program (WAAPP) and the Agricultural Diversification Project (ADP), the Ministry of Agriculture financed many growers’ organizations that directly or indirectly benefited approximately 432,000 people. The program helps farmers grow crops local consumers need instead of crops like cotton that are primarily for export.

**PUBLIC IMAGE: 3.1**



CSOs’ public image did not change in 2018.

CSOs generally have to pay for media coverage, and only CSOs with sufficient funding receive airtime. CSOs were less present on public and private radio and television than in the previous year because of their diminished ability to pay for such coverage, which costs approximately XOF 300,000 (\$525) per broadcast. Under pressure from the government, the media do not cover any CSO-related story that is unfavorable to the government.

Increased public participation in CSO’s activities during 2018 attests to the public’s positive perception of CSOs.

Since the 2016 elections, the government has paid little attention to CSOs. The government often claims that CSOs are manipulated by the opposition, which thwarts effective cooperation. The lack of corporate funding for CSOs’ activities suggests that the business world is not particularly interested in CSOs.

In an effort to make themselves more visible and attract public support for their activities, in 2018 CSOs increasingly used social media such as Facebook and WhatsApp discussion forums to publish videos of press conferences or snapshots of their activities.

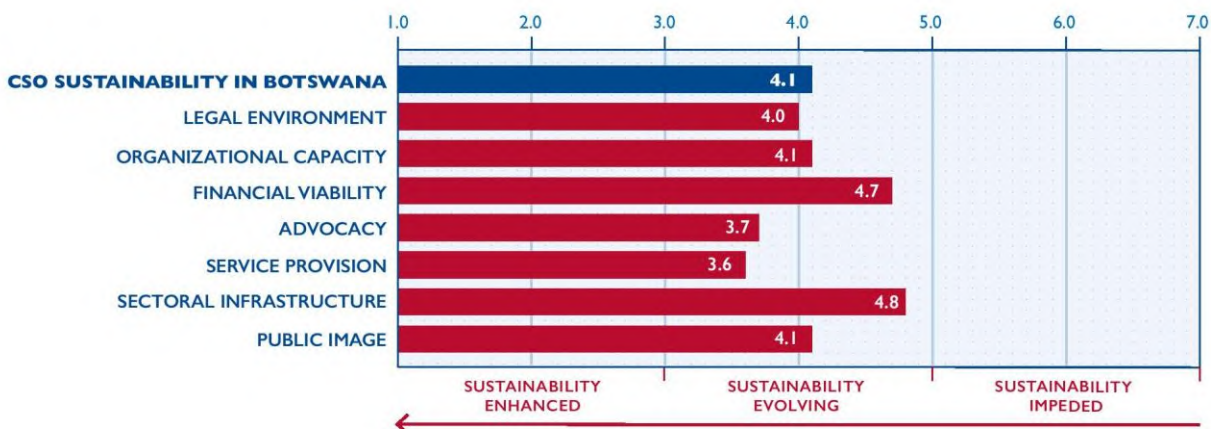
CSOs in Benin do not have a code of conduct or ethics or a self-regulatory body. The government does not require CSOs to publish annual activity reports, and it is not a routine practice among CSOs.



# BOTSWANA

Capital: Gaborone  
Population: 2,249,104  
GDP per capita (PPP): \$17,000  
Human Development Index: High (0.717)  
Freedom in the World: Free (72/100)

## OVERALL CSO SUSTAINABILITY: 4.1



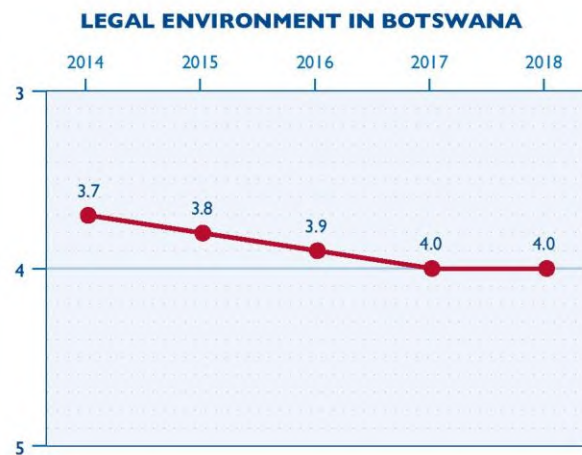
Vice President Mokgweetsi Masisi was sworn in as the fifth president of Botswana on April 1, 2018. He succeeded President Ian Khama, who retired after ten years in office. The new administration publicly acknowledged the importance of the rule of law and democratic values and took steps to fight corruption, build investor confidence, and reverse policies that had inhibited foreign investment during the previous administration. The new government also stated its commitment to working with civil society, and CSOs were hopeful that the country's governance would improve. While the former government had had a troubled relationship with private media, the new administration expressed appreciation for the media's role, and for the first time in more than a decade, the president hosted press conferences with private and public media. However, an access to information bill, which has been pending since 2012, was not signed into law, despite ongoing CSO advocacy.

Botswana's economy was stable in 2018. According to the World Bank, the country's real economic growth accelerated to 4.4 percent, driven by the mining, construction, and services sectors and deeper public investments. Although poverty levels have declined significantly in recent years, the poverty rate remained at about 15 percent, with about 30 percent of the population just above the poverty line. Botswana continued to have one of the highest income inequality rates in the world in 2018, but its unemployment rate was stable at about 18 percent, according to World Bank reports.

The overall sustainability of Botswana's CSO sector improved moderately in 2018. CSOs' organizational capacity was stronger as they relied effectively on interns and volunteers to implement projects and developed closer relationships with constituencies. CSOs' financial viability improved as government funding increased and some CSOs generated income by renting out property or providing paid services. Advocacy also made gains as the new government ensured a more favorable political environment in which CSOs could operate. Both service provision and the sectoral infrastructure benefitted from CSOs' growing partnerships with the government. Finally, CSOs' public image was more favorable as the new government recognized their important contribution to realizing national development priorities. The legal environment for CSOs did not change in 2018.

The Registrar of Societies registered 283 societies between January and December 2018 and reported a total of 9,756 societies in its registry as of December 2018, compared to 9,014 societies at the end of 2017. Of this figure, 156 organizations were inactive and in the process of being deregistered. As of December 2018, 331 trusts had re-registered following enactment of the Trust Property Control Act of 2018.

## LEGAL ENVIRONMENT: 4.0



The legal environment for CSOs was mixed but overall did not change in 2018. Although the new government sought to improve its relationship with the media and expressed its commitment to working with civil society, organizations providing services to sex workers and men who have sex with men continued to experience barriers to registration during the year.

The legal environment in Botswana is generally supportive of CSOs' registration and operations and provides clear limits to government oversight of CSOs. The government's NGO Policy of 2012 recognizes CSOs' important contribution to national development and nation building. In 2018, the new government stated its commitment to working with civil society, and the president lifted sanctions on private media so that they

could benefit from government advertising and regain access to public events and government officials.

The government continued in 2018 to encourage CSOs to register under the revised Societies Act of 2014 or the Companies Act as amended in 2008. The Department of Civil and National Registration registers all non-profit-making organizations. Community trusts registered with the Deeds Registry Office at the Attorney General's Chambers until July 2018, when the newly enacted the Botswana Trust Property Control Act gave the Master of High Court the authority to register trusts and correct trusts deeds that are not in the interests of beneficiaries. The new law aims to prevent money laundering, corruption, and poor accountability, and many communities were optimistic that the law would prevent trust income from flowing solely to trust members. All trusts previously registered with the Deeds Registry Office were given twelve months to re-register with the Master of High Court, and by the end of the year, more than 300 trusts had registered under the new law. The registration process was said to be fairly easy and inexpensive, and some trusts, especially community trusts focused on environmental conservation, were able to re-register without a break in their operations with the help of technical advisory committees under district development offices. However, a number of trusts were not aware of the requirement to re-register and had yet to do so by the end of the year.

The requirements for registration include the establishment of mechanisms for internal governance, such as organizational constitutions and boards of directors. Groups that are denied registration sometimes operate by nesting within registered, structurally stable organizations with related mandates. For example, Sisonke, an organization that provides services to sex workers, operated under the auspices of the Botswana Network on Ethics, Law, and HIV/AIDS (BONELA) in 2018 because of difficulties with its registration. Sisonke had resisted orders by the Registrar of Societies to remove sections of its constitution seen as contradicting provisions of the Penal Code pertaining to sex work and instead sought to pursue the case in court. But in 2018, Sisonke obeyed the registrar's orders to change its constitution, both because it lacked sufficient resources to pursue the case in court and it wanted to complete registration and begin activities. Sisonke re-submitted its application for registration and awaited a decision at the end of the year. The Pilot Mathambo Center for Men's Health, which provides services to sex workers and men who have sex with men, remained unregistered in 2018 after the Registrar of Societies advised it either to reform its mandate so that it does not violate the Penal Code or obtain a court order allowing its registration.

CSOs may be deregistered if they are found to be non-compliant with the law. However, the Department of Civil and National Registration is unable to track CSOs' legal compliance effectively because of its reliance on manual record keeping. In 2018, the registrar sometimes made random checks of CSOs and issued written warnings if organizations were found to be non-compliant. From January to December 2018, five CSOs were de-registered for failure to file annual returns. None of these organizations sought to re-register.

The law permits CSOs to engage in all forms of advocacy, and no incident of interference in CSOs' activities was reported in 2018. Although Sections 164 and 167 of the Penal Code criminalize same-sex sexual relations and sex work, CSOs working with sex workers and lesbian, gay, bisexual, transgender, and intersex populations were able

to provide services without government interference in 2018, thanks to the new government's positive attitude to working with CSOs and its tolerance of the issues they address. However, sex workers who were members of Sisonke continued to be arrested and detained under Section 176 of the Penal Code, which broadly prohibits making a common nuisance and loitering. In such situations, paralegals who had been trained in human rights for sex workers under the Aidsfonds Hands Off! project worked through an emergency response mechanism to help the arrested sex workers deal effectively with the police. Despite enactment of the Whistleblowers Act in 2016, the public seemed fearful to engage in whistleblowing, in part because the law does not offer physical protection to whistleblowers.

CSOs are allowed to mobilize resources freely, provided they comply with relevant legislation. They may obtain funding from foreign donors provided they comply with international agreements adopted by Botswana to counter money laundering and the financing of terrorism.

CSOs may operate businesses as long as they re-invest proceeds to achieve their public-interest mandates. CSOs sometimes receive government contracts, which are awarded by individual ministries on a non-competitive basis. Under these arrangements, the government contributes a percentage of the costs of service delivery. Such contracts can be short or long term.

Under the Income Tax Act of 1995, CSOs are exempt from paying value-added tax on funds used to further the public interest. In a change from 2017, corporations receive tax exemptions on donations used for to registered organizations for public-interest projects as long as they have receipts.

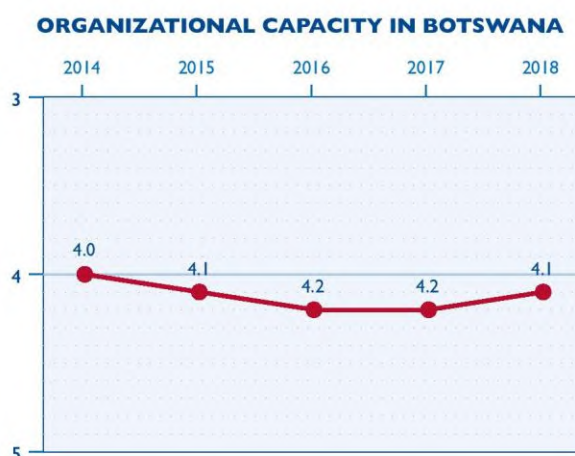
CSOs may pursue legal action if they believe that they have been subject to unfair treatment, harassment, or intimidation by the government. However, they rarely do so, since such action may make it difficult for them to obtain government funding. As in previous years, CSOs continued to have access to local lawyers familiar with CSO-related issues. Legal services are usually paid but occasionally offered pro bono. Sisonke, however, was unable to find a lawyer willing to provide pro bono legal services in its case involving registration.

## ORGANIZATIONAL CAPACITY: 4.1

The organizational capacity of the CSO sector continued to improve slightly in 2018. Because of the limited funding, especially from foreign sources, organizations learned to rely more effectively on interns and volunteers to implement projects. Relationships with constituencies were also stronger as CSO increasingly implemented programs in cooperation with government offices.

Stronger relationships with constituencies stemmed in part from the government's National Development Plan (NDP) II, which was launched in 2017 and emphasizes the involvement of civil society in achieving inclusive national growth through sustainable job creation and poverty eradication. On the community level, NDP II encouraged greater cooperation between the government and CSOs. For example, the Botswana Christian AIDS Intervention Program (BOCAIP) was supported by the Ministers' Fraternal Committee, which is composed of church leaders and ministers. Members of the committee's district-level structures often partnered with BOCAIP to deliver HIV/AIDS-related interventions and counseling in the absence of paid staff. Unpaid volunteers from local networks similarly provided communities with training and advocacy on behalf of the Trust for Okavango Cultural and Development Initiatives (TOCADI) in 2018. Sisonke and BONELA offered training in human rights and self-defense to sex workers and sensitized some police officers to human rights, which helped build partnerships in their communities.

Most CSOs have clearly defined missions and governing documents, since they are required for registration. Strategic planning continues to be recognized as a critical component of organizational development, and many established CSOs, including the Botswana Council of Non-Governmental Organizations (BOCONGO) and Center



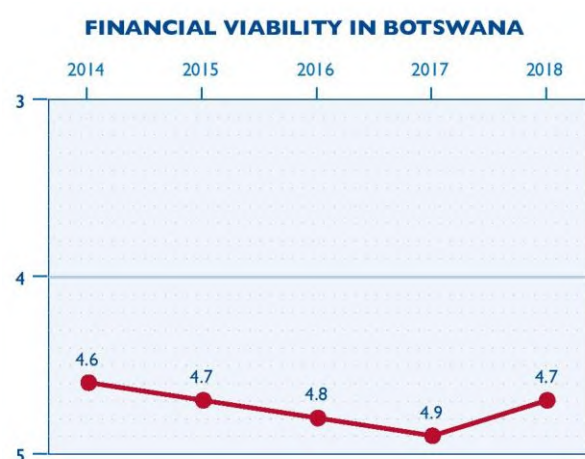
for the Prevention for Gender-Based Violence, incorporate strategic-planning activities into their decision-making processes. However, newer CSOs such as Kgalagadi South NGOs (KGASONGO), a network registered in 2017, struggled to develop strategies in 2018 because of limited funding and a lack of trained staff.

Most CSOs do not have defined internal policies and procedures because of limited technical and financial capacity. In 2018, a lack of funding sometimes hindered CSOs' ability to implement key governance processes. For example, Thuso Rehabilitation Center was unable to hold its annual general meeting because expected funding from the Ministry of Health and Wellness was delayed for eight months. While the boards of some faith-based organizations continued to experience conflicts, other organizations that had previously struggled with governance were more stable in 2018. BOCONGO, for example, had a new board that reportedly functioned well.

Most CSOs and umbrella organizations found it difficult to retain staff in 2018 after support from the European Union (EU)'s Empowerment of Non-State Actors in Botswana program ended in December 2017. Grantee organizations, such as TOCADI and BOCAIP, lost program managers, monitoring and evaluation specialists, finance managers, media personnel, and professional staff because of their loss of funding. Many of these employees had benefited from training and expertise acquired during the program. Thuso Rehabilitation Center was unable to retain physical and occupational therapists after its funding from the Ministry of Health and Wellness was delayed. However, organizations such as the Chobe Enclave Community Conservation Trust continued to implement programs by relying on volunteers and a new government program that places recent graduates as interns with CSOs so that they can gain work experience.

Reduced funding continued to limit CSOs' ability to maintain office space and access the internet in 2018, despite expanding network services across the country. Less well-established CSOs, such as Mababe Trust, Khwai Trust, Botswana Shelter, Queen Esther, and Bana Ba Letsatsi, often used resources centers and the facilities of umbrella organizations for activities and internet access. Most CSOs reported increased reliance on social media platforms such as Facebook and WhatsApp in 2018. Social media have begun to replace face-to-face meetings as marketing and communications tools, since they are cheaper and have a wider reach.

## FINANCIAL VIABILITY: 4.7



CSOs' financial viability improved moderately in 2018. Although funding from foreign sources continued to decline, support from the government and some private donors increased, and some CSOs generated sustainable income by renting out property or providing paid services such as training.

Funding from foreign sources has decreased in recent years because of Botswana's upper-middle-income status. For example, the EU's Empowerment of Non-State Actors program ended in 2017, and the budget for programs from the Global Fund to Fight AIDS, Tuberculosis, and Malaria decreased almost by half compared to 2016–18. In 2018, much of the available funding from donors such as the EU was directed toward critical aspects of CSOs' sustainability, such as capacity

building, self-funding mechanisms, and stronger operations and controls.

The loss of foreign funding was offset by increased resources from local sources. Some CSOs signed long-standing contracts with government ministries to provide basic services at the local and district levels in 2018. For instance, the Department of Social Protection of the Ministry of Local Government and Rural Development provided funding to Childline Botswana, SOS Children's Villages International, Marang Childcare Network, Ark and Mark, and Love Botswana for childcare and support to orphans and vulnerable children. The total budget for this three-year program was approximately BWP 6 million (approximately \$600,000). The National AIDS Coordinating Agency (NACA) provided grants totaling more than BWP 21 million (approximately \$2.1 million) to twenty-one CSOs for HIV/AIDS-related services in 2018–19. Among grant recipients were BONELA, which received funding to improve district-level access to health services and HIV counseling by key populations; the Botswana Network



of People Living with HIV and AIDS, which promoted healthy living and viral suppression among people living with HIV; and the Botswana Network for AIDS Service Organizations (BONASO), which coordinated HIV service organizations. The Botswana Substance Abuse Support Network, BOCAIP, Silence Kills, and other organizations received funding from the government's Alcohol Levy to help with alcohol and substance abuse. Other CSOs received government funding for programs addressing gender mainstreaming, people with disabilities, and environmental protection. However, Thuso Rehabilitation Center did not receive funding which it was due under a contractual arrangement with the Ministry of Health and Wellness until very late in the year, and the organization was unable to implement programs from January to October 2018. In November, the center received only partial funding for programs. Little government funding was available for non-service-providing CSOs, especially those working on democratic governance.

It is not yet clear whether CSOs benefited from corporate social responsibility (CSR) programs in 2018. Little information is available on the scope of such programs in 2018.

CSOs are beginning to appreciate self-sustainability as an alternative to donor dependence. They increasingly recognize social enterprises as a means to improve sustainability, especially as the demand for CSOs' products and services grew in 2018. Although the sums generated were not substantial, CSOs earned income by renting out property and providing paid services such as training. For example, Thuso Rehabilitation Center rented out a cold room and meat-cutting machines purchased with a donation of EUR 10,000 (approximately \$11,700) from the Finish Evangelical Lutheran Church. Tebelopele provided clients with six weeks of training on HIV counseling and testing, charging them as much as BWP 3,500 (\$350) per person. TOCADI rented out part of its offices to generate more than BWP 130,000 (\$13,000), and BONELA and BOCAIP also collected income by renting out their properties. Childline Botswana raised BWP 50,000 (\$5,000) by providing training on childcare and protection to teachers at the diamond producer Debswana and earned an additional BWP 160,000 (\$16,000) through rentals. However, several CSOs reported losing income in 2018 when, for unknown reasons, the Botswana Business Coalition on AIDS refused to allow them to charge fees for training services, although they had done so previously.

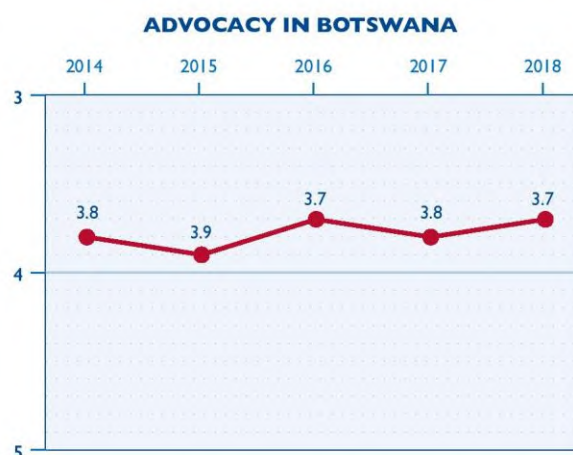
Membership-based organizations continued to collect membership fees, although declining interest in their services led to unpaid dues, particularly to umbrella organizations. Some organizations engaged in joint fundraising activities, such as sponsored campaigns, gala dinners, and solicitation of direct project sponsorships from the private sector. Most CSOs do not have dedicated fundraising departments and must sometimes rely on their directors, volunteers, or interns to fundraise.

Most CSOs have sound financial management systems. Paying the cost of professional financial audits is a challenge for most CSOs, making it difficult for organizations to report fully to their stakeholders and sponsors. Donors usually pay for audits of projects but not entire organizations.

## ADVOCACY: 3.7

As the new government provided a more favorable political environment for advocacy, CSOs' ability to engage in advocacy and lobbying improved slightly in 2018. Only a small number of CSOs advocate in areas such as democracy and governance, but the new administration's openness to dialogue made civil society and other community members less fearful about speaking out. However, as they pushed for stronger partnerships with the government, CSOs were not always able fully to exploit new opportunities because of their low organizational capacity.

CSOs continued to have access to national and local planning and policy-making processes in 2018, including national steering and technical committees for Vision 2036, the government's national planning instrument, and the United Nations Sustainable Development Goals. CSOs also participated in high-level policy forums, such as the National AIDS Council and High-Level Consultative Council, chaired by the president. BONELA, Childline,



Women Against Rape, and other organizations continued to engage the government in discussion and submit policy briefs on issues such as the decriminalization of sex work and same-sex relationships and the prevention of gender-based violence. BONELA, one of the most vocal human rights advocacy organizations, worked with NACA and the Ministry of Health and Wellness to improve the reach of HIV/AIDS services and their uptake by key populations.

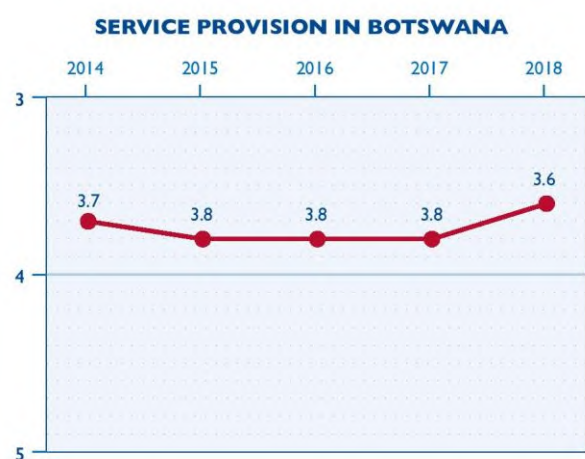
New energy was evident in advocacy to protect human rights and the rights of people living with disabilities in 2018. The Botswana Council for the Disabled (BCD) and other organizations took advantage of the new political landscape to call on the government to account for its neglect of people with disabilities. The executive director of BCD urged all CSOs, regardless of their specialization, to come together and call with one voice for policy changes.

CSOs engaged the public in policy advocacy through radio, print, and television media platforms, including government-run media. Their issue-based campaigns often sought to build community ownership of advocacy incrementally. For example, the #Eseng Mo Ngwaneng (“Not On The Child”) campaign collaborated with UNICEF and the first lady to call for an end to the sexual exploitation of minors. The initiative’s success in building community support was evident in increased media and social media attention and a higher number of reported child-abuse cases. Some CSOs continued to offer analyses of national issues through platforms as such as symposiums, panel discussions, conferences, and forums. For example, the Chevening Alumni Association hosted a symposium in Gaborone on democracy and state and media roles in shaping policy. The association also collaborated with Lesbians, Gays, and Bisexuals of Botswana (LeGaBiBo) to sponsor public symposiums on sexuality in Francistown and Ghanzi.

CSO lobbying was revitalized by the willingness of the new president to engage with private media and trade unions. President Masisi met with unions in July 2018 to kick-start the reestablishment of the bargaining council and reopen long-stagnant salary negotiations. BONELA and other CSOs working on children’s rights successfully urged the parliament to pass the Age of Consent Law, which raised the age of sexual consent to eighteen. CSOs called for reviews of old and outdated legislation and policies affecting human rights, same-sex sexual relations, and sex work, including the Mental Health Act and the Penal Code.

The wider CSO community is aware that a favorable legal and regulatory framework could enhance their effectiveness and sustainability. However, no CSO advocacy to promote legal reforms benefiting the sector or local philanthropy was noted in 2018. BOCOBONET informed its members and community trusts about the new Botswana Trust Property Control Act. However, the NGO Council, which was established in November 2012 to advise the government on CSO issues, was relatively inactive after most of its staff members resigned in December 2017 because of funding shortfalls.

## SERVICE PROVISION: 3.6



CSOs’ service provision improved moderately in 2018. Although foreign donor support declined, CSOs found other ways to ensure that their services continued, including a growing number of partnerships with the government and the use of volunteers trained during funded projects.

CSOs continued to offer diverse services in health, HIV counseling and testing, substance abuse treatment, education, childcare and child protection, environmental protection, housing, water, disabilities, climate change, and poverty eradication in 2018. The government outsources the provision of essential services to CSOs with grants from special funds under government ministries. In a notable example of positive engagement between the government and CSOs working with key

populations, the government provided funding to BONELA and LeGaBiBo for health-related services for key populations in 2018. Foreign donors also fund some services, usually with one-off project grants. For example,

Kagisano Women's Shelter, renamed the Network of Gender-based Violence Prevention and Support Center, provided comprehensive services to abused women with support from USAID in 2018. The center also worked with five CSOs to improve their internal systems, including governance, human resources, and financial management.

In 2018, TOCADI continued to use volunteers in mobilizing communities to take part in HIV and AIDS and tuberculosis treatments. As part of the program, volunteers consulted with their communities to identify HIV-related needs and targeted less-involved communities for sensitization and education. CSOs' involvement was particularly valuable insofar as they were able to work in hard-to-reach and less-resourced areas thanks to their existing community ties.

CSOs provide services to entire communities, not just their members. For example, borehole projects in Okavango supply water to entire communities. CSOs provide services to needy members of the community without discrimination.

The demand for CSOs' paid products and services, including childcare for orphans and vulnerable children, alcohol and substance abuse interventions, and HIV counseling and testing, continued to grow in 2018. BONELA, BOCAIP, and Botswana Family Welfare Association charged private-sector and government clients for services such as training. A growing number of CSOs appreciate the value of social contracting in achieving sustainability. For example, instead of relying solely on donor funding, Tebelopele Counseling and Testing Center approached the government for funding to help build awareness to prevent communicable and non-communicable diseases and link clients to health services.

The government's 2017 Vision 2036 formally recognizes the role of CSOs and seeks to promote collaboration with them. CSO umbrella organizations must by law be included in some national steering committees, such as the committee established under the Anti-Human Trafficking Act of 2014. Some CSOs have long-term memoranda of agreement with the government to provide services. CSOs also monitor basic service provision by taking part in district and urban planning committees.

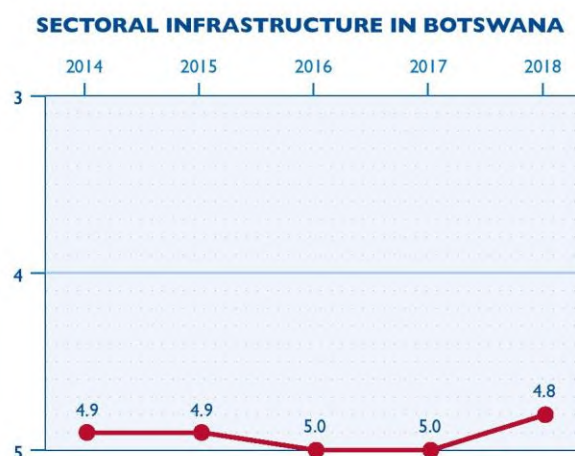
## SECTORAL INFRASTRUCTURE: 4.8

The sectoral infrastructure supporting CSOs was moderately stronger in 2018, thanks to enhanced partnerships with the government. In addition, district-level and umbrella organizations increasingly supported less well-off CSOs with resources such as internet access.

Umbrella organizations such as the Ngamiland Council of NGOs (NCONGO) offer free services to less-established member CSOs. For example, organizations lacking office space or equipment are able to use the resource center on NCONGO's premises to implement activities, access the internet, and communicate with stakeholders. However, NCONGO lost resource center staff during the year and could provide only one computer to users of its resource center. Botswana

Library Services and government departments such as Wildlife and National Parks allow CSOs to use their internet, fax, and telephone facilities to communicate with stakeholders and beneficiaries.

CSOs in Botswana self-organize into umbrella bodies and networks based on their mandates. Networks such as NCONGO, KGASONGO, BOCONGO, and Gantsi Network of CSOs (GNoCs) share information, engage in joint planning with members, and pursue advocacy initiatives with other CSOs. BOCONGO, which many see as the main CSO umbrella organization, receives funding annually from the government to support its efforts. GNoCs and KGASONGO, which were set up through the EU's Non-State Actors program, raise funds to implement some activities.



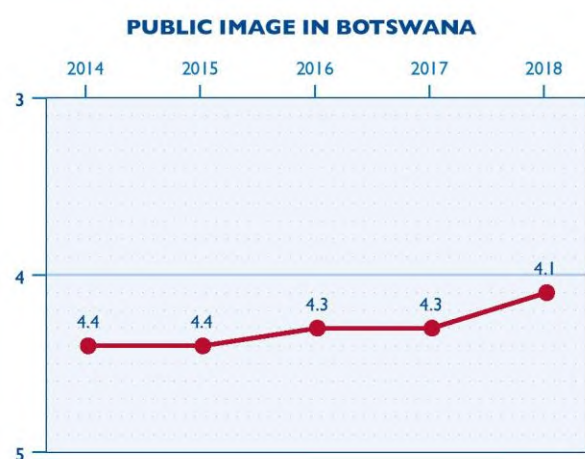


Some CSOs receive international funding for sub-granting to other organizations. For example, in 2018, the African Comprehensive HIV/AIDS Partnerships continued to serve as the principal recipient of funding from the Global Fund to Fight AIDS, Tuberculosis, and Malaria, which it used to support programs implemented by other CSOs.

Botswana CSOs had access to a variety of capacity-building opportunities in 2018. With funding from the Global Fund, the Network of GBV Prevention and Support Centers worked with five CSOs to improve their internal systems. CBOs received training on early childhood development from the Bokamoso Education Trust and on access to legal services from Legal Aid Botswana. A few CSOs, such as the Network of GBV Prevention and Support Centers, TOCADL, and Bokamoso Education Trust, had one-off donor grants to offer short-term training. Most training addresses the well-documented need of CSOs for basic instruction in governance, strategic planning, financial management, human rights work, and other areas. In general, donor-supported capacity building is shifting in focus from compliance to sustainability. Most training is centered in the Gaborone area. Local CSO management trainers are limited in number.

Intersectoral partnerships continued in 2018 and were particularly active in combatting HIV/AIDS. For example, CSOs trained police and local health-care workers on human rights and worked with them to protect the rights of key populations and provide referrals. The CSO Botswana Business Coalition on AIDS collaborated with Tebelopele and BOCAIP to provide HIV testing and diagnostic services to workers in a number of companies and government departments, including parastatals. Men and Boys for Gender Equality partnered with GABS FM to inform school audiences about drug use, as part of a special program sponsored by the radio station that provides CSOs with various media platforms to reach their program beneficiaries.

## PUBLIC IMAGE: 4.1



The public image of Botswanan CSOs was moderately stronger in 2018, thanks to improved media coverage after the new government recognized the importance of CSOs. For example, state and private radio, newspapers, and television covered the month of prayer for effective responses to HIV led by BOCAIP. BONELA's advocacy on the age of consent was covered extensively. The UNDP-supported Lake Ngami/Tsodilo Trust Tsodilo Trail Project, which sought to launch new tourist activities in Ngamiland, also received wide coverage on radio and television talk shows having call-in components and in newspaper articles highlighting the role of CSO advocacy on the issue. The media sometimes offers CSOs reduced rates for media coverage.

The public understands the concept of CSOs and the vital contributions that they make to national development. Communities recognize CSOs' role as first responders to the problems they face and often encourage the government to partner with them to improve service delivery. However, in 2018, the poor coordination of service delivery sometimes led to a sense in communities that they were being exploited. This was especially true for community-based HIV counseling and testing services, which were sometimes seen as donor driven and uncoordinated, thereby causing consumer fatigue among community members.

The new administration's perception of CSOs was more favorable than that of the previous government, as seen in its willingness to engage with civil society and provide funding support. During his state-of-the-nation address in April 2018, President Masisi spoke of the important role of CSOs in realizing national development priorities.

Businesses have mixed perceptions of CSOs. The private sector believes that CSOs need to organize themselves better, improve their governance and accountability, and establish a common mechanism through which the business community can invest in CSOs, so that it does not have to deal with numerous requests for support from individual organizations. Some corporations, such as Diamond Trust, funding entity for a De Beers/Debswana Corporate Social Investment project, continued to sponsor community projects in 2018, such as the Tsodilo World Heritage Site Rhino Trail Stairway Project.

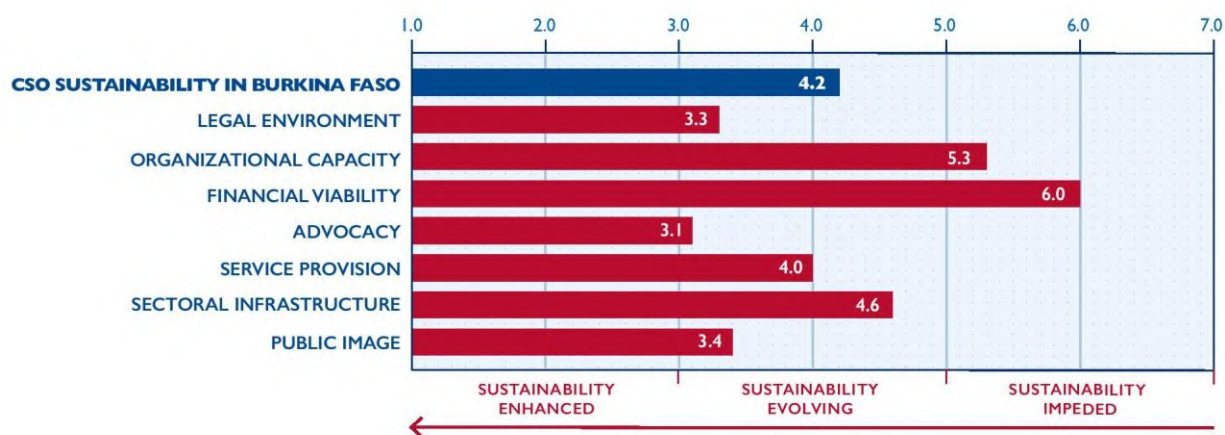
CSOs continued to use social media, radio, television, and newspapers to promote their services and build their public image in 2018. Some organizations, such as BOCONGO, GenderLinks, and BONELA, sought to improve their reach and regain public confidence with new websites and partnerships with media outlets, particularly radio.

CSOs realize that they must self-regulate to increase accountability and transparency and improve their public image. A CSO code of conduct was developed in 2001, but it remains largely unknown, and those organizations that are familiar with it generally believe that it is up to umbrella organizations to ensure its implementation. Many CSOs do not seem to know where the code of conduct can be accessed or how to use it in their day-to-day operations. Few CSOs publish annual reports, which they often blame on poor resourcing and low capacity.

# BURKINA FASO

Capital: Ouagadougou  
Population: 19,742,715  
GDP per capita (PPP): \$1,900  
Human Development Index: Low (0.423)  
Freedom in the World: Partly Free (60/100)

## OVERALL CSO SUSTAINABILITY: 4.2



The year 2018 marked the halfway point in the five-year term of President Roch Marc Christian Kaboré, who was elected in November 2015. During the year, the government encountered particularly acute political, labor, and security challenges. Many Burkinabé encouraged the government to engage in an open and inclusive political dialogue to calm the political climate.

On the political front, the opposition vigorously contested the government's revision of the electoral code, and many opposition members of parliament resigned during the review of the draft code. Deadly terrorist attacks that began in 2016 intensified in the northern part of the country and then spread to the east. Ninety-five terrorist attacks during 2018 killed 141 people and wounded 119 more. United Nations (UN) agencies reported that more than 100,000 internally displaced people were gathered on Burkina Faso's northern border with Mali because of terrorist activity and abuses by armed forces in the area. The government declared a state of emergency in several provinces in December 2018. The poor security situation and kidnappings of humanitarian workers deterred CSOs and UN agencies from moving freely in regions affected by terrorism.

Burkina Faso's economy is based largely on agriculture, with more than 80 percent of the population working in the sector, according to the World Bank. The economy was relatively stable in 2018, with a growth rate of 6.6 percent led by dynamic import, services, and mining sectors. Inflation was low. Although maternal and child mortality rates are falling, Burkina Faso ranked 144 out of 157 countries in the most recent UN Development Programme's Human Development Index.

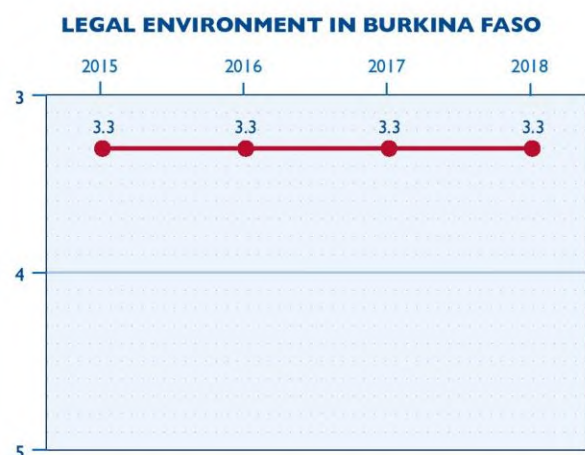
Throughout the year, unions in nearly every area of public service organized demonstrations, strikes, and sit-ins to demand better working conditions. Although the work stoppages were somewhat less frequent than in 2017, the labor unrest was highly disruptive of the country's economy and administration. The educational system, which has long been a battleground between the Ministry of Education and its employees, was particularly affected, and demonstrations by teachers were followed by many student protests calling for the government to re-open schools.

Overall CSO sustainability did not change in 2018. Decreases in funding resulted in deterioration in both CSOs' financial viability and service provision. CSOs' legal environment, organizational capacity, advocacy, sectoral infrastructure, and public image did not change.

The government does not readily provide data on the number of CSOs in Burkina Faso, and updated information is difficult to obtain. According to the Ministry of Public Freedoms, approximately 15,700 CSOs were registered in

2016. A 2013–17 directory issued by the Ministry of Finance lists 317 active non-governmental organizations (NGOs), a distinct legal form. Most CSOs in Burkina Faso are unregistered and operate informally with minimal activity, which the legal system allows.

## LEGAL ENVIRONMENT: 3.3



The legal environment has been the most stable dimension of CSO sustainability in recent years. Associations, NGOs, and unions continue to be governed by Law 064-2015/CNT. Local farmers' organizations, which exist in every village of Burkina Faso, are governed by Law N/014-99/AN of 1999.

To register, CSOs submit declarations of their existence along with draft bylaws, internal regulations, and other information to the Ministry of Territorial Administration, Decentralization, and Social Cohesion (MATD). MATD must issue a registration receipt within two months of the filing of a registration request. In 2018, most CSOs filing registration requests received receipts in about one month. MATD tested new registration procedures in 2018, which required all CSOs to renew their

registrations. After the deadline for renewals passes on March 30, 2019, MATD may make the new procedures permanent.

CSOs acquire NGO status, which allows for tax exemptions, by signing agreements with the government. NGOs include branches of large international organizations headquartered outside of Burkina Faso, such as Oxfam, Amnesty International, and the Red Cross, as well as domestic organizations, known as national NGOs.

A CSO that has operated for at least five years may apply to MATD for public benefit status, which is granted by a decree from the Council of Ministers. CSOs with public benefit status and receiving government funding are required to submit annual budgets, accounts, and financial reports to MATD, the Ministry of Economy and Finance, and their line ministries. Failure to submit these reports may result in the suspension of funding.

Under Law 064, governmental authorities may not interfere directly in CSOs' operations, pressure CSOs to take particular political positions, or arbitrarily dissolve CSOs for political reasons. It is rare for the government to dissolve or suspend a CSO once it is registered. However, on March 28, 2018, the government dissolved Nachroul Islam, an Islamic association, after its members conducted security services during a reading of the Quran at a madrasa in Pouytenga municipality while dressed in militia uniforms.

CSOs are fairly free to criticize the government, although the government sometimes arrests activists for public criticism of its actions. On July 3, an online activist was sentenced to two months in prison for publishing a Facebook post related to the hospitalization of a police officer injured during an anti-terrorism operation. An appeal of the dismissal of charges against journalist Lookman Sawadogo of the newspaper *Le Soir*, who was arrested on defamation charges in connection with a Facebook post about suspected corruption in the justice system in 2017, proceeded slowly through the legal system. In June 2017, Burkina Faso adopted Law 039-2017/AN, becoming the second African country to adopt a law on human rights defenders. However, CSOs feel that this law offers inadequate protection for human rights defenders, because no application decree has been issued yet to guide its implementation.

Tax exemptions are available only to NGOs and associations recognized as benefiting the public good. Corporations do not receive deductions for donations to CSOs.

CSOs with required financial capacities may respond to calls for bids and compete for certain government contracts in areas such as education and health. They compete under the same tax conditions as private companies.

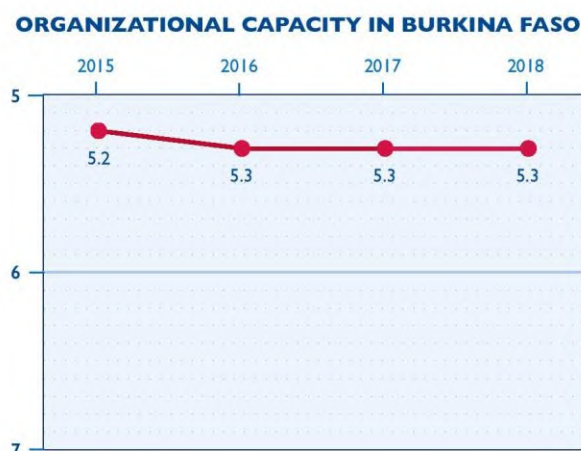
A number of legal experts in Burkina Faso have knowledge of CSO law and provide legal services to CSOs and activists in need. They are mostly located in major cities. Legal services for CSOs in rural areas are scarce.

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## ORGANIZATIONAL CAPACITY: 5.3

The organizational capacity of CSOs was stable in 2018.

The vast majority of the population has traditionally belonged to CSOs, especially farmers' organizations, whose members include growers, raisers of livestock, and other rural producers. During periods of scarcity from July to September, these and other community organizations provide their members with material and nonmaterial assistance, such as loans and gifts of grain and seeds. They also organize literacy sessions in local languages and raise awareness about hygiene and healthy behaviors related to malaria, family planning, and other areas. However, as evidenced by Afrobarometer, membership in CSOs has been decreasing in recent years. Given their ever-increasing needs, many beneficiaries find that the goods and services provided by CSOs are often insufficient. The country's increased insecurity and the gradual rise in ethnic tensions have also affected constituency building and CSO operations.



Only a few development associations and NGOs, such as the members of the NGO Permanent Secretariat (SPONG), the largest NGO network in Burkina Faso, have strategic or action plans. The development and implementation of strategic plans are highly dependent on CSOs' financial capacity and partnerships. Strategic plans nearly always include capacity-building components, which are to be implemented alongside primary objectives, such as advocacy, communications, or research. However, although strategic plans are often seen as an indication of a CSO's management quality, very few organizations regularly use plans to guide their decision making, since most organizations face significant funding constraints.

The majority of CSOs operate informally, with limited internal management structures. Only highly structured NGOs and associations with significant, sustainable funding have distinct internal bodies, such as boards of directors and executive secretariats, or administrative and financial manuals setting forth operating procedures. Smaller CSOs lack functioning governing bodies and procedures to guide their operations.

CSOs' financial instability also makes it difficult for them to retain staff. Funding for salaries is limited, and the majority of CSOs survive thanks to the leadership of a few individuals working with very limited budgets. The technical staffs of most CSOs have other jobs and serve as volunteers for their organizations.

Few organizations have the financial resources to maintain offices or purchase and maintain modern equipment. All CSOs have access to mobile phones, but few have stable internet connections because of the fairly high cost.

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## FINANCIAL VIABILITY: 6.0

CSOs' financial viability, a major area of vulnerability in Burkina Faso, worsened in 2018 as a result of declining donor funding.

Several international donors have programs funding civil society. A primary source of funding is the Gender Common Fund, a basket fund supported in 2016–18 by the UN Population Fund (UNFPA), UN Children's Fund (UNICEF), Danish International Development Agency, Swedish International Development Cooperation Agency (Sida), and Swiss Agency for Development and Cooperation. With a budget of approximately \$4.5 million, the fund





supported gender-equity programs implemented by CSOs, government ministries, public institutions, and private-sector entities. Twenty percent of the funding was earmarked for CSO projects, mainly in the areas of the prevention of gender-based violence and discrimination, girls' access to education, and women's political participation. CSOs receiving support from the Gender Common Fund included the Center for Research and Information on Gender and Development (CRIGED) and the Organization of Support and Awakening Pugsada.

Other donors providing financial assistance to CSOs in 2018 included the governments of Sweden, Canada, Germany, France, Luxembourg, and Switzerland. However, some donor programs were postponed or implemented on a limited basis. For example, the

European Union (EU) has provided significant funding to CSOs in Burkina Faso and in 2016 presented a road map for EU funding for CSOs, which included a planned call for proposals. The call had still not been issued by the end of 2018.

CSOs receive some funding from the national and local governments, although the amounts are much less than the funds coming from international donors. The ministries of health, education, literacy, and promotion of national languages sign contracts with CSOs to provide services related to reproductive health, HIV/AIDS, and literacy. For example, Tin Tua had a government contract in 2018 to provide nonformal educational and literacy services. CSOs also implement government infrastructure projects involving, for example, schools and wells. In general, the government's financial difficulties meant fewer government-funded programs to support CSOs in 2018.

CSOs' funding relationships with the private sector are mostly informal. Although some corporate social responsibility programs exist, including a program for mining companies established by Diakonia, a Swedish organization, the taxation system does not encourage corporate sponsorships.

Few CSOs are able to sustain their operations or fund expenses through membership dues. CSOs that are not funded by international donors are most often supported by personal donations from their leaders or small groups of other individuals. For example, several wealthy families have established foundations, such as the Joseph Ki-Zerbo Foundation, to advance philanthropy in the country.

The vast majority of CSOs lack the ability and resources to pursue income-generating activities, such as the sale of products. In addition, the taxation system does not offer exemptions to most CSOs and thus does not stimulate large-scale revenue-generating projects. However, CSOs in the country's interior generate fairly substantial resources through varied activities. For example, Action for the Promotion of Local Initiatives (APIL) in Kaya, Association for the Valorization of Natural Resources by Self-Promotion (VARENA) in Diebouhou, and Nodde Nodde in Dori process or sell products such as honey, soap, and moringa.

CSOs that receive any kind of funding are contractually required to conduct financial audits, and they generally do so. They usually have financial management systems that meet recognized standards. Few CSOs publish their financial statements. SPONG is an exception and since 2016 has published its financial statements on its website after obtaining donors' approval.

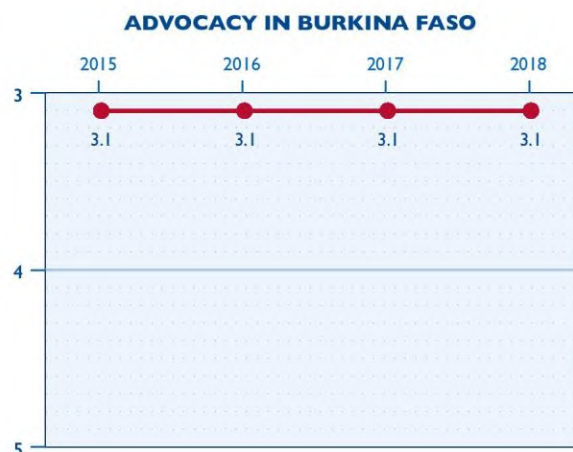
## ADVOCACY: 3.1

CSO advocacy was stable in 2018. Article 12 of Burkina Faso's constitution provides a solid legal framework to formal citizen participation in governmental affairs, and the government's National Economic and Social Development Plan (PNDES) emphasizes a discussion framework that allows CSOs to participate in public policy dialogues. The PNDES has a participatory monitoring provision that includes CSOs, the private sector, and technical and financial partners, in addition to various central government stakeholders. Discussions with top-level authorities, such as the president and prime minister, and sector-specific stakeholders, such as unions, private-sector entities, and other CSOs, took place in 2018. Final discussions between the central government and CSOs



were held in Ouagadougou on December 28, 2018, with the president's active participation. The discussions allowed CSOs to advocate on various topics and receive the government's impressions of their work.

Government ministries and CSOs generally work together well in discussions focused on the government's yearly activities. The representative of the Civil Society Network for Development (RESOCIDE) from the Center for Citizen Monitoring and Analysis of Public Policy (CDCAP) participated in the annual review of the PNDES in 2018, which was chaired by the prime minister. CSOs and political parties also communicate frequently on topics in which they have common interests, such as revisions to the electoral code, security issues, and the high cost of living.



In 2018, the government proposed holding a referendum to approve a new draft constitution, which, among other provisions, limits the head of state to two five-year terms. Some CSOs and political actors had reservations about the proposal, given the limited scope of the draft changes, which did not seem significant enough to justify a new constitution but instead pointed toward amending the current document.

The focus of CSO advocacy campaigns in 2018 often varied by region. Education and advocacy on child marriage were prominent efforts in northern and eastern Burkina Faso, since the issue is more prevalent there than in other areas. Save the Children and the Gender Common Fund supported initiatives addressing the issue. In March, SOS Youth and Challenges organized a regional meeting for CSOs in Burkina Faso and Côte d'Ivoire that focused on family planning advocacy and budget tracking with communities, municipalities, and government ministries as partners.

The French Development Agency (AFD) launched its Partnering with Civil Society Organizations 2018–23 program, which funds public policy advocacy by multiple CSOs. In the past, the National Democratic Institute (NDI), a U.S. organization, has partnered with the Burkina Faso Women's Coalition (CFB) to monitor the implementation of gender quotas in elections and government hiring, but this activity did not happen in 2018 because of a lack of funding.

Many CSOs attend discussions of the National Assembly to offer comments on draft laws. A highlight of 2018 was the revision of the electoral law giving voting rights to Burkina Faso citizens living outside the country. CSOs have long advocated for revisions to the law. The Burkina Faso Movement for the Emergence of Social Justice (MBEJUS), Burkina Faso National Women's Council (CNF/BF), Le TOCSIN, and other organizations offered comments on proposed revisions to the Commission on General Affairs and Human Rights. Newspapers and radio stations organized street interviews to solicit citizens' opinions of the revisions. The revised law was approved on July 30, 2018, without including CSOs' views.

CSOs are not engaged in significant advocacy to reform the legal framework governing the sector, mainly because they see framework law as being satisfactory.

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## SERVICE PROVISION: 4.0

CSO service provision declined in 2018, largely because of reduced donor support and terrorist attacks.

Most service-providing CSOs engage in food distribution. Cathwel, OCADES, and other NGOs provide primary schools with food products such as corn flour and oil. Primary schools in the Sahel city of Dori are reported to have higher attendance rates because their cafeterias provide lunches to students. In rural areas, where desertification causes frequent food shortages, vulnerable populations receive food from major international CSOs, such as the International Red Cross, Caritas, Cathwel, and Oxfam. Some in-country CSOs, including the Technical Alliance for Development Assistance (ATAD), perform large-scale emergency food distribution and help local populations grow food and raise livestock so that they can achieve self-sufficiency.



Other organizations provide services in areas such as micro-finance, education, health, and child rights. Service clubs such as the Rotary and Lions Club offer charitable support to beneficiaries such as women giving birth in the emergency department at Yalgado Hospital. In areas with widespread poverty, such as the Sahel, CSOs such as Nodde Notto provide goods and services to the poor. A majority of the assistance to poor communities comes from NGOs that have worked in those regions for decades. CSOs' beneficiaries are usually vulnerable populations such as single and young mothers, the elderly, and children. Significant regional disparities are evident in the quality of CSO services.

CSOs also conduct community education on child marriage and youth reproductive health, but these

activities decreased in 2018 because of terrorist attacks and decreased funding. For example, the activities of The Eye of Youth, which creates audio and video materials and social media posts on young people's reproductive health, were hindered by funding shortages in 2018.

In the Sahel, CSOs' humanitarian work was significantly disrupted by increasing terrorist attacks in 2018. NGOs with a presence in the region, such as the Red Cross and Red Crescent, experienced the theft of vehicles or kidnapping of staff members. Armed groups also significantly disrupted government projects, such as the Sahel Emergency Program, which was created in 2016 to coordinate donors' financial and technical support. These threats reduced organization's ability to work in these areas and reach beneficiaries with the greatest need.

Civil society in Burkina Faso has few research and survey tools that could help them better understand and respond to public needs. Those that exist focus on corruption, such as reports by the National Anti-Corruption Network (REN-LAC), or political governance, such as the Pr sim tre platform of the Center for Democratic Governance (CGD), which organizes surveys on government management, political governance, and development results.

Only international development organizations and NGOs tend to have sustainable funding for their services. Some goods, such as rice, millet, salt, and oil, are distributed for free, while others, such as health-care services and surgery, are offered for a fee.

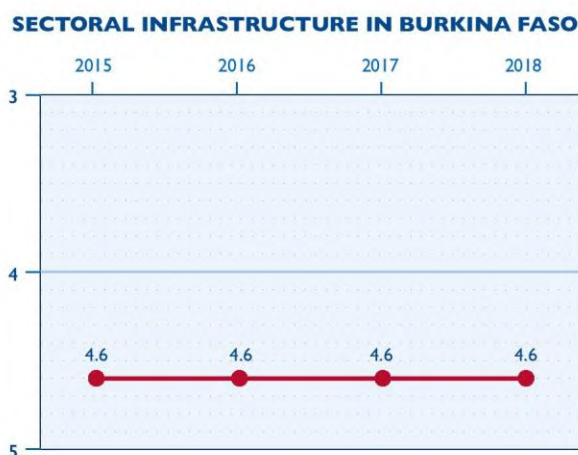
The government often acknowledges CSOs' efforts, especially at the municipal levels, where the importance of their poverty-reduction efforts is especially visible.

## SECTORAL INFRASTRUCTURE: 4.6

The sectoral infrastructure for CSOs was stable in 2018, despite reduced funding.

There are few intermediary support organizations (ISOs) in Burkina Faso. Some international CSOs, such as NDI, Diakonia, and Oxfam, sub-grant donor funding to local CSOs. For example, Diakonia channels funding from Sida to CDCAP for the monitoring of public policies by grassroots committees, which gather data for the Citizen Policy Review. CDG and SPONG also receive funding through ISOs. Organizations that receive ISO funding often redirect it to smaller organizations for field activities such as education, data collection, and capacity building.

Large networks and coalitions include SPONG and Burkina Faso Rural Convention (CPF). Smaller coalitions



focusing on specific topics include the REN-LAC Coalition Against the High Cost of Living (CCVC) and Women's Rights Coalition (COAFEB). Only a small percentage of national CSOs belong to coalitions.

Capacity building is an important part of CSOs' work in Burkina Faso. Training focuses mostly on project management and advocacy. Training on fundraising is needed but rare. Trainers include national and international experts.

Networks and coalitions offer frameworks for intersectoral partnerships. For example, CCVC members include both CSOs and unions fighting against the high cost of living. The National Education Support Fund (FONAEF) is a funding and participatory action platform that brings together representatives of the Ministry of Education and CSOs. Cooperation between CSOs and the private sector is rare and relatively unknown. Companies or business people sometimes sponsor the activities of youth organizations, such as sports tournaments, but do not normally support other CSOs' activities.

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## PUBLIC IMAGE: 3.4



CSOs' public image was stable in 2018. The media continued to cover CSOs' activities. Media coverage comes in two different forms: either CSOs pay the media to cover their activities, or the media cover CSOs' activities voluntarily because of their news or other value. CSOs prefer coverage on the country's public television and radio stations, since they have nationwide coverage.

According to a 2017 survey by Afrobarometer, the public has a fairly negative perception of CSOs and is generally distrustful of them. Only 25 percent of survey respondents believed that CSOs are not involved in corruption, while 42 percent believed that some CSOs are corrupt, 14 percent believed that most CSOs are corrupt, and 8 percent believed that all CSOs are

corrupt; the rest did not know.

In formal settings, government officials generally use politically correct language and acknowledge CSOs' work in supporting the country's development. Sometimes, however, prominent authorities criticize the role of CSOs. For example, LeFaso.net, the main online media outlet, reported that during a December meeting on the government-CSO discussion framework, the president stated that CSOs should refrain from partisan politics.

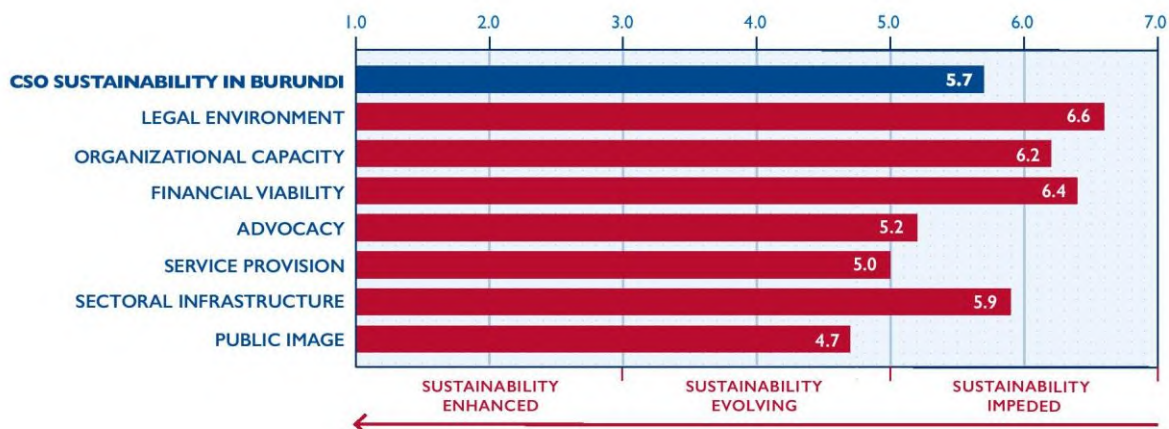
Only a few CSOs have funding for public relations efforts and communications directors. Most CSOs do not have the means to conduct professional public relations campaigns and CSOs conducted relatively few public communications efforts, such as press conferences and public activities.

CSOs' primary self-regulatory mechanisms are found in their bylaws and internal regulations, which set forth their operating policies. Some CSOs have codes of conduct specifically related to elections, which include ethical standards for independent election monitoring.

# BURUNDI

Capital: Bujumbura  
Population: 11,844,520  
GDP per capita (PPP): \$700  
Human Development Index: Low (0.417)  
Freedom in the World: Not Free (18/100)

## OVERALL CSO SUSTAINABILITY: 5.7



In May 2018, a constitutional referendum was held in Burundi to approve the re-creation of the post of prime minister, reduce the number of vice presidents from two to one, and reduce the size of parliamentary majorities needed to pass legislation. The constitutional amendments also restricted presidential terms to two consecutive seven-year terms, while allowing incumbent president Pierre Nkurunziza, who had already served three terms, to run for re-election in 2020. About 73 percent of voters approved the changes, according to the National Independent Electoral Commission, and the new constitution was promulgated in June. In the period leading up to the referendum, the government suspended Voice of America and the British Broadcasting Corporation (BBC), and there were widespread reports of harassment, intimidation, verbal attacks, and violence, according to the U.S. State Department 2018 Report on Human Rights Practices in Burundi. Political violence claimed at least fifteen lives, according to Human Rights Watch. The United States and the European Union (EU) expressed concern that the referendum was inconsistent with the Arusha Accords, the 2000 peace agreement that sought to ensure power sharing across Burundi's political parties and ethnic groups.

In August 2018, the ruling party and various political parties allied to it signed a road map for the general elections to be held in 2020, and in September 2018 the president appointed seven new members to the National Independent Electoral Commission. The opposition coalition contested both actions.

Burundi's economic growth was slow at 1.4 percent in 2018, according to the African Development Bank. With poor land and a population heavily dependent on agriculture, the country maintained one of the world's highest poverty rates. In June 2018, the government released its National Development Plan for Burundi for 2018-2027, which outlines a growth strategy based on investment in human resources, strong governance, sustainable management of the environment, and international partnerships.

The government's harassment of civil society continued in 2018. In September, the National Security Council suspended international CSOs, and introduced a requirement for them to apply ethnic quotas to their staff. This affected about 130 international CSOs. During this period, Burundian CSOs were unable to access funds from the suspended organizations. Also in September, a United Nations (UN) Human Rights Council-mandated commission of inquiry reported that serious human rights violations persisted during the year, including cases of summary execution, enforced disappearance, arbitrary arrest and detention, torture, sexual violence, and violations of civil liberties, including freedoms of expression, association, assembly, and movement. The National Intelligence Service, the police, and the ruling party's youth league, Imbonerakure, were implicated in the abuses.

In this discouraging context, CSO sustainability declined slightly in 2018. The legal environment worsened moderately as the government implemented two restrictive laws governing the sector that were passed in 2017



and continued to harass CSOs. CSOs' financial viability, service provision, and sectoral infrastructure declined slightly as a result of the government's suspension of international CSOs. Advocacy suffered moderately because of the unsupportive legal environment and weak communication between CSOs and the government. CSOs' organizational capacity and public image did not change.

In December 2018, about 9,000 CSOs were registered in Burundi. This figure reflects a number of new CSOs but does not include registered CSOs that failed to update their bylaws in 2018, as required by Law No. 1/02, the law passed in 2017 that governs domestic nonprofit associations. At the community level, there are countless informal organizations.

## LEGAL ENVIRONMENT: 6.6



CSOs in Burundi operate in a highly restrictive legal environment, which continued to decline in 2018 with the implementation of two laws that were passed in 2017: Law 1/01 governing international CSOs and Law 1/02 governing domestic CSOs. In addition, CSOs continued to be subject to government harassment.

The implementation of Laws 1/01 and 1/02 increased government control over CSOs in 2018. To comply with Law 1/02, CSOs and CSO networks had to update their bylaws. In principle, the new law made registration easier by allowing CSOs to register by applying to the Ministry of the Interior or, if they intend to operate in a single province, by declaring their existence to the relevant municipal administrations (communes) in that province.

The new law improves on the prior law by stipulating

that the registration process must be completed in less than two months, during which period CSOs are not authorized to operate. However, by the end of 2018, application forms under the new law had not been distributed, and the text of the law was available in French but not in Kirundi, one of Burundi's official languages. Under Law 1/02, CSOs must renew their registrations every two years.

Law 1/02 does not limit the scope of CSOs' activities but requires the government to endorse them. The law gives the government broad discretion to monitor and evaluate CSOs. For example, national CSOs are required to sign agreements with sectoral ministries with which they will work. In 2018, CSOs continued to experience government meddling in their work and internal operations. Some local government employees impeded CSOs' work by requiring authorizations for specific activities, contrary to the law. The government also used the judicial system to silence critics such as human rights defender Germain Rukuki, who was sentenced to thirty-two years in prison in April 2018 on charges of rebellion and breach of state security. Although Law 1/02 protects CSOs against dissolution, the government sometimes stopped CSOs' fieldwork without legal or regulatory references. The law does not provide for independent judicial appeals. However, the Burundian League for Human Rights Iteka (LBDH), which the government banned in 2016 for allegedly working with the opposition, submitted a case concerning its suspension to the East African Court of Justice and awaited a decision at the end of 2018. Iteka continued to work from outside of the country.

Under Law 1/02, CSOs are required to submit annual reports to their line ministries by March 31 of the reporting year. Failure to submit the reports, hold annual general meetings for two consecutive years, renew registration certificates on two consecutive occasions, or have a physical address in Burundi for two years can result in the Administrative Court withdrawing a CSO's approval.

In late September 2018, the government cited Law 1/01, a law introduced in 2017 to govern international CSOs, as the rationale for suspending nearly all international CSOs working in Burundi, except for those operating hospitals and schools. International CSOs were given three months to sign agreements of cooperation with the Ministry of Foreign Affairs and draft agreements with the Ministry of Justice, deposit money in the Bank of the Republic of Burundi (an unprecedented requirement), and submit plans to eliminate ethnic inequalities on their staffs within three years. Several suspended organizations were allowed to resume operations by the end of the year.

The law provides for freedom of assembly but requires groups to notify the government in advance of public meetings or demonstrations. The government may prohibit meetings or demonstrations for reasons of “public order.” In practice, the rights to assemble and participate in public demonstrations seem to apply only to organizations that support the government, such as associations of bike taxis, youth groups affiliated with the ruling party, and militants of the National Liberation. Other CSOs are often prevented from discussing certain topics publicly or criticizing the actions of government entities. In March 2018, three members of the association Awakening of Consciousness and Evolution of Mindsets (PARCEM) were sentenced to ten years in prison for being accused of having “prepared actions likely to disrupt security” while attending an authorized meeting.

The laws governing the taxation of CSOs did not change in 2018. Like all entities, CSOs pay professional compensation tax on their income, and value-added tax. CSOs may obtain public benefit status by demonstrating five years’ experience in good governance, the environment, the protection of vulnerable groups, the promotion of peace, or emergency intervention.

CSOs may generate revenue by providing goods and services. CSOs are allowed to bid on contracts for government projects if they have the capacity specified in the call for bids. CSOs are allowed to fundraise and may accept funding from foreign donors through accounts at the Bank of the Republic of Burundi.

The departure of the international CSO Avocats Sans Frontières (ASF) in December 2018 after it decided not to comply with the new requirements imposed on international CSOs weakened CSOs’ access to legal counsel. However, some law firms have staff members who are knowledgeable about CSO-related laws and can provide paid legal assistance.

## ORGANIZATIONAL CAPACITY: 6.2

CSOs’ organizational capacity was stable in 2018. During the year, several CSOs benefited from CSO Strengthening, a EUR 2.2 million (approximately \$2.5 million) project funded by the EU that includes capacity building to help strengthen CSOs’ contribution to Burundi’s local governance. The project sought to ensure that CSOs participating in the program were aligned with Law 1/02 by focusing attention on internal governance; CSOs’ rights, roles, and responsibilities; and accountability and collaboration between the government and CSOs.

CSOs perform self-assessments to define their needs and prioritize organizational actions. They involve beneficiaries and local leaders in participatory approaches to needs assessments, activity planning, project implementation, and monitoring and evaluation. For example, ActionAid Burundi, CARE International, and Oxfam Novib worked with local CSOs to implement the CSO Strengthening project.

CSOs’ bylaws and regulations clearly define their missions, the responsibilities of statutory bodies, and decision-making mechanisms. In 2018, CSOs had to adjust their organizational documents and create new internal structures and procedures to comply with Law 1/02. CSOs that aligned their key documents and internal governing bodies with the new law held regular statutory meetings, prepared or updated their administrative and management tools, and wrote and published activity reports. Under Law 1/02, executive committees, which serve as boards of directors, must be composed of three to five members, while before the number was not limited. In 2018, the executive committees of CSOs seeking to comply with the law met as scheduled in the bylaws, generally four times per year, and their internal oversight committees ensured that their assets were properly managed. Some CSOs also have advisory boards that monitor activities, give advice, and arbitrate issues when needed. Mindful of standard management practices and the need for transparency, active CSOs also conducted internal and external financial audits.



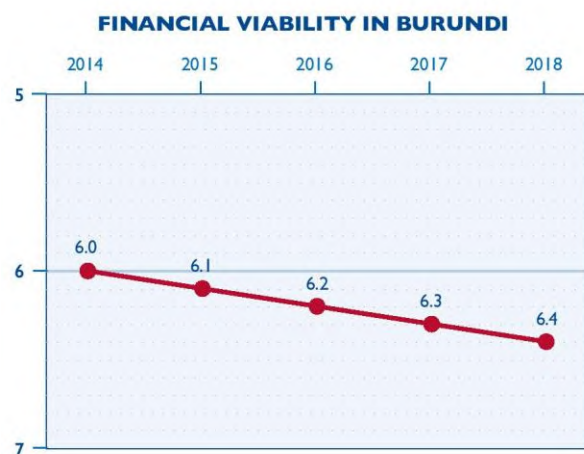


Many CSOs such as the Great Lakes Initiative (INKINGI), Association for the Advancement of Community Development, the Council for Education and Development (COPED), the Abagenzi b'abana Family to Defeat AIDS (FVS), Society for Women and AIDS in Africa in Burundi (SWAA-Burundi), and Government Action Observatory (OAG) use strategic planning to identify their priorities and focus areas, general and specific goals, expected results, and methodological approaches. However, securing financing for the implementation of strategic plans is still a core challenge. Most CSOs have internal regulations that expand on their bylaws and administrative and financial procedural manuals to further guide their operations. Some CSOs have prepared ethics and fraud-prevention codes and conflict-of-interest management guides.

Staffing remains a challenge for CSOs, as limited funding makes it difficult for CSOs to hire and retain permanent paid staff. Staff contracts are usually project based and by law must comply with Burundi's labor and social security codes. CSOs increasingly recruit volunteers from their memberships. CSOs with sufficient funding may engage external service providers such as accountants, auditors, legal specialists, and trainers.

CSOs continued to have improved access to technology in 2018. Most CSOs have at least a computer and a printer. Many CSOs have access to internet services, which they use for communications, document sharing, and the submission of responses to online calls for proposals. Some CSOs use social media platforms, such as Facebook, WhatsApp, and Twitter. CSOs such as the Organization to Support Self-sufficiency, OAG, National Institute for Economic and Social Development (IDEC), and Support for Integral Development and Solidarity in the Communes (ADISCO) have and maintain websites.

## FINANCIAL VIABILITY: 6.4



CSOs' financial viability continued to worsen in 2018. CSOs depend primarily on external sources of funding, and the suspension of international CSOs in September 2018 caused available funding to fall far short of the needs of most organizations, putting them in a precarious position. The local affiliates of international CSOs also had difficulty accessing funding from their home offices.

During the first half of the year, before international CSOs were suspended, some CSOs received sub-grants from ActionAid Burundi, CARE International, and Oxfam Novib, which implement the CSO Strengthening project. CSOs working in the health sector, such as SWAA-Burundi and National Association to Support People With HIV/AIDS (ANSS), received sub-grants from international CSOs and Burundian government agencies

with funding from the Global Fund to Fight AIDS, Tuberculosis and Malaria. Other international CSOs, such as FHI 360, Catholic Organization for Relief and Development Aid (Cordaid), and Association for AIDS Prevention, as well as bilateral development agencies, such as USAID, the Dutch Ministry of Foreign Affairs, and the Swiss Agency for Development and Cooperation, also provided funding to CSOs.

There are practically no local sources of funding in Burundi. The government does not support CSOs. Communities are too poor to provide financial support to CSOs and, on the contrary, look to CSOs to help them. CSOs receive little to no dues or other financial contributions from their members, and do not pursue fundraising.

While not widespread, solid financial management systems are spreading, as CSOs must have such systems to qualify for donor funding. Funding agreements with donors require independent audits. Donors also require CSOs to have tax identification numbers, financial and accounting management manuals, and traceable transactions before they award funding.

## ADVOCACY: 5.2

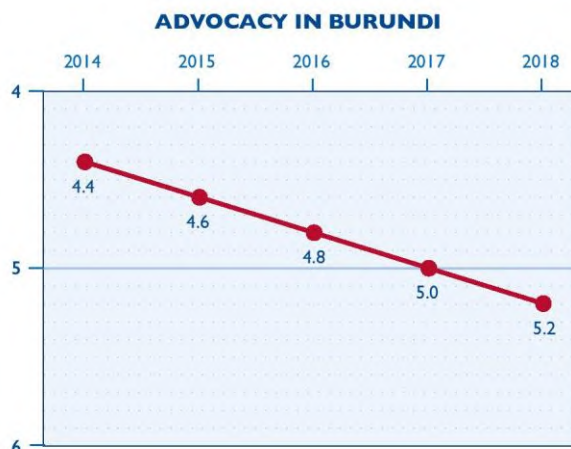
CSO advocacy declined moderately in 2018 because of the unsupportive legal environment, weak communication between CSOs and the government, and government hostility toward advocacy organizations.

Practically no direct channels for communication or collaboration exist between CSOs and government decision makers. A cooperative framework envisioned in Article 46–49 of Law 1/02 has yet to be formalized. However, CSOs and the provincial government in Cibitoke Province formed a cooperative framework in 2018 and prepared a plan of action to strengthen dialogue and cooperation between the government and associations that will be evaluated in 2019.

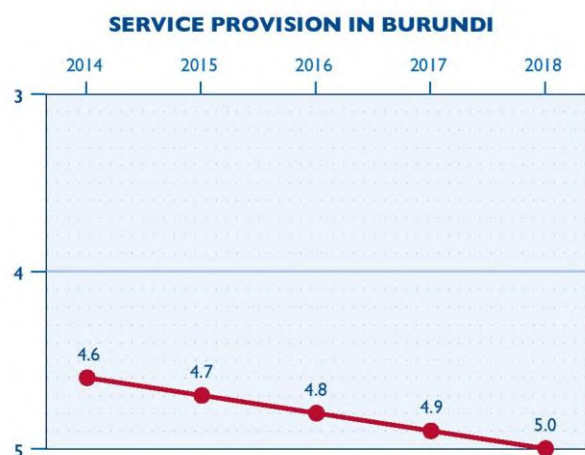
The legal framework in Burundi restricts the space for CSO human rights work. However, child protection advocacy continued in 2018 and achieved a significant decrease in the school dropout rate in Rumonge Province. The Integrated Platform for Civil Society (PISC-Burundi) and Collective of Associations of People Infected with or Affected by HIV/AIDS (CAPES) participated in actions concerning the constitutional referendum in May 2018.

Some CSOs are comfortable with the concept of lobbying. However, lobbying efforts and targeted meetings with government officials did not lead to any specific results in 2018.

CSOs are aware of the increasingly restrictive environment in which they work and its impact on their effectiveness and sustainability. Some organizations tried to advocate for the removal of barriers on their activities in 2018, but these efforts were unsuccessful. The provisions of Law 1/02 targeted for revisions included those related to forming collectives, and those outlining authorizations and sanctions.



## SERVICE PROVISION: 5.0



CSOs' service provision declined slightly in 2018, mainly as a result of financial constraints arising when the government suspended 130 international CSOs, many of which focused on humanitarian aid and service provision.

CSOs provide services in many areas, including health, community empowerment, and micro-finance. CSO services reach people living with HIV/AIDS, victims of gender-based violence, orphans, people with disabilities, the elderly, and survivors of natural disasters. For example, Nawe Nuze (You Come, Too) formed community solidarity and savings and loan groups throughout the country to help women and girls become self-sufficient by developing income-generating activities. CSOs also helped to protect vulnerable children in 2018, and provided training and education, community

development, environmental protection, and conflict management services.

CSOs continued to offer services to their target groups in 2018, although those services fell far below the local populations' needs and expectations because of the lack of resources. CSOs work with their target groups to identify needs in a participatory manner. For example, SWAA-Burundi worked closely with fishermen, ADISCO and Inades-Formation worked with local agricultural producers, and the Organization to Support Self-sufficiency worked with local communities. CSOs often help to prepare communal community development plans, as required

by the National Development Plan for Burundi for 2018-27, which they then use to plan and design projects. CSOs offer services to both their members and entire communities without discrimination.

As in 2017, CSOs offered goods and services free of charge or at nominal prices.

CSO service provision sometimes benefits larger communities. For example, organizations such as ADISCO, OAG, and Conflict Alert and Prevention Center conduct studies that they share with government agencies and other training and research organizations.

The government's acknowledgement of CSOs is mixed. The government sometimes refuses to conduct activities with CSOs or tries to meddle in their operations and projects. The government mistrusts CSOs that defend human rights or fight corruption. However, the law recognizing CSOs as benefiting the public good acknowledges CSOs' role in economic and social development, advocacy, and the promotion of good governance and public resource management. CSOs have influence with the government regarding vulnerable populations and development activities.

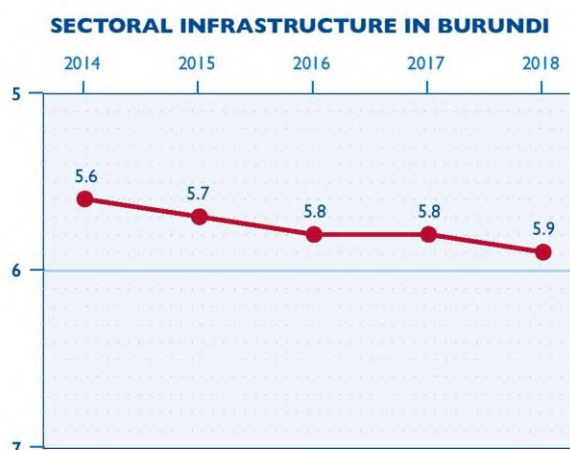
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## SECTORAL INFRASTRUCTURE: 5.9

The infrastructure supporting the CSO sector declined slightly in 2018 after the government closed international CSOs that had acted as primary service providers and sources of training for local CSOs.

To date, there has been no effort to create local resource centers for CSOs in Burundi. Cybercafés, software training centers, and kiosks around the country allow CSOs to access information on the internet and use software such as Microsoft Word, Excel, and PowerPoint. Active CSOs share information with each other through meetings, workshops, forums, and networks and coalitions.

There is no national law on foundations and no community foundations supporting CSOs in Burundi.

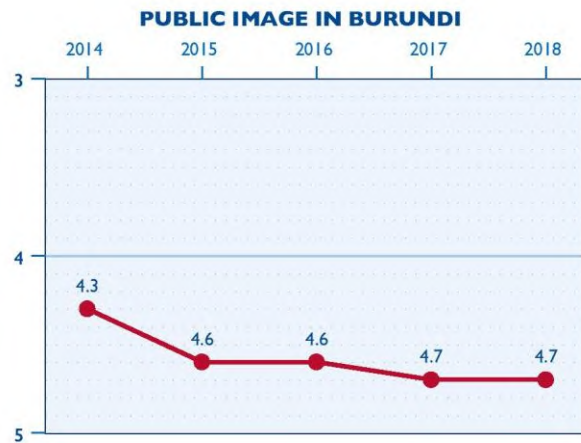


Burundian CSOs do not have a national civil society framework to advance their interests or speak with one voice about their concerns. However, many networks and consortiums have formed around specific themes and goals. The most prominent national networks include the Network of People Living with HIV/AIDS, Collective of Women's Associations in Burundi, Women's Peace Network, Burundi Alliance on AIDS and Community Health Promotion, Bafashebigye Coalition ("Help Them Gain Access to Education"), Youth Network for Active Non-Violence, Association of Catholic Jurists in Burundi, ADISCO, and OAG. The work of some of these groups slowed in 2018, either because they lacked funding or had to divert energy to the restructuring required under Law 1/02.

Until the suspension of international CSOs in September, local CSOs enjoyed opportunities for capacity building and specialized training in 2018. The areas of training included advocacy, lobbying, prevention of gender-based violence, and entrepreneurship. Training was provided through the EU's CSO Strengthening project as well as various international CSOs such as Cordaid and FHI 360. Cordaid, for example, offered training in advocacy and lobbying. Training is usually conducted in Kirundi, in accordance with instructions from the minister of the interior in 2017. Local trainers are available who specialize in CSO governance and management.

There were many examples of collaboration between CSOs and other sectors in 2018. Some CSOs collaborated with private-sector entities to procure agricultural inputs, while other CSOs worked with sectoral ministries under the agreements that are mandatory under Laws 1/01 and 1/02. CSOs also created partnerships with local media for services such as paid coverage, periodic broadcasts, and advertorials in private newspapers to ensure the visibility of their activities.

## PUBLIC IMAGE: 4.7



In 2018, CSOs' public image did not change. Public and private media coverage of CSOs' activities was generally favorable. CSOs' activities were regularly covered by the media in exchange for payment.

Overall, the public views CSOs and their activities as positive catalysts for community development. However, some people believe that CSOs' concerns are limited to governance, aid to people facing discrimination or marginalization, and protection of the human rights of children, prisoners, women, and girls.

As in the previous year, some local and central government entities saw CSOs as working with the opposition in 2018, which led to distrust, especially of organizations active in human rights or critical of the actions of individual government entities. The private

sector has no stated position on civil society.

CSOs educate the public about their activities through workshops, colloquia, forums, debates aired on radio and television, and open houses, mainly in Bujumbura. Some CSOs make use of websites, social networks, newsletters, and press releases to raise awareness of their work. CSOs' use of new information and communication technologies has increased, which has helped to close the gap created by the closures of several private media outlets since 2015. To promote media coverage, CSOs sign agreements for paid coverage of single events or topic-specific series. In general, media coverage and social media have improved the visibility and public image of CSOs. The initiatives of groups such as Nawe Nuze and community solidarity groups known as tontines also enhance CSO visibility.

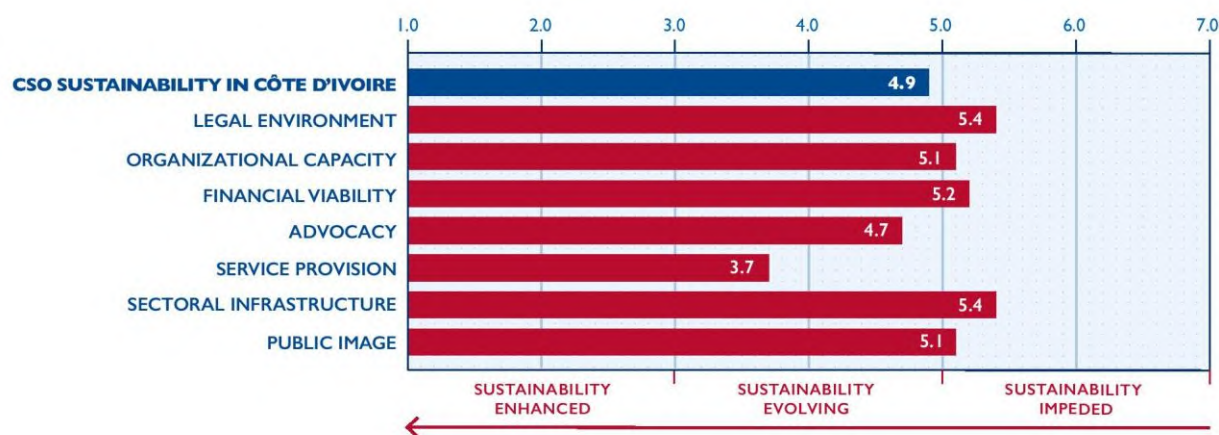
CSOs continue to support a culture of responsibility, accountability, and transparency. They increasingly use tools to facilitate transparent management, such as internal regulations, codes of ethics, internal oversight committees, and administrative and financial procedure manuals. CSOs are required to send reports on March 31 of each year to the ministry responsible for their oversight. Organizations that fail to do so may be subject to sanctions listed in Law 01/02.



# CÔTE D'IVOIRE

Capital: Yamoussoukro  
Population: 26,260,582  
GDP per capita (PPP): \$3,900  
Human Development Index: Low (0.492)  
Freedom in the World: Partly Free (51/100)

## OVERALL CSO SUSTAINABILITY: 4.9



Côte d'Ivoire continued to strengthen its democratic practices and institutions in 2018. A second parliamentary chamber, the Senate, was created in accordance with the 2016 constitution. Senate elections in March were peaceful, but municipal and regional elections in October resulted in five deaths and significant property damage. Mid-term elections held in some districts in December were also marked by physical violence, as well as the destruction of election materials. However, the Supreme Court's administrative chamber upheld the election results. In August, President Alassane Ouattara announced that the electoral law would be amended in line with a 2016 recommendation by the African Court on Human and Peoples' Rights, which ruled that the Independent Electoral Commission is imbalanced in favor of the government.

To better promote human rights and coordinate with human rights organizations, the government created the position of secretary of state under the minister of justice and human rights in 2018. The secretary of state drafted a law reforming Côte d'Ivoire's national human rights institution, the National Council on Human Rights (CNDH), in order to bring the country into compliance with the Paris Principles.

The parliament indefinitely delayed approval of draft Law No. 2017-867 on the press of December 2017. The law would have ended the jailing of journalists and allowed press organizations to form as limited-liability corporations, but would also have forced journalists to show ten or more years of alleged offenses to claim defamation.

On the political front, there were signs of a progressive easing of tensions in 2018, along with a corresponding increase in social cohesion. In August, the president pardoned 800 people jailed after the 2010 post-presidential election crisis. In September, the president announced that he would pardon more than 4,000 detainees found guilty of minor crimes. Ivoirian refugees, including former ministers and officials from the previous regime, returned from Ghana. However, peace and border security continued to be major concerns as many jihadist attacks occurred in neighboring countries. Numerous road ambushes in 2018 also increased the public's sense of insecurity.

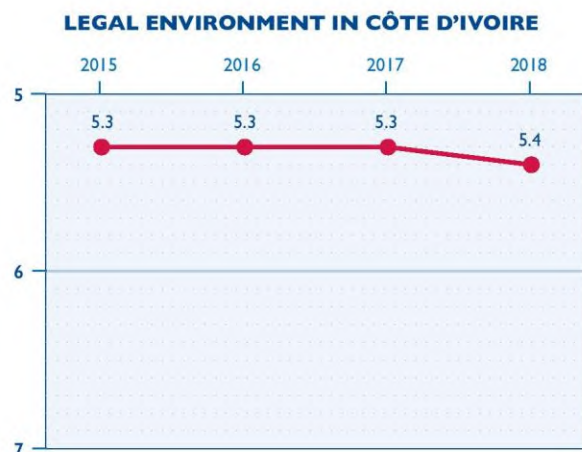
While economic growth reached 8 percent in 2018, according to the International Monetary Fund (IMF), rates of poverty and unemployment and the cost of living remained high. Toward the end of the year, a series of strikes hit the education and health sectors to demand improved working conditions and the more effective delivery of educational and health services. The Sahel Women's Empowerment and Demographic Project (SWEDD), which is funded by the World Bank and implemented by the United Nations (UN) Population Fund, continued its partnership with Côte d'Ivoire and six other governments in West and Central Africa to strengthen the social safety net for girls and women and alleviate youth unemployment.



Overall CSO sustainability did not change significantly in 2018, although two dimensions of sustainability—the legal environment and service provision—weakened during the year. The legal environment deteriorated with the introduction of new registration requirements and an increase in self-censorship among CSOs. Service provision declined as CSOs lacked financial resources to maintain activities. CSOs’ organizational capacity, financial viability, advocacy, sectoral infrastructure, and public image all remained unchanged during the year.

There are no official data on the number of CSOs operating in Côte d’Ivoire or the fields in which they work.

## LEGAL ENVIRONMENT: 5.4



The legal environment for Ivoirian CSOs worsened slightly in 2018 with the introduction of new registration requirements and an increase in self-censorship among CSOs.

Article 26 of the 2016 constitution acknowledges civil society’s contribution to the country’s social, cultural, and economic development. CSOs are regulated primarily by Law No. 60-315 of 1960, which allows CSOs to form by filing a simple declaration with the prefecture of Abidjan, for CSOs in that city, or with urban prefectures, for CSOs in other locations. Article 9 of the law stipulates that an association that has filed a declaration may not undertake activities for two months while the authorities examine their documents and then issue provisional receipts. CSOs may operate for three

months with provisional receipts while awaiting final receipts affording formal legal status from the Ministry of Interior.

In 2018, CSOs declaring their existence were subject to new registration requirements despite the absence of a new law or other legal text. CSOs must now use specific templates for their associations’ founding documents, accept telephone calls and technical assistance from the registration authorities, and pay XOF 1,000 to 3,000 (\$1.75 to \$5.24) in fees.

The Ministry of Interior has refused the status of some CSOs on the basis of Article 4 of the law, which prohibits any association with “an illegal purpose” or “that constitutes a violation of public decency.” This has led to constraints on CSOs seeking to declare their existence. Organizations working on sexual minority issues that have applied for official status have received no response. SOS Exclusion, which defends and promotes human rights and democracy, continued to wait for approval of its application filed in 2017. The authorities asked the organization to change its name, claiming that it suggests a type of exclusion that no longer exists in Côte d’Ivoire. The organization was in the process of changing its name at the end of 2018.

CSOs are not legally subject to oversight by any governmental authority, with the exception of CSOs working on human rights, which under Decree No. 2017-121 must submit annual activity reports to the ministry that oversees them. Article 4 of Law No. 60-315 provides the government the right to dissolve CSOs under certain conditions, specifically for “offending public decency, harming national integrity, or inciting hatred between ethnic groups.” This remained an ongoing threat in 2018.

CSOs are vocal critics of the government in public debates, but they often engage in self-censorship. For example, although organizations such as Platform of CSOs for the Observation of Elections in Côte d’Ivoire (POECI), Civil Society Platform for Peaceful, Transparent, and Fair Elections (PEACE), Advocacy and Action Group for Election Transparency (GPATE), and Group of Women’s Organizations for Equality Between Men and Women (GOFEHF) worked to promote free and transparent elections, none of them expressed opinions during the senate, regional, or municipal elections in March 2018 in order to preserve the still-fragile social climate. However, activists from these organizations did denounce the threat of salary reductions for striking teachers at the end of October. In general, there are no constraints on the freedom to demonstrate or assemble peacefully, although in December

2018 law enforcement authorities prevented Action to Restore Human Dignity (ARDH), also called the Orange Vests, and other CSOs from demonstrating against injustices and political abuses in the country.

The legal framework does not require CSOs to pay income tax but subjects them to value-added tax and tax on imported goods. Some donors require organizations to have tax and corporate registration certificates. Individual donors may be exempt from taxes on donations to humanitarian organizations, but such exemptions are made on a case-by-case basis by the taxing authority in a process that can take up to two years.

CSOs may solicit funds from the public through galas, concerts, exhibitions, and similar events. CSOs recognized by the Ministry of the Interior as benefiting the public good may bid on public contracts. No legal provisions prohibit CSOs from accepting in-kind donations of goods and services from their members.

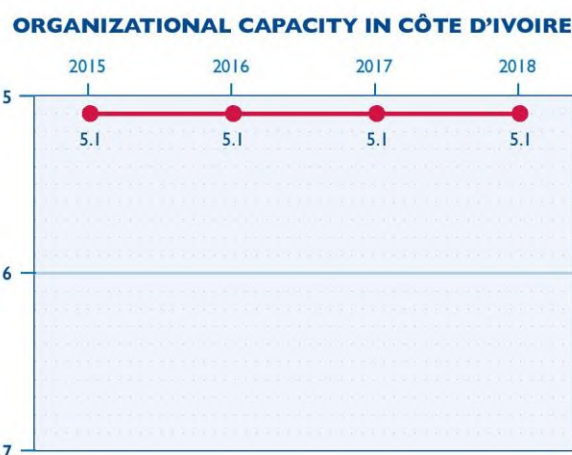
There are no attorneys in Côte d'Ivoire who specialize in CSO law. CSOs can access high-quality legal services in Abidjan, but such services are generally lacking in second-tier cities. However, at the government's instigation, law firms began to open offices near provincial courts in 2018, thereby improving access to legal services for CSOs that are unable to travel to the capital.

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## ORGANIZATIONAL CAPACITY: 5.1

CSOs' organizational capacity did not change in 2018.

CSOs generally work in an inclusive manner on behalf of target groups and potential beneficiaries. CSOs such as SOS Exclusion, the West Africa Network for Peace Building-Côte d'Ivoire (WANEP-CI), and the Group of Ivoirian Actors for Human Rights in Côte d'Ivoire (RAIDH) identify constituent needs through initial evaluations or reviews, analyses of reviews or records, and interviews with local representatives, and by capitalizing on past achievements. At the same time, they develop relationships with these populations to make their work sustainable and satisfy the needs and interests of target group members. Citizens and members of target groups often support CSOs with in-kind contributions, such as clothing, soap, and food for prisoners and detained persons.



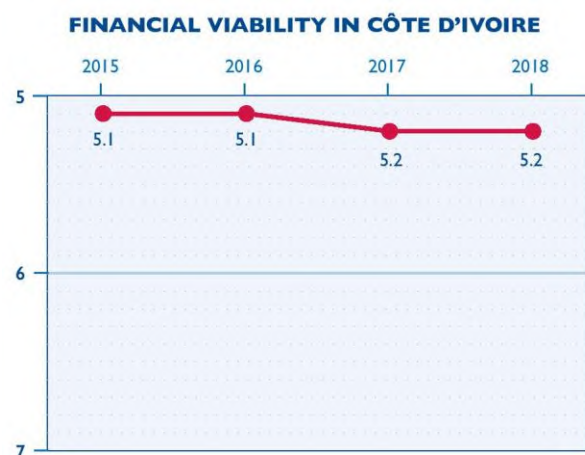
CSOs in Côte d'Ivoire have clearly defined missions. Although few CSOs have strategic plans, a growing number of organizations, including the Ivoirian Football Federation, General Federation of Businesses in Côte d'Ivoire, and union organizations such as Dignity and Humanity, rely on strategic plans to carry out their missions. Donors sometimes require CSOs or coalitions or networks of CSOs, to present strategic plans, which they help them prepare. Small organizations that lack the technical capacity to engage in strategic planning rely heavily on their mission statements to guide their work. Some CSOs realign their action plans based on available funding opportunities. CSOs—including CAVOQUIVA—and donors use monitoring and evaluation mechanisms to track the execution of these plans.

In general, CSOs' internal structures consist of the general assembly, executive committee, and auditor. Donors and the Abidjan prefecture's Associations Office require many CSOs to also have boards of directors that are separate from the other entities. Some boards act openly and transparently, while others take on multiple roles within the organization. CSOs usually have organizational policies requiring them to conduct internal audits regularly, produce technical and financial reports, and comply with accounting, financial, and administrative procedural manuals. In practice, very few organizations take these steps or have procedural manuals, which can create conflicts of interest that compromise accountability and transparency.

As in 2017, most CSOs relied on unpaid volunteers or staff paid for specific tasks, such as administrative assistance or accounting, in 2018. Staff is generally hired through help-wanted ads. CSOs call on professionals when project budgets cover their fees.

With the exception of some networks and coalitions, such as WANEP-CI, RAIDH, and the Association to Support Health and Urban Self-Help (ASAPSU), CSOs generally do not have sufficient resources to update their office equipment. Many organizations lack internet access, especially in the country's interior, where service remains unreliable. CSOs that have internet access, such as the Ivoirian Coalition of Defenders of Human Rights (CIDDH), Network of Human Rights Educators (REDHG), and National Organization of Agricultural Professional Organizations (ANOPACI), increasingly promote their activities through Facebook and Twitter. Local CSOs are also able to use international CSOs' offices.

## FINANCIAL VIABILITY: 5.2



CSOs' financial viability continued to be precarious in 2018, as funding sources remained few and far between.

Although no information is available on foreign funding levels, CSOs continue to depend primarily on foreign donors and are greatly influenced by donors' priorities and interests. The European Union (EU) and public and private sources in European countries are the main donors for Ivoirian CSOs. Many of them focus on the prevention of illegal migration and human trafficking, as well as women's issues linked to migration. After the end of the election cycle, POECI—at the request of its technical partner, the National Democratic Institute (NDI)—was asked to prepare a strategic plan focused on migration issues. SOS Exclusion, which is known for its work defending civic rights, also increasingly works with

France Terre d'Asile on illegal migration and human trafficking issues. Most funders finance CSO coalitions or networks rather than individual CSOs.

CSOs receive minimal funding from local sources, including government entities, corporations, foundations, and individuals. Many corporate and celebrity-run foundations operate in Côte d'Ivoire, most notably those run by the Kalou Brothers, Drogba, MTN, Orange, and MOOV. In 2018, these foundations provided needed materials and equipment to social service facilities, including schools, orphanages, and hospitals, but did not provide support to CSOs. Under Law No. 60-315, the government may only support public benefit CSOs. The government provides some support to these organizations, including ASAPSU.

Law No. 60-315 explicitly requires all CSOs to self-fund through contributions from members. However, CSOs struggle to collect these fees, which tend to be minimal compared to expenses in any case. The Organization of Civil Service Unions in Côte d'Ivoire (IFCI), a CSO that includes many government workers' unions, uses social media to ask its members for funds. Agricultural cooperatives, such as ANOPACI, have an easier time raising funds from members, because they can withhold contributions from payments to members.

A few CSOs generate very small amounts of money by fundraising from local sources. The Côte d'Ivoire branch of Action by Christians Against Torture (ACAT), Caritas Côte d'Ivoire, and the Côte d'Ivoire branch of Amnesty International frequently engage in fundraising on their websites. Some organizations raise funds through activities or events. For example, NGO Servir holds galas, and members of Femmes de Salem make and sell ginger candy to help cover the organization's operating expenses. An increasing number of CSOs, such as the Côte d'Ivoire Association of Women Jurists (AFJCI) and the Raoul Follereau Foundation, form coalitions or networks or create joint websites and Facebook pages to solicit funds for specific projects.

CSOs rarely have specialized financial staff and are more likely to use external services, especially for major projects with the government or foreign donors. CSOs with many years of experience have procedural manuals, and administrative, accounting, and financial manuals, as well as finance departments with data-processing software. A growing number of CSOs conduct external audits, though the costs are still prohibitive for many CSOs. CSOs do not publish their accounting statements on their websites. In general, members are not aware of CSOs' financial situations, and the public is even less aware, which compromises CSO transparency.

## ADVOCACY: 4.7

CSO advocacy did not change significantly in 2018.

Several websites provide citizens with information about government operations. These include [administration.gouv.ci](http://administration.gouv.ci), [participationcitoyenne.gouv.ci](http://participationcitoyenne.gouv.ci), and [servicepublic.gouv.ci](http://servicepublic.gouv.ci). CSOs inform the public about the existence and content of these sites. CSO coordinators also contact decision makers at regional and local government offices and the prime minister's office and in four ministries: interior and security; health and public hygiene; women, families, and children; and solidarity, social cohesion, and the fight against poverty. These relationships help CSOs to collaborate with decision-makers so they can make an impact on the ground. Not all government entities engage CSOs in collaborative decision making, although there are some positive practices. For example, the Open Government Partnership (OGP) includes CSO representatives who work with government officials to promote transparency in the management of public affairs. Joint working groups are often created around tax issues.

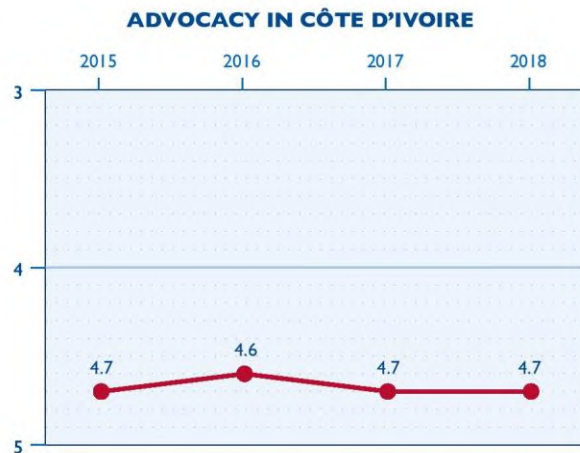
Some CSOs, including the Civil Society Platform for Open Government in Côte d'Ivoire (PSCI-OGP) and the Ivorian Civil Society Network for Citizen Control of Public Action (ROSCI-CCAP), work through bodies such as the High Commission for Good Governance to request accounting statements from governmental agencies and ministries, especially to investigate the embezzlement of public funds. At the end of 2018, feedback on these CSOs' activities was not yet available.

CSOs engaged in several significant advocacy campaigns aimed at influencing public debate in 2018. Notably, more than fourteen CSOs, including the West African Civil Society Forum, Côte d'Ivoire (FOSCAO-CI), Observatory for Freedom of the Press and Ethics (OLPED), and Group of Women's Organizations for Equality between Men and Women (GOFEHF), joined together to call for a total reform of the Independent Electoral Commission and the electoral code to restore credibility to the commission in accordance with recommendations of the African Court on Human and Peoples' Rights. As a result of this campaign, President Ouattara announced that the electoral law would be amended, and he promised to instruct the prime minister to meet with all concerned parties at the end of 2018 to propose changes to the commission.

In 2018, the Network of NGOs Working to Control Tobacco in Côte d'Ivoire (ROCTA-CI), in cooperation with the UN, began conducting a significant educational campaign aimed at requiring compliance with Decree No. 2012-980, which bans smoking in public places and on public transportation.

GOFEHF advocates to ensure that Article 14 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, or Maputo Protocol, which Côte d'Ivoire has ratified, is implemented. According to the African Commission on Human and Peoples' Rights, Article 14 is the "first international legally binding human rights instrument to recognize the intersection between women's human rights and HIV." In this context, in 2018, GOFEHF conducted awareness-raising activities on violence and discrimination against women and held meetings with associations and marginalized groups, taking their opinions into account for advocacy actions.

Informal social movements in Côte d'Ivoire are strong and engage spontaneously to solve problems in their communities. For example, citizens in Tiéningboué and Bouaké expressed their dissatisfaction when a water shortage reached a critical point in June 2018, and CSOs amplified their voices on social media. This advocacy led to improvements in the distribution of water, better government communication about this issue, and the creation in July of a Ministry of Hydraulics. Other groups have formed on social media and work to influence decisions. Examples include the Côte d'Ivoire Democratic Observatory, a platform for discussing democratic progress in the country, and Let's Turn the Page, which leads peaceful and non-partisan actions supporting democratic change.



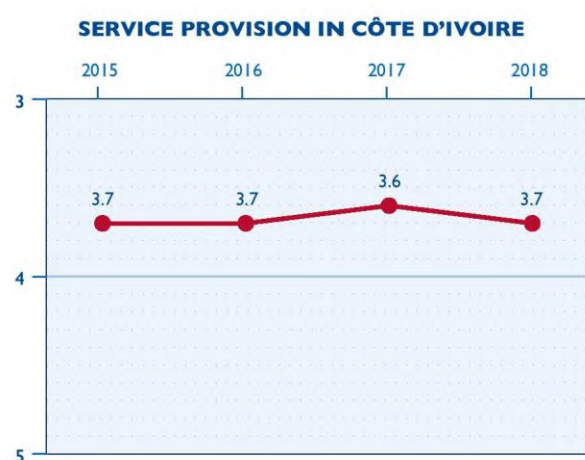


The effectiveness of CSO advocacy is sometimes hampered by efforts to delegitimize or discourage this work. For example, the group CREDO questioned the legitimacy and actions of CSOs that receive donor funding to promote human rights. There have been examples in the past of the central government using force and intimidation to directly or indirectly discourage actions aimed at creating political controversy. In December 2015, for example, a coordinator of the Coalition of Indignant Ivorians (CICI), which fights against the high cost of living, was convicted and imprisoned; he was freed on July 25, 2018.

CSOs do not engage in lobbying, because this practice is not in their culture.

CSOs held many meetings in 2018 with government officials in the Ministry of the Interior and other agencies to create a specific law on CSOs to replace Law No. 60-315 of 1960. These meetings were held with support from the EU delegation; next steps and actions remain to be determined.

## SERVICE PROVISION: 3.7



Service provision in Côte d'Ivoire deteriorated in 2018. CSOs continued to offer services in many areas, including basic social services, education, health, material and moral support, housing, water, sanitation and hygiene, energy, economic development, environmental protection and preservation, human rights, protection of children and women, governance, empowerment of youth and women, agriculture, and the election process. However, CSOs, particularly in rural areas, experienced diminished funding, which affected their capacity to deliver services in areas such as education and the environment.

CSOs determine their beneficiaries' needs based on records, surveys, field studies, and interviews and consultations with individuals. Members' needs are

defined in the constitutions of professional associations and growers' organizations and inform the goods and services that these CSOs provide.

Associations provide goods and services to people other than their members by building or renovating infrastructure. The Center for Research and Action for Peace (CERAP) and the Ivorian Network of Communicators-Friends of Children (RICAE) produce and sell publications and analytical reports aimed at the public. CSOs generally provide goods and services without discrimination.

Most CSOs do not charge for the services they provide, although some, such as the Red Cross Society of Côte d'Ivoire, generate revenue by charging for services such as health care, public events, and first aid kits. In general, CSOs do not know the market value or demand for their services.

The government acknowledges the value of CSOs in providing and monitoring social services and provides some support to CSOs each year for projects in health, rural land ownership, and the environment. In 2018, for example, CAVOEQUIVA received government funding for its program providing housing and integration programs for abused street children.

## SECTORAL INFRASTRUCTURE: 5.4

The infrastructure supporting the CSO sector remained unchanged in 2018.

Intermediate support organizations (ISOs), including CERAP, the African Center for Management and Executive Development (CAMPC), and the UNESCO Chair in Côte d'Ivoire, offer CSOs capacity-building services on various topics such as human rights, technology, accounting, and project management. These ISOs receive income from the various services that they offer. In addition, the resource and documentation centers created in some



regions in 2017 provide CSOs with access to information technology and communications resources, meeting rooms, and information free of charge.

In 2018, some local entities provided financial support to local CSOs. For example, the CNDH provided grants to ten human rights CSOs worth XOF 3 million (approximately \$5,240) each.

CSOs share information through platforms, networks, and coalitions focused on specific topics, such as health, security, local development, and elections. The platforms include the National Federation of Health Organizations in Côte d'Ivoire (FENOSCI), Platform of Youth Organizations in Duékoué (POJED), Women's Peace and Security Network of the Economic Community of West African States (ECOWAS), Côte d'Ivoire (REPSFECO-CI), Bouaké Civil Society Platform for Peace and Democracy (PSCPD), and Ivoirian Network of Young Leaders for Integrity (RIJLI).

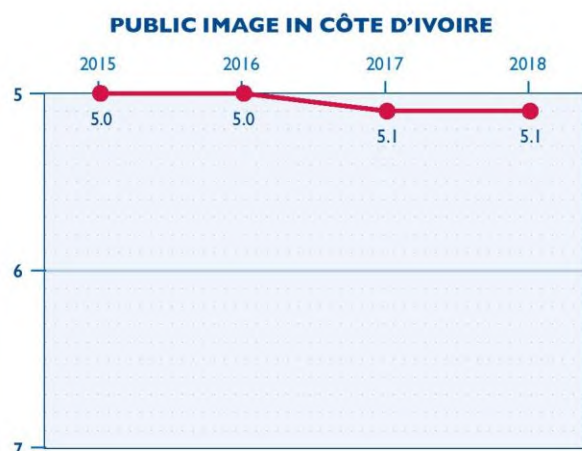
CERAP, the UNESCO Chair in Côte d'Ivoire, and CAMPC provide management trainings to CSOs. For example, CERAP offers specialized trainings in strategic management, accounting, financial management, fundraising, volunteer management, organization of target groups, advocacy, and forming a board of directors. The trainings generally meet CSOs' needs. All training is provided in French. Only CERAP, which has provincial representatives, offers services outside the capital.

CSOs conduct joint activities with the government, media, and sometimes the private sector to promote gender equality and combat gender-based violence and tobacco use. CSOs such as the Civil Society Convention on Nutrition collaborate with the government on health programs, and agricultural cooperatives cooperate with the authorities on agricultural-yield issues. From its head office in Abidjan, the African Development Bank engaged CSOs in 2018 in discussions on how the bank and CSOs could collaborate more effectively. To this end, an annual forum was held with civil society in Abidjan in May, which highlighted the ongoing participation of CSOs and other stakeholders in promoting global change. As in 2017, some corporate foundations worked with CSOs in 2018. For example, the Road Maintenance Fund—a publicly traded company—organized public education campaigns on infrastructure projects in the Abidjan-Aboisso corridor in cooperation with local organizations.

## SECTORAL INFRASTRUCTURE IN CÔTE D'IVOIRE



## PUBLIC IMAGE: 5.1



The CSO sector's public image was stable in 2018. Although the state-run Ivoirian Press Agency provided less coverage of CSOs' activities than in 2017, private media continued to report on the activities of CSOs both in and outside the capital. This coverage, in addition to local radio coverage, presented a favorable image of CSOs. However, media coverage is fee-based, and media outlets make no distinction between public service announcements and corporate advertising. Online press is critical of the role of CSOs.

In 2018, the public continued to have a mixed perception of CSOs, because of limited understanding of the concept or role of CSOs. Some communities feel that CSOs make great efforts to educate the public and provide services, while others remain skeptical about CSOs' activities.

Companies and local government representatives perceive CSOs as community resources, experts, and sources of reliable information. Government-created regional and national plans, including the 2018-2020 National Development Plan, specify civil society's role in various areas. For example, the National Council for the Extractive Industries Transparency Initiative (CN-ITIE), which focuses on mining, involves CSOs. Mining companies demonstrate their trust in CSOs by including CSOs in the management of funds provided by local development committees.

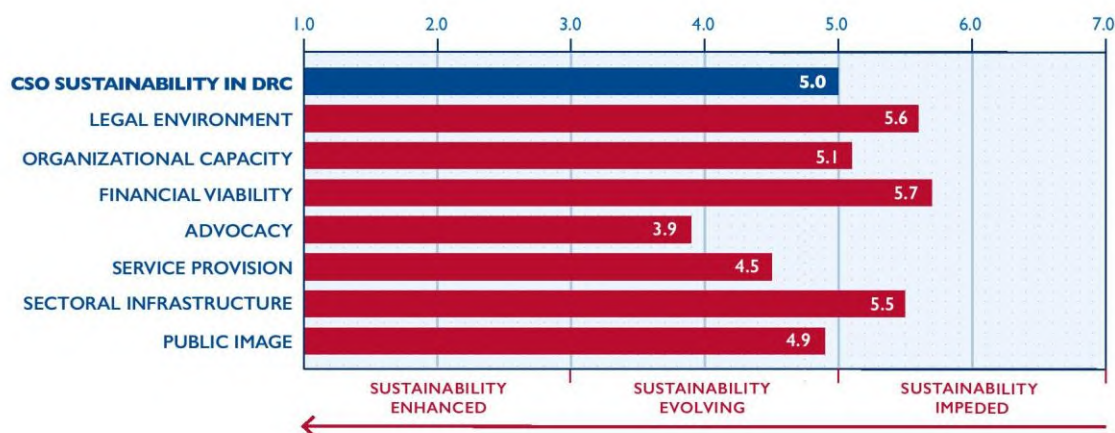
CSOs invite local radio and print journalists to cover their activities, although journalists do not always understand CSOs' work and therefore have difficulty reporting on it accurately. While CSOs do not have formal plans to develop relationships with the media, some provided training to journalists in their areas of focus in 2018 in order to improve the quality of media coverage. For example, the Civil Society Platform for Open Government trained journalists on corruption, and SOS Exclusion trained journalists on human trafficking in Africa. CSOs create and share press releases with online media for wide distribution. A growing number of CSOs use social media, including online videos, to educate the public about their activities and raise funds, but it is too soon to know the results of this practice. CSOs that have websites use them to share information about their activities. Some organizations produce and distribute promotional items, such as bracelets and chains, to spread the word about their organizations.

Only a few CSOs have codes of ethics and professional practice, and even fewer post them in their offices. Only a few CSO umbrella organizations, coalitions, and networks publish annual reports.

# DEMOCRATIC REPUBLIC OF THE CONGO

Capital: Kinshasa  
Population: 85,281,024  
GDP per capita (PPP): \$800  
Human Development Index: Low (0.457)  
Freedom in the World: Not Free (17/100)

## OVERALL CSO SUSTAINABILITY: 5.0



In the Democratic Republic of the Congo (DRC), 2018 concluded with elections that had been delayed since the end of 2017. Presidential, national legislative, and provincial legislative elections were held on December 30. The elections were marred by widespread irregularities and violence. More than one million Congolese were prevented from voting in three opposition-dominated areas of the country, where voting was postponed to March 2019. Various groups, including the Committee of Lay Catholics in the Congo (CLCC), organized demonstrations calling for free, democratic, and transparent elections and the denial of President Joseph Kabila's bid for a third term. Both before and during the elections, the national police intimidated, arrested, and detained protesters, and detained and harassed journalists covering the demonstrations. It was reported that security forces killed more than eighteen people, including Rossy Mukendi, a well-known pro-democracy activist.

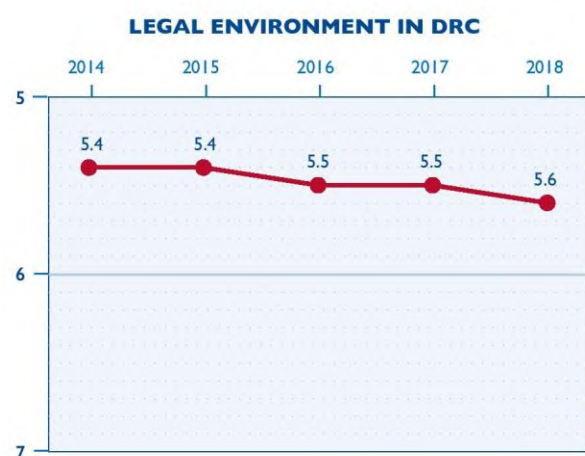
More than 140 armed groups were active in DRC's eastern provinces of North Kivu and South Kivu in 2018. Many of these continued to attack civilians and commit war crimes, including ethnic massacres, rape, forced recruitment of children, and looting. According to the Kivu Security Tracker, which documents violence in eastern DRC, assailants, including state security forces, killed more than 883 civilians and abducted or kidnapped for ransom 1,400 others in the provinces of North Kivu and South Kivu in 2018.

The DRC remains one of the world's poorest countries, with a poverty rate of more than 60 percent, according to the World Poverty Clock. According to the World Bank, the economy grew at a rate of 4.1 percent in 2018, up from 3.7 percent in 2017. The mining sector, which is the foundation of the country's \$5 billion budget, is rife with corruption, and government-owned companies are poorly managed. Millions of Congolese find it hard to access basic social services, and CSOs perform an important role in helping meet their needs.

Overall CSO sustainability improved slightly in 2018. CSO advocacy improved for the fifth year in a row, thanks to the many frameworks for collaboration and dialogue between CSOs and the government. The scores for sectoral infrastructure and public image both improved slightly in 2018 as a result of incremental changes over the past decade that were insufficient to justify a change from one year to the next, but have led to a cumulative improvement in these dimensions. Meanwhile, the legal environment deteriorated as a result of increasing state harassment of CSOs and abuses by security forces.

The CSO sector consists of non-governmental organizations (NGOs), nonprofit associations, public institutions, and religious associations. The total number of registered organizations probably exceeds 30,000, although a precise count for 2018 is not yet available. The General Secretariat of the Ministry of Justice stated that 2,131 CSOs applied for registration in 2018, including 2,079 nonprofit associations and public institutions such as schools and 52 religious organizations. The Ministry of Justice granted legal status to 104 nonprofit associations.

## LEGAL ENVIRONMENT: 5.6



While the laws governing CSOs in the DRC did not change in 2018, state harassment of CSOs and abuses by security forces increased, leading to an overall deterioration in the legal environment.

CSOs are governed by Law No. 004/2001 on associations; however, implementing regulations for the law have never been issued. In 2018, the procedure for obtaining legal status continued to be long and expensive. An organization must file an application to register with the Ministry of Justice, in exchange for a so-called F92 receipt proving that it has submitted its application. The organization may work for six months on a provisional basis with the F92, approval of the Ministry of Planning or line ministry, or, in the case of a CSO in the provinces, provisional authorization from the provincial governor.

The minister of justice is expected to grant legal status within six months of issuance of the F92. If no refusal of legal status is issued during this period, the organization may continue to operate, according to Law No. 004/2001. The costs associated with registration are not posted or disclosed. CSOs outside of Kinshasa incur additional travel and lodging expenses because they must file their applications in person at the ministry in the capital. Donors require CSOs to have legal status before granting funds but will sometimes work with CSOs that have F92 receipts. Under the law, registered CSOs may also apply for public benefit status, which is managed by the Second Directorate of the Ministry of Justice and Guardian of the Seals.

Law No. 004/2001 requires CSOs' bylaws to address internal management structures, decision-making procedures, scope of activities, and persons authorized to sign contracts on behalf of the organization. The law specifies that a CSO may be dissolved at its members' initiative; by an interested person, such as a citizen or non-member who works for the CSO; or by the public prosecutor appearing before the applicable superior court if the CSO has broken the law, violated its bylaws, disturbed the public order, or offended public decency. The government did not dissolve any CSOs in 2018. Implementing regulations for this law have never been written, which has led to varying interpretations of certain provisions and terms.

In 2018, the government sent the parliament a draft amendment to Law 004/2001, which would reduce the validity of the F92 from six to three months and require any organization that does not obtain authorization before the F92 expires to cease operations. CSOs vigorously opposed these proposals, and the vote on the amendment was suspended until 2019.

In 2017, the Congolese government proposed two draft laws on nonprofit associations that could severely limit CSOs' activities if adopted. The draft law on human rights defenders would require organizations focused on human rights to provide their member lists, financial statements, and annual reports to the authorities. A draft law on NGOs and nonprofit associations would force local CSOs to declare their funding to the government, significantly restrict the operations of foreign CSOs, and give the government sweeping power to dissolve local organizations that create "political trouble" or criticize its actions. CSOs and international human rights experts see the law as an attempt to curtail dissenting voices, restrict civic space, and further quell dissent. The law was not discussed in parliament in 2018.

The constitution and Law No. 004/2001 guarantee freedoms of association, opinion, expression, and religion. However, CSOs that work to promote human rights, fight corruption, or promote transparency, as well as citizen movements and investigative journalists who are critical of the government, are often subject to arbitrary arrest

and detention by the security forces. In September, a Congolese court sentenced four members of the Filimbi citizens' movement to one year in prison. In November, the authorities arrested and detained pro-democracy activists in Kinshasa. They also kidnapped and tortured an activist with Fight for Change (LUCHA) in Goma.

Article 39 of Law No. 004/2001 specifies tax exemptions for CSOs, including tax and customs exemptions for imported goods and equipment required for activities that benefit the public. CSOs with legal status may request exemptions, but the process is long and costly, thereby undermining CSOs' access to these benefits. An inter-ministerial decree issued by the ministries of planning and finance and a CSO's line ministry can make the administrative process less cumbersome. In 2018, the Ministry of Planning received 391 applications for tax exemptions; 224 of these applications, from 167 domestic CSOs and 57 international CSOs, were approved. Individual and organizational donors do not receive tax deductions.

CSOs are allowed to generate revenue to cover their operating costs and advance their missions. All legally registered CSOs may bid on government contracts at the national and local levels. However, in practice very few CSOs win contracts, because it is difficult for them to fulfill the bidding requirements, complete the proposals, and understand the complex procurement guidelines. CSOs are free to conduct fundraising campaigns, but rarely do so given their organizational and technical constraints. CSOs are free to receive funds from foreign donors.

In both urban areas and the provinces, many attorneys are knowledgeable about the laws affecting CSOs. However, legal advice is costly and therefore beyond some organizations' reach.

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## ORGANIZATIONAL CAPACITY: 5.1

The CSO sector's organizational capacity did not change in 2018. CSO directors continue to have poor understanding of sound management practices.

In general, only religious organizations succeed in forming permanent support groups for their activities. Other CSOs are generally only able to involve their beneficiaries in temporary support groups, because they rely on project-based funding and activities often end when funding ceases.

CSOs' bylaws state their missions and visions. Large CSOs continue to produce strategic plans outlining their vision, goals, activities, and expected results. Only large-scale CSOs, such as the National Support Center for the Development of Public Participation (CENADEP) and Caritas, which have broad areas of work, a nationwide presence, and financial resources from donors, include the planning process in their decision making.

In accordance with legal requirements, CSOs' bylaws define the organization and functions of their internal bodies. Large nationwide CSOs have annual general meetings, boards of directors, audit commissions, and executive committees that manage their operations on a day-to-day basis and report to the boards. Their internal bodies meet periodically to analyze and approve activity reports. In general, they work openly and transparently, because they receive support from multiple donors, which monitor and audit their use of funds. Small organizations struggle to respect the defined parameters of their internal bodies' operations, and their boards of directors do not function.

It is difficult for CSOs to have permanent, paid staff without funding from external donors, since members' minimal contributions do not cover staff salaries. There is a limited culture of volunteerism in the DRC. Religious organizations engage volunteers from among their supporters as project managers or consultants for specific projects. Otherwise, only large CSOs such as CENADEP and Caritas have dedicated volunteers.

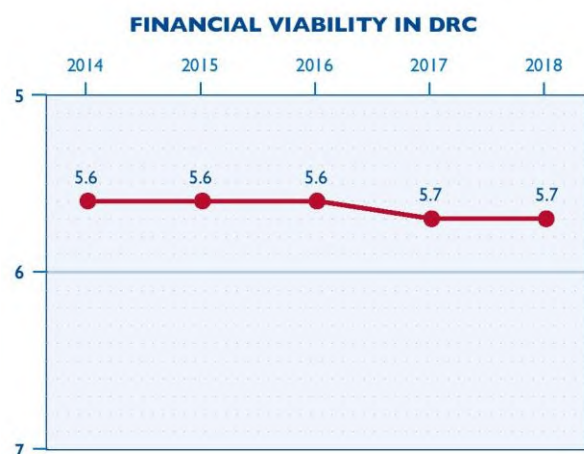
Only CSOs with project funding from donors are able to upgrade their office equipment. CSOs can easily access the internet in major cities if they receive donor funding for this purpose. Large CSOs are starting to use the internet and social networks to house and disseminate information to the public.





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## FINANCIAL VIABILITY: 5.7



In 2018, CSOs' financial viability continued to suffer from a lack of external, diversified short- and long-term funding. CSOs rely mostly on foreign funding sources, and the lack of diversification poses a major barrier to their long-term financial viability. Major donors include the European Union, USAID, the United Kingdom's Department for International Development (DFID), the United Nations Development Programme, the World Bank, and the Belgian and Japanese development agencies. CSOs receive funding from the government's Central Coordination Office (BCECO) and DRC Social Fund (FSRDC), which are funded primarily by the World Bank. These offices use a portion of their funds to contract with CSOs to implement projects involving, for example, the construction of rural farm roads, the renovation of remote schools and health centers, and

municipal sanitation. In 2018, seventeen national CSOs received US \$4.4 million from the FSRDC for emergency projects related to sexual and gender-based violence and women's health in the Great Lakes region. The FSRDC also contracted with three CSOs working in the Bas-Uélé, Haut-Uélé, and Ituri provinces for activities aimed at preventing and managing inter-community conflicts. Ninety percent of the funds from these projects are earmarked for project expenses while 10 percent cover beneficiary CSOs' organizational expenses.

Other local sources of funding are minimal. CSO members are supposed to pay dues. While large-scale CSOs may receive sporadic and limited amounts, small CSOs receive practically no contributions from their members because most of their members are economically disadvantaged. Nevertheless, the Charities Aid Foundation's World Giving Index 2018 reported that the DRC showed more overall improvement in giving over the last five years than any other country covered in the index. Religious organizations obtain nonfinancial support from their followers.

A few local sources of philanthropy functioned in the DRC in 2018. International groups such as the Lions Club and Rotary Club, as well as the domestic organization Maman Koko and a few private initiatives, supported health centers and other disadvantaged populations such as widows and orphans.

CSOs have many options for generating funds. Some CSOs including Caritas and the National Episcopal Conference of Congo (CENCO) rent meeting rooms, vehicles, and chairs, or run cybercafés. These activities generate small amounts of income to help cover operating expenses.

Large CSOs have financial management systems and use accounting software. They produce annual reports and financial statements and regularly undergo independent audits, since donors require them. Small CSOs still have difficulties with financial management.

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## ADVOCACY: 3.9

CSO advocacy improved in 2018, thanks to the many frameworks for collaboration and dialogue between CSOs and the government at the national and provincial levels.

CSOs continued to work with government agencies in many decision-making processes in 2018. For example, CSOs took part in the executive committee of the Extractive Industries Transparency Initiative (EITI), a global mechanism to promote the accountable management of oil, gas, and mineral resources, and working groups and committees associated with the Kimberley Process, which seeks to reduce the flow of conflict diamonds. CSOs also participated in the certification monitoring and evaluation committee of the International Conference of the Great Lakes Region in the DRC, which fights the illegal exploitation of natural resources; on the orientation committee of the Reform of Public Finances initiative, which implements participatory budgeting throughout the DRC; and on the National Committee on Land Rights Reform, which implements the national land rights policy.

The Congolese government increasingly works with CSOs on the formulation of national policies, particularly through budget conferences that allow CSOs to provide advice on budget line items. In 2018, CSOs helped prepare the National Strategic Development Plan and evaluate implementation of the National Family Planning Program and the United Nations' Sustainable Development Goals.

CSOs also organized advocacy campaigns in other areas. For example, the Civil Society Coalition to Monitor Public Action Reforms (CORAP) campaigned for universal access to electricity and opposed the controversial Inga3 project, which favors the electricity needs of the industrial sector over those of the public. The Congolese Women's Cooperation Framework (CAFCO) organized a campaign to encourage women to participate in the electoral process. The National Universal Education Coalition (CONEPT) fought for the universal right to education. The National Confederation of Agricultural Producers in the Congo (CONAPAC) conducted a campaign to support adoption of implementing regulations for the agricultural law. During the elections, CSOs such as CORAP, CAFCO, CONEPT, and CONAPAC helped deploy election observers and conduct voter education, including in the use of voting machines.

CSOs include lobbying in their strategies to influence public policies. In 2018, lobbying of the parliament and other decision-making bodies by CENADEP, African Association for the Defense of Human Rights (ASADHO), and CAFCO helped bring about the promulgation of the new mining code and proposed implementing regulations. The 24 Collective advocated for passage of the law on access to information, which was adopted by a joint Senate-National Assembly commission in 2018 and, at the end of the year, needed only the National Assembly's approval to be promulgated.

CSOs are aware that their sustainability depends on a suitable legal environment. In 2018, they advocated for implementing regulations for Law No. 004/2001 and decentralization of the process for securing legal status. CSOs mobilized against all attempts to reduce their freedoms, and CENADEP and many other CSOs signed a petition against proposed revisions of Law No. 004/2001 that were deemed detrimental to their interest. CSOs also encouraged a review of Law No. 004/2001 to consider new provisions promoting philanthropy and expressed their support for a multi-party dialogue between civil society, the government, and the political opposition.

**ADVOCACY IN DRC**



## SERVICE PROVISION: 4.5

**SERVICE PROVISION IN DRC**



CSOs' service provision did not change in 2018. The products and services that CSOs provide meet the needs of the communities they serve and reflect the diversity of the DRC's people. CSOs provide social services in health, education, water, environmental protection, and economic development. Some CSOs provide training and income-generating services to help rural women become self-sufficient, while others create health-care collectives to provide disadvantaged populations with increased access to health care. CSOs also offer professional development opportunities through job training centers, collect and dispose of urban waste, support economic and community empowerment, offer financial support for small-scale local initiatives, and distribute seeds, medications, and fishing nets.

The needs of communities and target populations drive CSOs' projects and programs. Communities play an integral part in identifying project needs through participatory analyses.

CSO services are generally provided without discrimination. CSOs share publications, reports, newsletters, educational materials, and other analyses with donors, universities, and the government. Sharing most often takes place through social media and e-mail lists, as well as through the distribution of hard copies and discussion groups. CSOs also provide services such as cybercafés, meeting rooms, and vehicles that benefit CSOs' members as well as students, university staff, church staff, and church volunteers.

CSOs provide products and services implemented with donor support free of charge. When CSOs charge for their services, they generally do not recoup their costs, since these are not part of their mission. CSOs rarely perform market analyses.

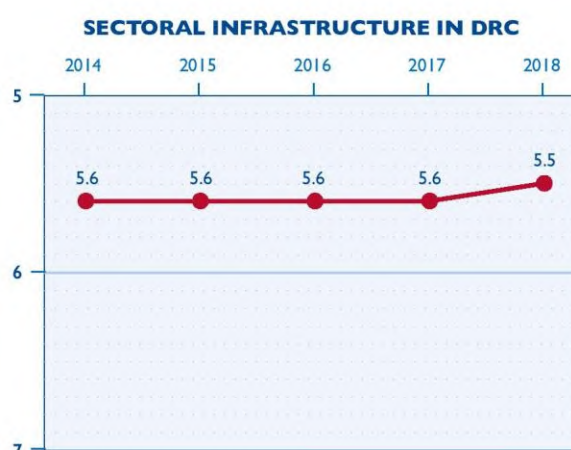
The government recognizes CSOs' ability to provide basic social services and relies on CSOs for expertise. Governmental institutions such as BCECO and FSRDC contract with CSOs to implement local projects.

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## SECTORAL INFRASTRUCTURE: 5.5

The score for sectoral infrastructure improved slightly in 2018 as a result of incremental changes since 2009 that were insufficient to justify a change from one year to the next but led to a cumulative improvement in support services available to CSOs.

Resource centers and intermediary support organizations providing public access to information and information and communications technologies are found only in cities. They generate revenue by charging for their services, and often give CSOs preferred rates. Caritas makes books and other documents available to the public and offers lodging and meeting room rentals. The Center for the Study of Social Action (CEPAS) has a public library, provides trainings, and rents meeting rooms.



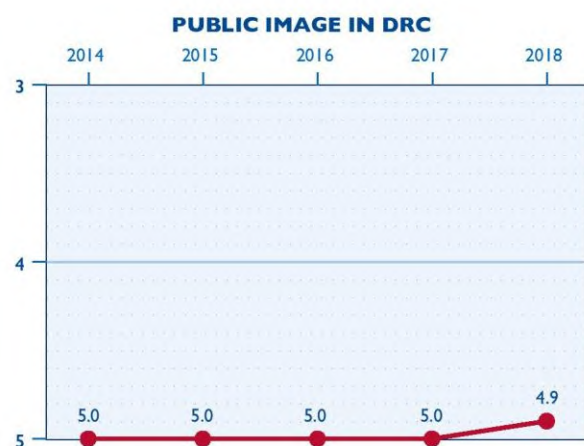
The DRC does not have a well-developed culture of community foundations. However, CSOs with nationwide reach grant funds to community-based organizations for projects that meet local needs. CENADEP, for example, supports the creation of health-care collectives and economic and community-empowerment initiatives with financial support from foreign donors.

CSOs and CSO platforms and networks share information through newsletters, flyers, workshops, open houses, public forums, websites, and social networks such as Facebook, Twitter, and WhatsApp. For example, the Congo Education WhatsApp group posts information and publications about the education sector, and WhatsApp Congo Energy Inga circulates information on the energy sector. Other platforms include The Congolese Farmer's Voice, published by CENADEP; a bulletin on transparency published by the Public Spending Observatory (ODEP); and a newsletter on forest governance from the Natural Resource Network. National and provincial civil society discussion frameworks include sector-specific groups. For example, a special-interest group on energy collaborates with CORAP, a mining group collaborates with CENADEP, and a governance group collaborates with ODEP on public finance issues.

Skilled trainers and some training institutions operate mostly in urban areas. They specialize in various areas, including strategic planning, accounting, organizational development, financial management, fundraising, and CSO management. Inades is known for its training on internal governance, advocacy, political lobbying, social mobilization, fundraising, and management. CENADEP offers training on advocacy and public policy monitoring. Caritas and CENCO's parliament liaison office provide training on monitoring parliamentary activities and elected officials. Training is generally only in French, although CSOs are beginning to offer training in the local languages of Kikong, Lingala, Swahili, and Tshiluba.

CSOs increasingly work in partnership with the government and businesses to reach common goals, demonstrating that the various sectors see the benefits of collaboration. CSOs implement projects for the government agencies FSRDC and BCECO and participate with government officials in budget preparation conferences and seminars. With the government and businesses, CSOs work on the EITI executive committee; take part in joint assessment and approval visits to mining sites as part of the Regional Initiative to Combat the Illegal Exploitation of Natural Resources; and attend mediation sessions aimed at resolving conflicts between logging companies and local communities and negotiating social responsibility clauses in logging companies' contracts.

## PUBLIC IMAGE: 4.9



The score for public image improved slightly in 2018 as a result of incremental changes over the past ten years that were insufficient to justify a change from one year to the next but have led to a cumulative improvement in perceptions of the CSO sector.

On the national level, CSOs pay the media to publish or broadcast information that aligns with their editorial focus. The media distinguish between promotional coverage for private corporations and public service announcements about CSOs, which they offer at discounted costs. The media give a positive impression of CSOs, since they simply relay information received directly from CSOs and generally do not analyze it to provide either positive or negative opinions. On the international level, CSOs' information is disseminated by

international partner organizations.

The public does not have a solid understanding of the concept of a CSO and tends to see them as philanthropic organizations. A small segment of the population has a negative image of CSOs as working only for their own benefit.

Government agencies and businesses that need help preparing sectoral policies and implementing development projects and programs have a positive opinion of development CSOs. However, the government and private sector tend to be wary of human rights and anti-corruption CSOs and may accuse them of acting on behalf of their donors if they denounce human rights violations or acts of embezzlement and corruption.

CSOs work with journalists to cover their donor-funded activities and projects if they receive funding for media coverage. CSOs help journalists learn about the civil society sector and its areas of interest. For example, ASADHO offers training to journalists on governance and the EITI. Some CSOs create networks of journalists who cover their area of focus, thereby preparing them to produce critical analyses of the work of the government and civil society. CONAPAC, for example, created the Association of Agricultural Journalists in the Congo (AJAC) to convey information and analysis about the agricultural sector. CENADEP updates journalists on the energy sector. CSOs increasingly use social networks such as WhatsApp and Facebook to allow the public direct access to information about their work without having to go through channels that convey negative or misinformed images of CSOs. Otherwise, CSOs do not put a lot of effort into refining their public image or communicating with the public on an ongoing basis.

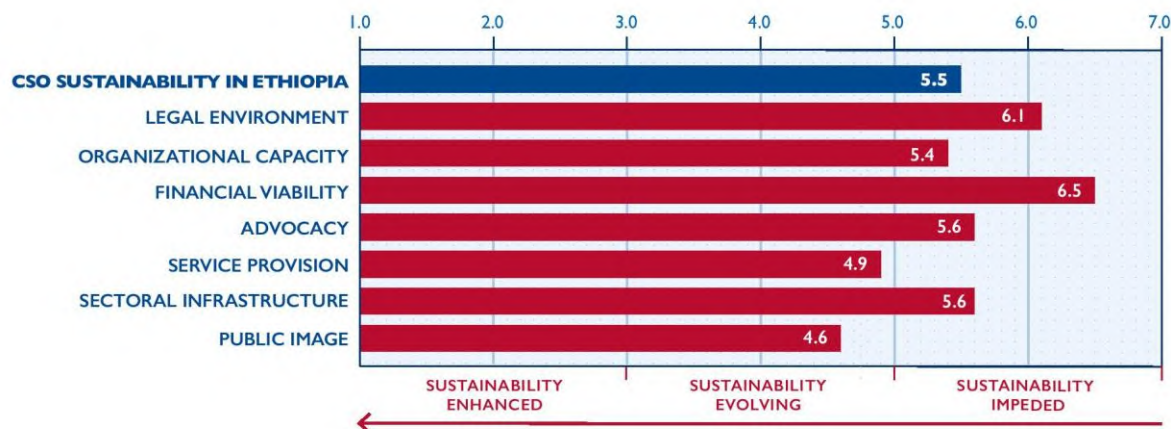
A growing number of CSOs have codes of ethics, charters, and anti-corruption codes to prevent irregularities, improve internal governance, and enhance their public image. Nationwide CSOs publish annual activity reports and send them to their members, donors, and line ministries, as required by their bylaws and Law No. 004/2001.



# ETHIOPIA

Capital: Addis Ababa  
Population: 108,386,391  
GDP per capita (PPP): \$2,200  
Human Development Index: Low (0.463)  
Freedom in the World: Not Free (12/100)

## OVERALL CSO SUSTAINABILITY: 5.5



Intense anti-government protests, which had already shaken Ethiopia for two years, escalated to unprecedented levels in early 2018. After Prime Minister Hailemariam Desalegn tendered his resignation in February, the government declared a state of emergency. A new administration under Abiy Ahmed of the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power in April. The transition was a landmark in Ethiopia's political development, as the new prime minister emphasized his intention to promote reconciliation and undertake a comprehensive program of domestic reform. In two commitments that met with widespread popular support, Ahmed invited domestic and diaspora opposition forces to play a meaningful role in democratizing Ethiopia and promised to build diplomatic bridges with neighboring countries. However, ethnic tensions continued to cause unrest, and close to 1 million minorities were displaced from Oromia, Amhara, and Somali states and received humanitarian assistance from the government and non-state actors during the year.

Continuing a process that had begun under the previous administration, the new prime minister released thousands of political prisoners from federal and state jails. In June 2018, the government lifted the state of emergency, which had been marked by extensive human rights violations by military and law enforcement agencies. Ethiopia declared its decision to evacuate forces from the disputed territories bordering Eritrea in June, paving the way for the signing of a peace treaty in July, which brought two decades of enmity between the two countries to an end. The government also signed a peace deal with the separatist Ogaden National Liberation Front (ONLF), which for thirty-four years had fought for the independence of Ethiopia's Somali region. In another remarkable achievement, the new leadership appointed women to half of the cabinet positions. Women also occupied the offices of president, chief justice, and chairperson of the National Electoral Board.

In November 2018, the attorney general announced the arrest of sixty-three high-level government officials and businesspeople for alleged corruption and human rights violations, include beatings, forced confessions, sodomy, rape, electrocution, and killings. Among the arrested individuals were officials of the Metal Engineering Corporation, a business entity operated by the Ministry of Defense, and officials from the National Intelligence and Security Service, including its chief of staff.

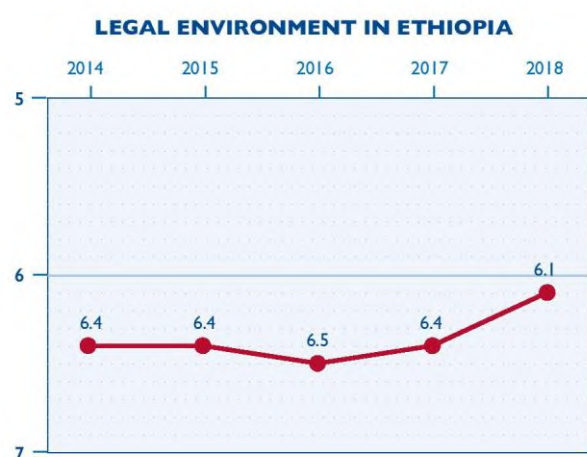
As part of his restructuring process, the new prime minister established the Legal and Justice Affairs Advisory Council under the auspices of the Attorney General's Office in July 2018 to oversee the reform of various laws. Among the legislation identified for reform was the 2009 Charities and Societies Proclamation (CSP), the main law governing CSOs. An expert team that included CSOs conducted an extensive review of the CSP and in October 2018 submitted a new draft law aligned with widely accepted international standards to the Council of Ministers for approval. The parliament passed the bill in January 2019.



Thanks to the new government's commitment to create an enabling environment for CSOs, the sector's overall sustainability improved markedly in 2018. Although the laws governing CSOs did not change, the legal environment eased significantly as the government and CSOs enjoyed a much-improved relationship. Advocacy improved as CSOs worked with the government to create an enabling environment for CSOs, and CSOs' public image was boosted significantly as the media emphasized their role as key actors in achieving sustainable peace, democratization, and respect for human rights. At the same time, there was recurrence of restrictive actions, such as arrests of journalists, bloggers, and activists as well as internet shutdowns in August and September during times of political tension, emphasizing the need for continued reform. There was no significant change in CSOs' organizational capacity, financial viability, service provision, or sectoral infrastructure.

Informally, the Charities and Societies Agency (CSA), the main oversight body for CSOs, has indicated that the number of registered CSOs reached 3,500 in 2018.

## LEGAL ENVIRONMENT: 6.1



The new government's remarkable commitment to fostering CSOs' participation in Ethiopia's development helped substantially strengthen the legal environment in 2018. Although the laws governing CSOs did not change, the government and CSOs enjoyed a much-improved relationship, and CSOs did not report harassment by the authorities as in previous years.

CSOs continued to be governed by the stringent legal requirements of the CSP, a 2009 Council of Ministers regulation governing the registration and administration of CSOs, and ten regulatory directives issued by the CSA. Registration with the CSA is obligatory for all organizations. The CSP classifies CSOs either as Ethiopian charities and societies (which have Ethiopian members and are wholly controlled by Ethiopians),

Ethiopian resident charities and societies (which have members who are residents of Ethiopia), or foreign charities and societies (which are formed under the laws of foreign countries and have foreign members). Before obtaining or renewing their registrations, CSOs must conclude project agreements with government line ministries, which have extensive powers to assess and approve their project proposals. CSOs working in more than one sector are required also to submit comprehensive project proposals to the CSA, which is not adequately equipped to assess multi-sectoral proposals. Most CSOs focused on human rights still found the process of securing registration certificates highly cumbersome in 2018. However, in a positive step, the CSA issued a registration certificate to the Consortium of Rights Organizations, a coalition of CSOs working on human rights, after a protracted registration and licensing process, during which the group was forced to substitute "rights" for the phrase "human rights" in its name. In another sign of positive change, the new administration assigned a new director and deputy director to the CSA in late 2018.

The legal regime continued to pose rigid impediments to CSOs' right to obtain and use resources in 2018. For example, under the CSA's so-called 30/70 Directive, "administrative" expenses such as staff salaries, research, training, and transportation may not exceed 30 percent of an organization's overall budget. Reporting requirements also continued to be burdensome. CSOs must submit multiple financial and activity reports to donors, line ministries, and the CSA, which applies highly inconsistent and arbitrary standards and requirements during its review. Only Ethiopian charities and societies, which compose less than 10 percent of the CSO sector, are entitled to appeal CSA decisions regarding suspension or dissolution. It is not known whether the CSA suspended or dissolved any organizations in 2018.

The new government and members of the CSO sector engaged in constructive dialogue on amending the CSP in 2018. An expert team under the Legal and Justice Affairs Advisory Council, which included CSO representatives from Ethiopian Women Lawyers' Association and Ethiopian Charities and Societies Forum (ECSF), was given sole responsibility for drafting an amended CSO law. The expert team prepared a proposal emphasizing key areas for

change, including the elimination of restrictions on access to foreign funding and areas of operation and simpler requirements for registration. The expert team recommended repealing the existing legal framework entirely and, with the endorsement of the advisory council, it drafted a new proclamation aligned with international human rights treaties ratified by Ethiopia, as well as best practices and other guidelines and minimal standards for freedom of association. The Council of Ministers approved the new law, called the Organization of Civil Societies (CSO) Proclamation, in December, and the parliament enacted it in January 2019.

Thanks to the amendment initiative, the government and the CSO sector enjoyed a relatively good working relationship in 2018, and harassment targeting the CSO sector was not observed. CSOs did not organize mass demonstrations during the year.

No major changes in the taxation of CSOs took place in 2018. CSOs are exempt from income tax on grants but must pay taxes when buying goods and services. If they engage in business activities to generate income to support their operations, CSOs are subject to the same tax regulations as for-profit entities. Businesses may make deductible donations to CSOs of up to 10 percent of their taxable incomes.

CSOs may engage in income-generating activities provided they are aligned with their main institutional purposes. Other fundraising efforts require prior permission from the CSA, based on proof that such efforts are a last resort. As a result, local resource mobilization is still undeveloped. The laws on foreign funding vary by type of organization. Ethiopian charities and societies that work on certain issues, including the advancement of human and democratic rights, the promotion of equality and the rights of the disabled and children, conflict resolution, and the promotion of efficiency in judicial and law enforcement services, must generate at least 90 percent of their funding from local sources. Ethiopian residents' charities and societies and foreign charities and societies may receive more than 10 percent of their resources from foreign sources.

Only a few lawyers have adequate knowledge of the laws applicable to the CSO sector in Ethiopia and can provide quality services to CSO clients.

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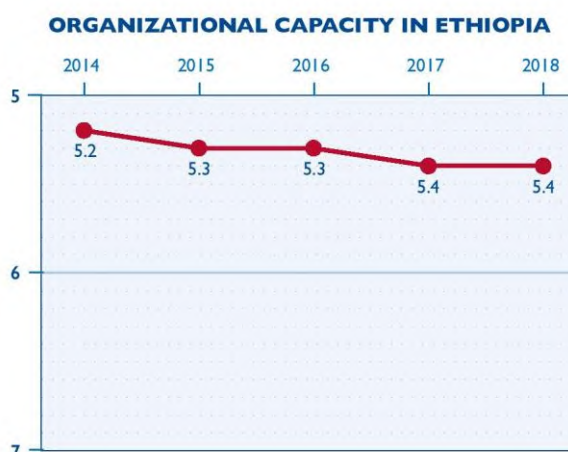
## ORGANIZATIONAL CAPACITY: 5.4

CSOs' organizational capacity did not change in 2018. The ability of most CSOs to attend to their institutional development continued to be constrained by the 30/70 Directive, which stipulates that administrative costs, including costs related to institutional development, may not exceed 30 percent of CSOs' overall budgets.

Although CSOs try to address the needs and priorities of their targeted beneficiaries, many organizations do not design their interventions on the basis of empirical data, since the 30/70 Directive classifies field research as an administrative cost. In addition, the CSA's requirement that specific interventions result in quantifiable benefits for targeted groups makes it difficult for CSOs to address many practical needs, such as gaps in the capacity of intermediate groups that are not the ultimate beneficiaries of a given project. For example, projects involving capacity building for CSOs or even government institutions may not be accepted by the CSA, which argues that this kind of intervention does not have direct benefits for the community.

All CSOs must clearly define their institutional objectives in their statutes or by-laws. However, many CSOs do not align project interventions with their core institutional purposes but instead pursue projects for which donor funds are available. Strategic planning is still uncommon among most CSOs.

The law prescribes standards for CSOs' internal governance, including the establishment of a general assembly of members to pass major decisions, a board of directors to oversee the execution of plans, and a secretariat responsible for day-to-day activities. In practice, the head of the secretariat, or executive director, usually holds



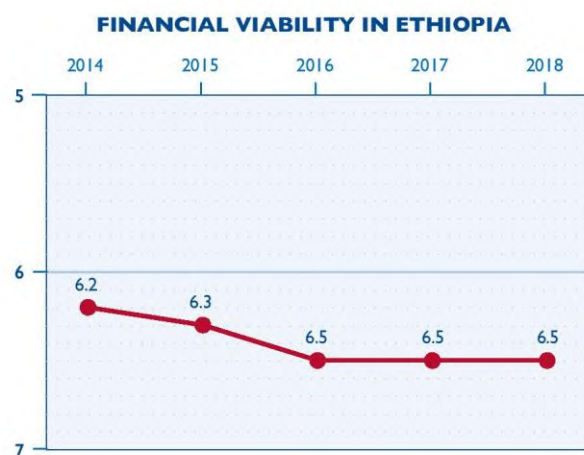
nearly all decision-making power, and most boards exist in name only. Only a few stronger CSOs have established institutional frameworks and policies governing internal matters such as human resources.

Staffing is also highly constrained by the limit on administrative costs. Because of the 30/70 Directive, important positions related to monitoring and evaluation, research, organizational capacity development, and similar needs remain vacant at many CSOs. The absence of a culture of volunteerism coupled with an undeveloped infrastructure for national volunteerism limits the ability of the CSO sector to make effective use of volunteers. The situation is exacerbated by the fact that the CSA is not supportive of organizations that have as their principal objective the mobilization of volunteers for state and non-state actors in development. For example, Voluntary Service Overseas-Ethiopia (VSO-Ethiopia), a branch of an international organization that seeks to mobilize volunteers, has repeatedly been challenged by the CSA to demonstrate that its activities bring identifiable benefits to specific community groups, which has limited its programming in Ethiopia.

Since the costs of technology are usually categorized as administrative expenses, most CSOs do not upgrade their equipment. For instance, many CSOs do not have up-to-date hardware or software, licensed anti-virus programs, state-of-the-art smartphones, or other important equipment. Most CSOs do not utilize web portals or social media platforms effectively because of the limits on administrative costs. Despite the commendable decision of the Ethiopian government to privatize and reduce tariffs on a portion of telecom services in 2018, most CSOs still did not have access to the internet in 2018.

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## FINANCIAL VIABILITY: 6.5



CSOs' financial viability did not change noticeably in 2018. Declining foreign funding, rigorous legal requirements, the lack of institutional capacity, and the absence of a culture of giving continued to limit the funding base of most CSOs.

The majority of Ethiopian CSOs remain highly reliant upon foreign donors. The major international donors supporting CSOs in 2018 included USAID, the European Union (EU), Canadian Department of Foreign Affairs, German Agency for International Cooperation, Japan International Cooperation Agency, French Development Agency, Norwegian Embassy, Swedish International Development Cooperation Agency, Royal Netherlands Embassy, and IrishAid. Although most major donor programs began to wind down in 2017, most

international CSOs and other organizations having long-established relationships with strong funding partners did not experience significant financial strains in 2018. However, most CSOs had limited access to sufficient financial resources, especially as many donors have changed their priorities or shifted their funding to other countries. In addition, a lack of institutional capacity continued to be a major impediment for small CSOs seeking donor support, as they were unable to comply fully with stringent donor requirements.

Some donor-funded programs sought to negotiate extensions of their activities in 2018. They included the Ethiopia Social Accountability Program II (funded by the World Bank), Civil Society Fund II (a joint initiative of the EU and the Ethiopian Government), and Civil Society Support Program (operated by the British Council). These programs had all served as major sources of funding for CSOs over the past few years, but in 2018 they were not fully operational and did not launch the next phase of their programs while they negotiated extensions with their donors. The suspension of their funding meant that many organizations were in a state of financial uncertainty and unable to cover basic expenses.

Well-planned corporate philanthropy programs are still lacking in Ethiopia. The private sector reacts mainly to calls from the government to help meet the country's humanitarian needs. However, in 2018, the Ethiopian Chamber of Commerce and Sectoral Associations announced the establishment of the Ethiopian Corporate Social Responsibility Fund, which will involve the business community in meeting development challenges in an organized, effective, and sustainable way. However, the fund did not become fully operational during the year, largely because

the policies, strategies, and institutional resources needed to create a sustainable strategic partnership were still under development.

Public grants for CSOs are in short supply. Nevertheless, some government offices in areas such as health care are committed to collaborating with CSOs and support their activities using funds from development partners, which sometimes require that CSOs be involved in project implementation. At the urging of the prime minister, government institutions made donations to the Macedonia Association for the Elderly and the Mentally Disabled. The public enterprise Ethio-Telecom also helped mobilize ETB 74 million (approximately \$2.7 million) through text messaging on behalf of the Macedonia Association during the year.

Some membership-based organizations charge fees, which are usually nominal and irregularly collected. Several CSOs, including Ras Aid, Consortium of Christian Relief and Development Associations (CCRDA), and Jerusalem Children and Community Development Organization, generate income by renting out buildings that they own. To date, no human rights organization has engaged in income-generating activities, as it is difficult for them to identify a business area related to their objective.

CSOs are legally required to have effective financial administration and management systems, including the segregation of duties in their finance departments and annual audits by independent external auditors, which must be submitted to the CSA. Most organizations do not publish their annual activity and audit reports but disseminate them only to their financial partners.

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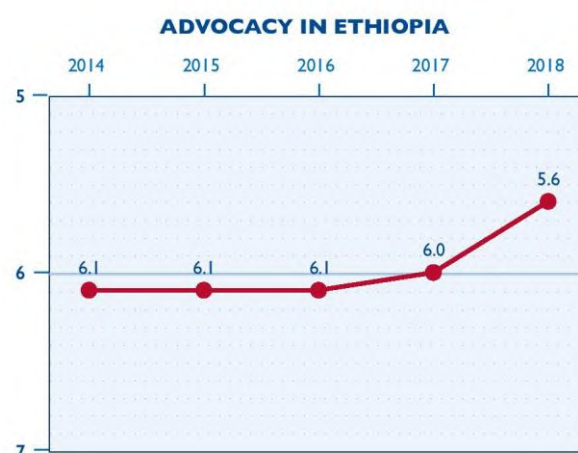
## ADVOCACY: 5.6

CSO advocacy, although still limited, showed extreme improvement in 2018. In contrast to previous years, when no official lines of communications existed between the government and CSOs, CSO representatives successfully took part in efforts to amend the legal framework affecting their work.

Formal platforms to ensure regular communication between CSOs and the government were still non-existent in 2018. Before adopting a new law, the federal parliament sometimes announces public hearings and seeks public participation at the community level. In December 2018, many CSOs attended and actively participated in the parliament's public hearing on the draft CSO law.

The role of CSOs in shaping public opinion and setting policy agendas is severely curtailed by the legal framework, which provides that only Ethiopian charities and societies that do not receive more than 10 percent of their budgets from foreign donors may work on policy and advocacy initiatives to advance human and democratic rights or promote the equality of peoples, genders, and religions; the rights of the disabled and children; conflict resolution; and the efficiency of the justice and law enforcement services. Such organizations are very few in number and have limited capacity to implement effective advocacy initiatives. Among the few policy initiatives pursued by CSOs in 2018 was a stakeholders' report prepared by the Consortium of Rights Organizations, a new human rights coalition, and submitted through the Universal Periodic Review mechanism of the United Nations (UN) Human Rights Council. CSOs also participated in a consultative workshop organized by the Ethiopia office of the Inter-Africa Group on revising legislation to ensure the independence of the judiciary. Otherwise, CSOs did not realize a larger role in the government's promised reform initiatives and played no role in organizing or helping resolve the country's political unrest in 2018.

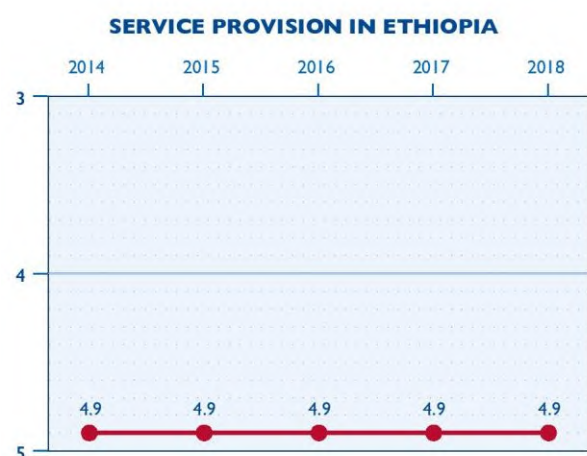
The main focus of CSO advocacy in 2018 was the creation of a legal environment conducive to the work of the sector. CSOs were the first to spearhead the initiative to amend the CSP by bringing up the issue to the Prime Minister's Office and other government bodies in January 2018. CSOs then worked with the Legal and Justice Affairs Advisory Council established in July 2018 to draft the new law. They conducted awareness-raising





workshops and consultative meetings to disseminate information about the draft law and gather feedback from an array of stakeholders in regional capitals. Overall, CSOs applauded the new law as a critical step towards enabling the sector to make meaningful contributions to Ethiopia's democratization and development processes. However, a group of national and international CSOs submitted a formal letter of concern to the Prime Minister's Office noting their dissatisfaction with some elements of the bill, including mandatory registration, restrictions on the ability of international organizations to work on human rights and election-related issues, and subjective or moral grounds for denying registration. These concerns were not taken into account, and the CSO Proclamation was passed by the parliament in January 2019.

## SERVICE PROVISION: 4.9



CSO service provision was relatively stable in 2018. CSOs work mostly in collaboration with the government to provide services in areas such as education, water and sanitation, agriculture, and health care, including reproductive health and HIV/AIDS. Many organizations would like to diversify the scope of their services, but limited financial resources and sporadic conflicts in most parts of the country prevent them from significantly expanding their reach.

Some strong, well-established, mostly international CSOs seek to tailor their interventions by using empirical means such as needs assessments, baseline surveys, and stakeholder consultations, which help them identify the needs and priorities of their beneficiaries. However, most CSOs refrain from these approaches, since their

costs are considered administrative in nature.

The legal framework does not prohibit membership-based organizations from providing their services to third parties. However, CSA's restrictive interpretation of the law makes it impossible for most membership-based organizations to offer services to non-members. Except for a few research-oriented organizations, such as the Ethiopian Lawyers' Association and Forum for Social Studies, most CSOs do not market their research to the public. CSOs provide their services in compliance with the mandatory principles of equality and non-discrimination, and no instance of discriminatory practice was reported in 2018.

Income-generating activities and social enterprises operated by CSOs are very limited and discouraged by the legal framework.

The government acknowledges the contributions of the CSO sector. For example, the government's second five-year Growth and Transformational Plan adopted in 2015 mentions the role of CSOs, particularly in service provision. Similarly, the second National Human Rights Action Plan, adopted in 2016, recognizes the value of CSOs. In his inaugural speech, the new prime minister declared his plan to remove all laws restricting fundamental human rights, including freedoms of association and expression.

## SECTORAL INFRASTRUCTURE: 5.6

The infrastructure supporting the CSO sector showed no significant change in 2018. Because of constrained resources, organizations such as CCRDA, which provide members with training and other services on a cost-recovery basis, were not active in 2018. There is currently no central resource center that focuses on building the institutional capacity of CSOs.

The re-granting of funds to local CSOs by well-established international organizations, such as Pact, Plan International, and GOAL, remained limited in 2018 because of resource constraints. In addition, the CSA's claim that each organization in the funding chain uses as much as 30 percent of its funds for its own operations, thus



reducing the funding available for the ultimate beneficiaries, discourages intermediary support organizations from funding local CSOs and essentially forces them to implement projects on their own. Donor-funded capacity-building programs, such as the Ethiopia Social Accountability Program II, Civil Society Fund II, and Civil Society Support Program, were cut back or inactive while those funds sought extensions from their donors in 2018. There are no local community foundations that support CSOs in Ethiopia.

Although CSOs seek to maintain consortiums to serve as collaborative frameworks, most consortiums find it difficult to survive because of the rigorous laws on access to and utilization of funding.

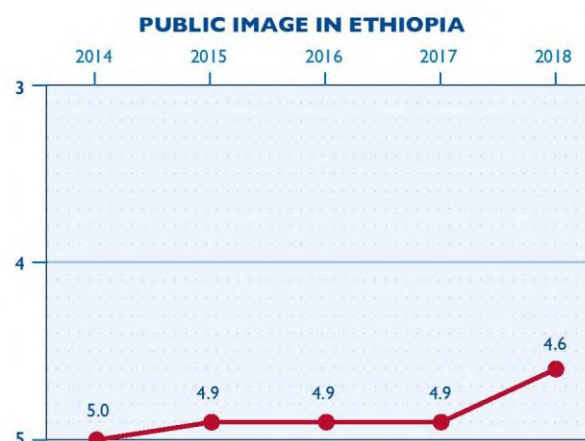
In 2018, Ethical Coach, an international movement targeting CSO leaders, offered training to 400 CSO executive directors in partnership with local network organizations, such as CCRDA and ECSF. No other training opportunities were available during the year. No training is offered by local trainers or in local languages.

Strategic partnerships between the government and CSOs are common in sectors such as health care and education. Government-CSO cooperation is ensured by the requirement that CSOs submit their project proposals to relevant line ministries to confirm their alignment with government policies and objectives. Efforts to create sustainable strategic partnerships between CSOs and the private sector that were started in 2017 did not continue in 2018 because of a lack of sustained engagement. Working relationships between the media and CSOs improved in 2018, as the media grew less antagonistic. However, no specific partnerships were established during the year.

#### SECTORAL INFRASTRUCTURE IN ETHIOPIA



## PUBLIC IMAGE: 4.6



The public image of CSOs improved significantly in 2018. Mainstream and other public and private media covered all events related to the replacement of the CSP, and regional media gave coverage to the consultative meetings in regional capitals to gather feedback about the draft law. The Ethiopian Broadcasting Corporation and Fana TV created platforms for CSO representatives to discuss the challenges posed by the restrictive legal regime, which allowed participants to emphasize the need to comply with international standards and principles of free association. Media coverage stressed the need for an enabling environment so that CSOs could participate meaningfully in the democratization process. In one way or another, all reporting media emphasized that CSOs are key actors in achieving sustainable peace, democratization, and respect for

human rights.

While no antagonistic media attitudes towards CSOs were observed in 2018, the editorial policies of mainstream media did not change, and they still preferred to follow personalities and broadcast entertainment programs rather than give coverage to CSOs. State-owned media continued to cover mainly government affairs and, other than efforts to replace the CSP, offered little to no coverage of CSOs' activities. The airtime of most privately owned radio and television stations remained paid and unaffordable to CSOs. Although the media distinguish between public service announcements and corporate advertising, none offers free airtime to CSOs.

As a result of the positive media coverage, the public started to develop a more positive attitude towards CSOs in 2018, although it was still at an early stage. Even individuals outside of the CSO sector openly criticized the CSP and showed their support for its replacement. However, as in the past, the public continued to have overly high expectations of CSOs and assume that they have huge amounts of foreign funding to spend as they wish. The CSO sector has yet to clear up this misunderstanding, although there has been extensive awareness raising emphasizing the importance of CSO accountability and the public's role in ensuring it.

The central government's view of CSOs improved in 2018, as demonstrated by its engagement with them on amending the CSO law. Government officials generally stopped making negative statements about CSOs during the year and in fact seemed receptive to criticism from any source, including CSOs. The private sector assumes that CSOs, particularly foreign organizations, have more than enough money to carry out their activities.

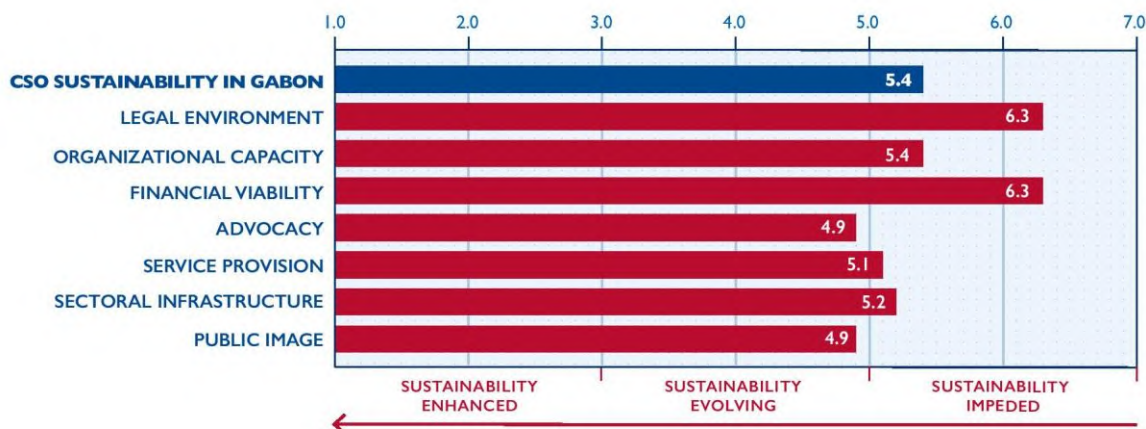
Some CSOs, such as CCRDA, ECSF, Forum for Social Studies, and Transparency Ethiopia, purchased media airtime in 2018 to promote their activities and raise public awareness of various issues. Several CSOs also used social media effectively. For example, ECSF began to share information via Telegram. The annual NGO Good Practice Day did not take place in 2018 because of the vast changes in the political arena.

The new CSO law explicitly recognizes self-regulation and establishes the Council of Civil Society Organizations to be responsible for adopting and enforcing a code of conduct. The law makes it mandatory for all CSOs to belong to the council and abide by its code of conduct.

# GABON

Capital: Libreville  
Population: 2,119,036  
GDP per capita (PPP): \$18,100  
Human Development Index: High (0.702)  
Freedom in the World: Not Free (23/100)

## OVERALL CSO SUSTAINABILITY: 5.4



Gabon continued to wait in 2018 for the parliament to approve resolutions stemming from the Angondjé National Inclusive Dialogue, which ended in May 2017, including changes to procedures for electing the president, the number of National Assembly deputies, redistricting, and term limits for Constitutional Court judges. On April 30, 2018, the Constitutional Court dissolved the National Assembly at the end of the deputies' terms, thereby forcing the government to organize new parliamentary elections. On June 21, the government announced a set of so-called austerity measures aimed at cleaning up public finances that shook the country. In October, the first legislative and local elections took place since the disputed presidential election of August 2016.

Throughout the year, the president's health and long absence from public view led to widespread calls for more transparency. Activists and CSOs insisted that the government provide information about the president's ability and availability to lead the country. In November 2018, the Constitutional Court announced an amendment to Article 13 of Gabon's constitution addressing situations in which the president becomes temporarily unable to execute his or her duties. Many CSOs, as well as the opposition, view the amendment as unconstitutional as only members of parliament have the authority to amend the constitution. The African Union also expressed concern with the amendment.

The government imposed significant constraints on freedom of expression in 2018, although they were less severe than in 2017. The High Commission of Communication (HCC) prohibited government-controlled media from communicating with the National Union, the main opposition party. In November, the HCC suspended L'Aube for three months and for six months prohibited the newspaper's editor from reporting on the president's health. In December, two other papers in the same media group were suspended for one and three months.

CSOs' overall sustainability improved slightly in 2018. Advocacy improved as CSOs achieved several notable successes despite the restrictive environment. No changes were noted in the other dimensions of sustainability.

The exact number of CSOs in Gabon is difficult to determine, since they may register at various agencies, and registration information is not centralized. The most reliable source of data is the 2017 CSO census conducted by the Gabonese Network of Organizations and Projects (ROPAGA), which documented nearly 1,750 associations in Gabon, in addition to union organizations.

## LEGAL ENVIRONMENT: 6.3

The legal environment for CSOs in Gabon did not change in 2018.



Associations register under Law 35-62 of 1962, while government employees' unions register under Law 18-92 of 1993, and private-sector unions register under Law 3-94 of 1994. CSOs may register at various government agencies, including the ministries of the interior, economy, and youth and sports. The Ministry of the Interior is considering forming a single registration office for CSOs.

Registration is fairly inexpensive. Associations registering under Law 35-62, for example, pay a fee of XAF 10,000 (approximately \$17.50). On paper, the registration process is simple. However, ROPAGA's 2017 survey found that the government frequently delays issuing provisional authorizations, which CSOs must have to operate legally while waiting for permanent

authorizations. Provisional authorizations usually take from six months to two years to obtain, instead of the ninety days stipulated in the law, and organizations focused on government monitoring, transparency, corruption, democracy, or human rights may wait even longer. For example, Educaf, founded in 2013 and recognized by the ministry in charge of youth in 2015 as the best youth organization of the year, still does not have provisional authorization to operate. Although CSOs that operate without authorizations are technically noncompliant with the 1962 law, in practice they are able to operate freely. Associations can also apply for public benefit status, which enables them to access certain sources of funding, including government support.

Law 35-62 is outdated in many respects. For example, it refers only to associations and does not recognize topic-focused platforms, networks, or the term "NGO," which in Gabon denotes a distinct form of CSO that emerged in the 1990s around political figures. The law also limits a member's contributions to a CSO to XAF 10,000 (about \$17.50) over an unspecified period of time. As of the end of 2018, CSOs still awaited an amendment to Law 35-62 in accordance with the discussions during the Angondjé National Dialogue.

The law does not clearly address the ways in which CSOs may appeal government decisions. In practice, CSOs appeal unfavorable decisions through the administrative courts or the appropriate ministry. CSOs are not required to submit activity reports to the government.

Gabon's constitution guarantees the right to assemble and participate in public demonstrations. According to Article 6 of Law 001/2017 of 2017 "all public meetings must be announced in advance," except those of some groups, including unions. The law does not require organizers to receive advance authorization for such events. In practice, the government often intimidates CSOs by sending the military to the site of planned demonstrations. In 2018, the minister of the interior took actions to prohibit so-called black marches by the Dynamique Unitaire coalition of unions, which were scheduled to take place on August 28. These marches, called "black" to denote the country's somber state, intended to protest changes to the constitution, the government's austerity measures, civil servant salary freezes, and the withholding of cash vouchers.

Gabon's laws do not limit freedom of expression, but organizations that are critical of the government risk reprisal. As a result, some CSOs engage in self-censorship.

The law does not prohibit CSOs from receiving monetary gifts or gifts in kinds from foreign sources, fundraising, bidding on government contracts, or earning income from the sale of goods and services. However, public benefit associations must receive prior authorization from either the prefect with jurisdiction over it or from a Council of Ministers' decree before accepting any foreign financing. The amount of the potential funding determines which body issues the authorization.

All CSOs with provisional or final authorization may receive support of up to XAF 3,000,000 (approximately \$5,250) from the ministries that oversee them. Only public benefit organizations are eligible to compete for other

sources of government funding. However, the government does not widely publicize funding opportunities or clearly state eligibility criteria, so few CSOs bid on government contracts.

CSOs may earn income by selling products or services, but any income generated must be reinvested in the organizations.

Gabon's laws exempt CSOs from taxes on goods for their activities. However, the procedures for obtaining exemptions are complex, making it difficult for CSOs to obtain them. The law does not specify taxes on funding or donations to CSOs.

Attorneys specializing in human and workers' rights work only in Gabon's two largest cities, Libreville and Port-Gentil. No attorneys specialize in association law. For years, the high fees charged by lawyers have forced CSOs to turn to less expensive paralegals for advice.

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## ORGANIZATIONAL CAPACITY: 5.4

CSOs' organizational capacity did not change in 2018.

CSOs identify the beneficiaries of their activities through surveys, knowledge gained through activities and projects, and communications received by phone, email, or in person. Unions have an easier time identifying beneficiaries, since they are usually union members. Most CSOs rely on short-term projects and build trust gradually as communities see the results of their actions over time. In contrast, CSOs such as Brainforest work fairly continuously, which allows them to acquire expertise and become better known in the communities in which they work and thereby build trust.

All CSOs must clearly define their missions, management structures, members' responsibilities, and methods for resolving disputes or conflicts of interest in their bylaws.

However, only a few CSOs limit their activities to those defined when they were established; the missions of most CSOs evolve in response to donors' changing funding priorities. Many CSOs are still in the early stages of strategic planning. Organizational development training offered to twenty-five CSOs in 2017 led some CSOs, such as Gabon My Land My Right, to begin strategic planning in 2018.

In practice, few CSOs have solid organizational structures. Brainforest revised its organizational structure in 2018 for the first time since 2008 to attract more funding. CSOs are beginning to create procedural manuals and to monitor and evaluate their activities. Unions routinely use these tools to reach their objectives.

In 2018, weak financial viability continued to make it difficult for CSOs to maintain permanent staff and access professional services from accountants, legal specialists, and communications professionals. Some CSOs, such as the International Development Research Center Africa (IDRC Africa), Network of Free Civil Society Organizations for Good Governance in Gabon (ROLBG), and Formations Nouvelles, hire permanent technical and financial staff for donor-funded projects.

According to the Charities Aid Foundation's World Giving Index 2018, only 10 percent of respondents in Gabon reported that they had volunteered in 2017, compared to 12 percent the previous year. However, many CSOs, including Arc-en-ciel, Brainforest, Formations Nouvelles, and Association of Emerging Youth Volunteers (AJEV), rely on volunteers to implement activities. For example, after a fire in 2018, volunteers repainted the wall of a girls' dormitory managed by Arc-en-ciel in Libreville, with support from the association Manibus Gabon. The new Civil Society House of Gabon, which reopened in 2018, was renovated entirely by volunteers.

CSOs have access to computers, telephones, and multimedia equipment. Internet access is increasingly available throughout the country. However, internet access costs in Gabon remain high compared to rates in other





countries in the region. CSOs with internet access are making greater use of social media, such as WhatsApp and Facebook, to improve communication, enhance transparency, and prepare strategies.

## FINANCIAL VIABILITY: 6.3



Gabonese CSOs' financial viability did not change in 2018.

Gabon's classification by the World Bank as an upper-middle-income country limits in-country foreign aid. Primary donors include the European Union (EU), the German Society for International Cooperation (GIZ), USAID, and the Food and Agriculture Organization of the United Nations (FAO). In 2018, the French Embassy's Innovative Projects from Civil Societies and Coalitions of Actors (PISCCA) program attracted proposals from many more CSOs than it had received in the prior two years combined, attesting to the improved readiness and aptitude of Gabonese CSOs to respond to calls. In 2016, four CSOs applied for funding under PISCCA and three were accepted. In 2018, seventy CSOs had applied, with

four projects involving twelve CSOs receiving total funding of XAF 140,000,000 (approximately \$244,000).

As CSOs are highly dependent on donor funding, they must frequently cope with changes in donors' priorities, which can affect the continuity of CSOs' services and operations. For example, in 2018, as in 2017, the EU's sole priority was job training, an area that few Gabonese CSOs address. In the past, EU funding covered a much broader scope of activities, including health, education, and the environment. The eligibility for funding of CSOs that are awaiting provisional or permanent authorizations is up to donors' discretion.

In addition to foreign funding, Gabonese CSOs receive funding from various local sources, including the government, the private sector, members' contributions, and self-financing cooperatives. Government support, however, is minimal. CSOs with status as public benefit organizations may receive small grants of XAF 5 to 10 million (approximately \$8,750 to \$17,500) from the government to cover short-term operational costs. No funding is available for long-term projects. However, the government does not widely publicize funding opportunities or clearly state eligibility criteria. Gabon has no national government program dedicated to providing the CSO sector with financial support.

There are few sources of local philanthropy. The larger foundations, mainly connected with the Bongo family, usually work directly with local communities rather than through other entities, such as CSOs. These foundations focus on health, employment, education, and girls' empowerment. The practice of corporate sponsorships for CSOs is relatively unknown in Gabon. However, corporate social responsibility (CSR) programs are common among companies trading on the Central African Stock Exchange, and these may specify activities to be performed by CSOs. For example, in 2018, Olam Gabon contracted with Brainforest to create income-generating activities related to growing cacao to benefit communities impacted by its rubber production activities in Minvoul.

CSOs seek funds from their communities, members, and target groups. According to the World Giving Index 2018, however, only 9 percent of Gabonese respondents donated money in 2017, compared to 11 percent in 2016. For the past two years, CSOs have used social media to raise funds for urgent or one-off needs such as disaster relief or to aid young children or people in medical or social distress.

Membership dues are insufficient to fund CSOs' routine operational costs or long-term programs. Some CSOs earn income by selling products or services. In 2018, IDRC Africa launched a small business, Indigena Food, to grow and sell food products in Libreville, using the profits from the business to cover its operating expenses. In 2018, social enterprises were relatively unknown in Gabon. CSOs sign very few contracts with local businesses and local governments.

CSOs that respond to international calls for proposals generally have qualified financial management staff or use external service providers. These CSOs also make efforts to be transparent by publishing financial reports and performing external audits. Other CSOs generally have weak financial management systems.

## ADVOCACY: 4.9

CSOs' advocacy improved in 2018, as CSOs achieved several notable advocacy successes despite the restrictive environment.

Citizen monitoring of public action takes place primarily through the Economic, Social, and Environmental Council, a governmental advisory body. Its ninety-nine members come mostly from civil society, and its vice president has a background in civil society. Policy makers and CSOs also collaborate through technical committees and platforms. For example, the Ministry of Agriculture included CSOs in the international public-private Tropical Forest Alliance 2020's Africa Palm Oil Initiative, and the Ministry of Water and Forests consulted with CSOs when it was defining the concept of "forest." Both ministries continued to consult with CSOs on these topics in 2018. However, these cooperative frameworks are usually created to meet donor requirements rather than to reflect the government's acknowledgment of civil society's right to engage in policy or decision making.

CSOs achieved three major advocacy successes in 2018. First, Muyissi Environment launched a campaign to raise awareness of the problem of violence against women on palm oil plantations. Its efforts led to the creation or revitalization of committees on gender-based issues on the Olam Gabon Group plantations. Second, Dynamique Unitaire held information sessions on the austerity measures the government imposed in June, followed by press conferences with the minister of public service and the chief justice of the Constitutional Court. This effort contributed to the decision by Gabon's highest court to suspend the austerity measures for failing to comply with legal procedures. Third, ROLBG and other CSOs advocated against the director of Libreville's central prison, who had authorized the torture of detainees after the 2016 presidential election. Their campaign led to the director's suspension in 2018.

Gabon's legislative process requires public consultations on draft laws before their enactment, and CSOs increasingly engage in lobbying to pressure the government. In 2018, CSOs advocated to prevent tensions after the legislative elections. In addition, CSOs advocated against the amendment to Article 13 of Gabon's constitution, which governs government actions in case the Gabonese president cannot perform his or her duties on a temporary basis.

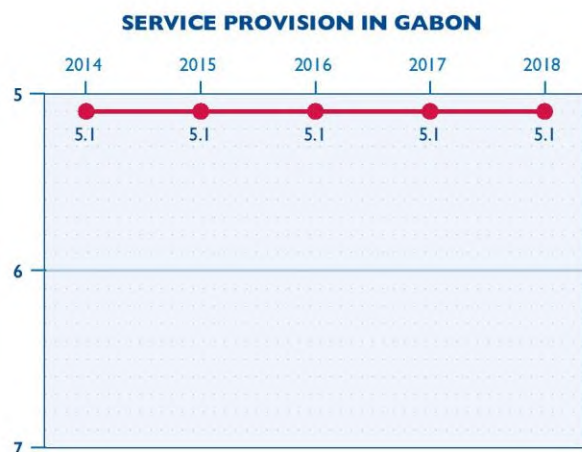
CSOs are generally aware of the impact a favorable legal framework can have on their sustainability. However, despite CSOs' advocacy aimed at reforming Law 35-62, no progress was made in 2018 to amend the legal framework governing CSOs.



## SERVICE PROVISION: 5.1

CSO service provision did not change notably in 2018. CSOs continued to offer a diverse range of goods and services. While CSO service provision focuses primarily on vulnerable groups, who still have many unmet needs, a wide range of organizations work in areas such as health, education, human rights, professional training, and the environment.

CSOs continue to rely on surveys, socio-economic studies, field observations, citizen complaints, requests for support, and project results to assess community needs. CSOs strive to respond to all requests for their services, which may be made by officials, companies, or by word of mouth, and to support and document their response to



needs. A small percentage of CSOs also collect data to assess their projects' impact on local needs. However, most CSOs do not operate in all nine of Gabon's provinces, leaving the needs of a large segment of the population unmet. Only the Bongo foundations provide services to populations throughout the country. In 2018, national and local organizations created partnerships and networks to share information, alerts, and joint actions, and to collect reliable data that CSOs could use to help them receive funding and cover more areas of the country.

CSOs provide goods and services to their members and other social groups without discrimination with regard to race, gender, ethnicity, or sexual orientation.

CSOs charge for the services they provide outside funded work, but do not charge for services provided under donor-funded work. Some CSOs, such as IDRC Africa, have created small businesses, whose profits fund organizational activities and operating expenses.

The government generally acknowledges the value that CSOs bring to the provision and monitoring of basic services. CSOs' activities bring them in close contact with beneficiaries, who trust CSOs more than government officials. The government's acknowledgement of this trust has led officials to enlist CSOs to advise on public policy questions and awareness-raising campaigns.

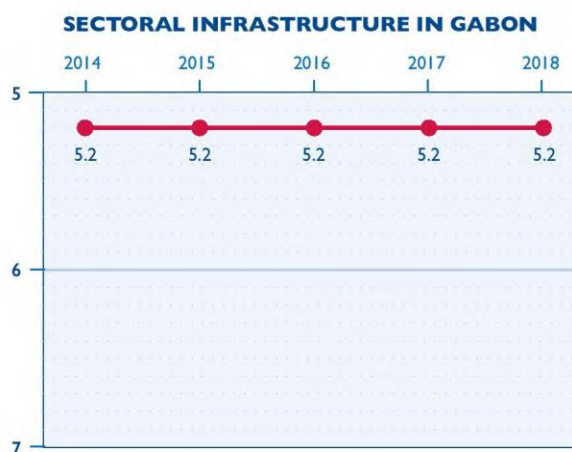
## SECTORAL INFRASTRUCTURE: 5.2

The infrastructure supporting the CSO sector remained unchanged in 2018.

Notably, the Civil Society House, which had closed in 2010 at the end of the European Development Funds' Strengthening Non-State Actors of Gabon (PROGREANE) program, reopened in 2018. After urging by ROPAGA, the Ministry of the Economy made available an unused building for this purpose. The Civil Society House provides office space for any CSO to use for a small monthly fee. Its reopening was a boon for CSOs, which often function without adequate offices. The Civil Society House is the only structure of its kind available to CSOs.

The three largest intermediate support organizations (ISOs) in Gabon are associated with the Bongo family, which has ruled Gabon since 1967. The Bongo family foundations provide local CSOs with free expert advice, information, technical assistance, and help starting up local initiatives. The Mbanja Center of the Sylvia Bongo Ondimba Foundation offers CSOs access to computer equipment, the internet, training, and technical specialists. The Bongo family foundations and the International Center for Capacity Building of Social Actors in Gabon (CIRCAS/GABON) also provide financial support to CSOs. In 2018, the Sylvia Bongo Ondimba Foundation donated more than XAF 98 million (approximately \$171,000) to the Fraternal Center of Saint John to support the elderly and announced that it was giving away more than EUR 951,000 through its civil society support program. However, CSOs do not clearly understand how funds are awarded through these foundations, which has created the sense of a lack of transparency.

CSOs work together and share information through networks and platforms, which are usually informal. Platforms face organizational and financial challenges, and the few activities they implement are generally funded as line items in the budgets of one or two of their member organizations. However, new groups continue to emerge each year.

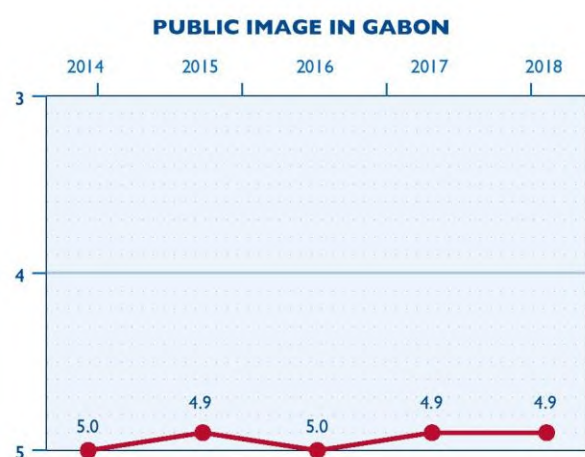


In 2018, Malachie and the Women's Fair created a platform to promote women's rights. Ongoing coalitions include ROPAGA, Dynamique Unitaire, ROLBG, and the Network of Civil Society Organizations for the Green Economy in Central Africa.

Gabonese CSOs have expertise in capacity building and offer training to meet the needs of local CSOs. Sometimes CSOs in the capital sponsor trainings at the Civil Society House for CSOs based in rural areas. In 2018, the Voice of Citizens for Change: Congo Basin Forest Monitoring project, which is funded by the EU, provided ongoing support to sub-regional implementing CSOs in areas such as project start-up, organizational structure, and strategic planning. The lack of training in local languages and outside of major cities can pose challenges to CSOs in non-urban areas.

Private-sector stakeholders arranged training for CSOs in Libreville and locally in 2018, sometimes in the framework of CSR programs. Businesses also worked with unions to help resolve conflicts between companies' management and staff. In 2018, the Elat association created a partnership with the corporation Les Petits Pots de l'Ogooué, in which Les Petits Pots de l'Ogooué donated 15 percent of its proceeds from jam sales during the month of September to Elat, which used the funds to buy school supplies for disadvantaged children. There were no other known formal partnership agreements between CSOs and the private sector, or between CSOs and state-run or private media in 2018.

## PUBLIC IMAGE: 4.9



CSOs' public image did not change in 2018.

Media coverage generally depends on either a CSO's relationship with the government or the topic being reported. Coverage by private media outlets remains more reliable than that by state-run media. In 2018, however, CSOs' access to private media was limited, as three newspapers were temporarily suspended. Government-controlled media rarely cover CSO press conferences focused on topics such as poor governance, corruption, or human rights violations, but they will cover less controversial topics, such as vaccination campaigns, even if the CSOs involved also engage in unsanctioned activities. Gabonese media clearly distinguish between public service announcements and corporate advertisements in the fees they charge. Public

service announcements are nearly free while corporate advertising is relatively costly.

Although there are variations in public perception, people generally see CSOs as trustworthy organizations that they can call on to facilitate solutions to daily problems. Some people understand CSOs' role and missions, while others question CSOs' silence about everyday issues such as the cost of living. CSOs sometimes accept funding from groups they oppose, which can cause confusion about their allegiance and create mistrust. To counter community misunderstanding of the legitimacy of their work, CSOs continually organize events to remind the public of CSOs' contributions to solving specific problems at the national and local levels. For example, Gabonese CSOs that work on sustainable development and the environment have used the Environment Week 2018 platform to educate the public about their role and activities in this area.

The government and the private sector perceive the role of CSOs positively, even if at times they disagree with the missions or actions of particular CSOs. They are aware of CSOs' role and expertise, their ability to serve as reliable sources of community information, and the need to collaborate closely with them. Acknowledging civil society's role, in 2018, the Olam Gabon Group, a joint palm oil venture between the private company Olam International and the government, held a tour with CSOs in various sectors to show citizens how the Olam Gabon Group contributes to the national economy and local development.

CSOs promote their public image by communicating about activities through traditional press outlets and social networks. CSOs increasingly communicate about their work online. In addition, a growing number of CSOs have

Facebook pages. However, limited rural access to internet limits the effectiveness of social media as an outreach tool. CSOs also involve more journalists in their activities and provide them with high-quality information with the aim of garnering more media coverage. Some CSOs have even hired communications directors to increase their media coverage.

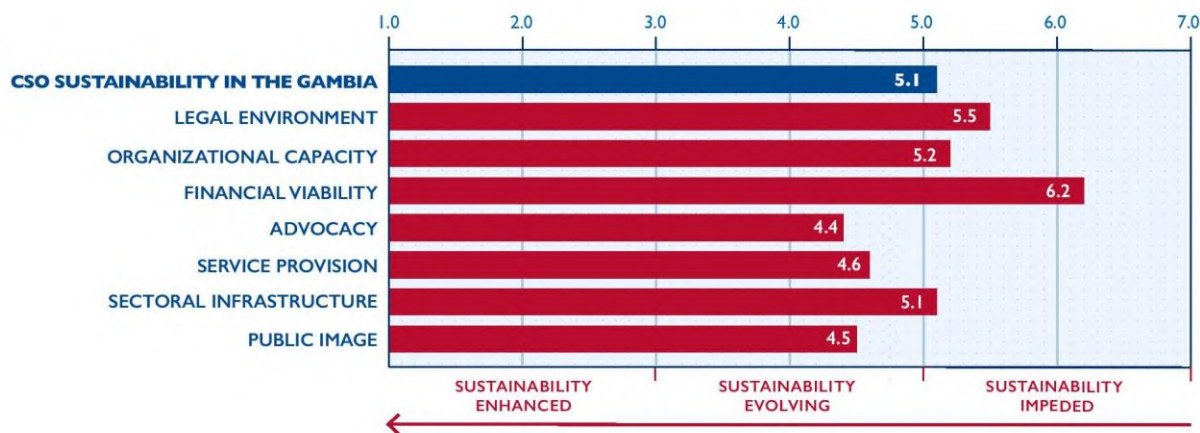
Most CSOs lack codes of ethics. Only the largest CSOs publish annual activity reports, but these are usually not publicized or widely distributed.



# THE GAMBIA

Capital: Banjul  
Population: 2,092,731  
GDP per capita (PPP): \$2,600  
Human Development Index: Low (0.460)  
Freedom in the World: Partly Free (41/100)

## OVERALL CSO SUSTAINABILITY: 5.1



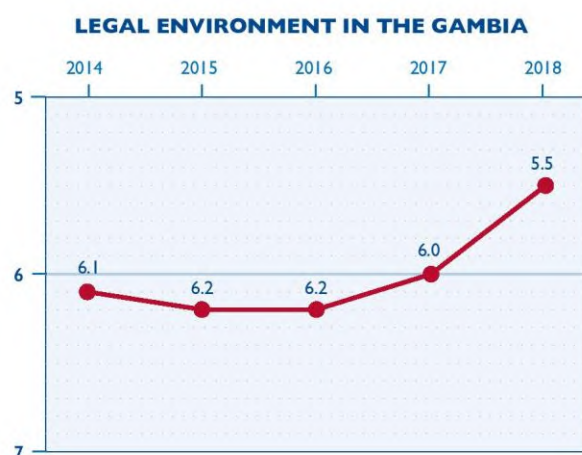
Following The Gambia's transition to democracy with the end of the Jammeh dictatorship in 2016, the country embarked on a massive process of transitional justice. In June 2018, President Adama Barrow established the Truth, Reconciliation, and Reparations Commission to seek the truth about the past. In October, the president appointed a Constitutional Review Commission to craft a new constitution for a democratic third republic. In a striking testimonial to The Gambia's transition from dictatorship to democracy, the 2018 World Press Freedom Index published by Reporters Without Borders ranked the country at 122nd place, twenty-one places higher than in 2017.

In the face of high expectations generated by the 2016 political transition, popular disillusionment with the government persisted as reports of apparent corruption, abuse of office, and unconstitutional behavior emerged. Public frustration was reinforced by the president's attempt to seek a second term in office, which many people considered a betrayal of the coalition agreement that had brought him to power. Throughout 2018, Gambian society was severely polarized along ethnic, political, and religious lines. As the space for civil society became more open, public criticism of the government surged and a number of protests took place. The government used the controversial Public Order Act to clamp down violently on protesters seeking to hold the government and businesses to account. In June 2018, paramilitary forces killed three youths and injured many more as they demonstrated against the operations of a sand-mining company in Faraba. Following a widespread public outcry and call for an investigation by the National Assembly, the president created a commission of inquiry, which submitted a report recommending that the police officers who fired on protesters be prosecuted.

In this uncertain situation, overall CSO sustainability improved in 2018. The legal environment improved greatly as the government removed or reduced tacit restrictions imposed by the previous regime and allowed any kind of organization to register within a relatively short time. Intense competition among the proliferating number of CSOs forced many organizations to improve their organizational capacities to attract funding. CSOs took advantage of the new democratic space to engage in significantly stronger advocacy on a wide range of issues, including human rights, democracy, and, particularly, the environment and natural resources. CSO service provision improved slightly as the volume of goods and services expanded to include services such as capacity building on public-policy issues. The infrastructure supporting the CSO sector was slightly stronger with the formation of new coalitions and collaborations, and CSOs' public image improved moderately as many organizations used new media to promote their work and advocate in more visible ways. Although many foreign donors turned their focus to The Gambia during the year, funding for the large number of new CSOs was insufficient, causing a slight decline in the sector's overall financial viability.

The total number of CSOs in The Gambia in 2018 is unknown. Among the many new organizations that emerged in 2018, a large number focused on democracy, human rights, and the environment. A number of new professional associations also emerged. Young activists dominated new social movements.

## LEGAL ENVIRONMENT: 5.5



The government's loosening of restrictions on registration greatly improved the legal environment for CSOs in 2018. The Companies Act continued to govern CSO registration, and any type of organization was free to apply to register, unlike in previous years, when organizations promoting human rights and democracy were afraid to register because they could be subjected to government harassment. The registration process under the Companies Act was fairly easy in 2018, and many organizations were registered at a fairly rapid pace. However, the length of time needed to complete registration was difficult to predict, since it depended, among other things, on CSOs' ability to provide required documentation. Two years after registering, CSOs may apply to the NGO Affairs Agency in the Ministry of Regional Governments and Land for status as non-

governmental organizations (NGOs) under the NGO Act. The number of NGOs remained small in 2018, since the status conveys no real benefit. CSOs may operate without legal registration. There were no reports of closures or denials of registration in 2018.

Neither the Companies Act nor the NGO Act specify internal governance rules for CSOs, other than the need for constitutions. The NGO Act requires NGOs to submit annual financial and activity reports to the NGO Affairs Agency and pursue activities that support government policies and development objectives. So in theory, NGOs and, by extension, all CSOs that oppose government policies potentially violate the NGO Act. The minister of the interior may take steps to remedy a CSO's breach of the act but did not do so in 2018.

The Court of Justice of the Economic Community of West African States ruled in February 2018 that criminalization of sedition, false news, and defamation violated the right to freedom of expression in The Gambia. The court urged the government to bring its draconian media laws in line with international standards. In May 2018, the Gambian Supreme Court ruled that the criminalization of defamation, false publication on the internet, and sedition, except with respect to the president or when it affects the administration of justice, was unconstitutional. The court upheld laws against sedition against the president and against false publication and false broadcasting in newspapers and on radio and television. The Communications Act contains provisions that restrict criticism of the government or public officials online, and the Official Secrets Act prohibits the publication of official documents without authorization.

There were no reported incidents of significant state harassment of CSOs in 2018. Organizations were generally able to engage in a wide range of activities. The Public Order Act requires protesters to obtain prior authorization from the police, and protesting without a permit can lead to imprisonment. In 2018, some CSOs were denied permits to protest, and several protesters were arrested. As noted above, three protesters were killed and many more injured during demonstrations against a sand-mining company in Faraba.

CSOs may sell products and services to generate income. They may also raise funds by other means, including the solicitation of donations, acceptance of foreign funding, income from special events, and property rental. CSOs may compete for government contracts, but contract awards are usually limited to CSOs working in health care, education, and capacity building for teachers and members of parliament.

CSOs do not pay taxes on grants or revenue from the sale of products and services. Neither individuals nor corporations receive tax deductions for donations to CSOs.

Gambian CSOs can obtain legal services from lawyers familiar with CSO-related laws, who are based mainly in the greater Banjul area but serve the entire country.

## ORGANIZATIONAL CAPACITY: 5.2

In 2018, the rapid increase in the number of CSOs intensified competition for funding and forced CSOs to improve their organizational capacities to obtain support.

The improved legal environment encouraged many CSOs to revive or expand their constituencies in 2018. Under the past regime, many membership-based advocacy organizations maintained limited memberships, since they were subjected to state harassment. However, in 2018, new membership-based CSOs, including organizations working with youth and in local communities, sought to expand their memberships and encouraged members to participate actively in their events. For example, in the coastal area, new community-based movements with a focus on the environment, such as the Gunjur Environmental Protection and Development Group, Ride Against Golden Lead, and Green-Up Gambia, mobilized a large number of people on environmental concerns. Longstanding, more traditional CSOs continued to engage their beneficiaries by providing needed goods and services.



To register, all CSOs must have constitutions stipulating their organizational goals and missions. Nearly all CSOs follow strategic plans, although the plans of smaller, less-developed organizations are often rudimentary. Most CSOs have defined management and governance structures. The boards of more advanced and larger CSOs usually play a robust role in organizational affairs, in part because their organizations can dedicate resources to, for example, meals during board meetings and transportation allowances for board members. Only larger organizations usually have internal policies guiding the recruitment of personnel, the procurement and management of funds and assets (including vehicles and equipment), and the handling of issues related to gender, children, HIV/AIDS, fraud, and conflict of interest.

CSOs with sufficient resources, such as ActionAid International The Gambia (AAITG), ChildFund (CF), and SOS Children's Villages, maintain permanent paid professional staff and abide by defined human resource policies. Some more advanced CSOs retain lawyers and staff members specializing in information technology and accounting. However, the majority of CSOs are small to medium-sized and lack the resources needed to hire professional staff. Child Protection Alliance (CPA), West Africa Network for Peace Building (WANEP), and Gambia Participates have programs through which they engage young graduates and students as interns and volunteers. Youth groups, such as the National Youth Parliament, Peace Ambassadors—The Gambia, and Activista, are mostly volunteer-based.

CSOs' use of websites and social media platforms is widespread and growing, thanks to the freer political atmosphere. Connectivity and the market for internet services have also improved, and most CSOs now have steady access to the internet. Usually only more advanced, well-resourced organizations have a full complement of technological tools and modern office equipment.

## FINANCIAL VIABILITY: 6.2

Despite significant international goodwill after The Gambia's democratic transition, CSOs' financial viability declined slightly in 2018. The rapid growth in the number of CSOs noticeably intensified competition for support from foreign donors, the main source of funding. While several new donors and intermediate support organizations (ISOs), including the Open Society Initiative for West Africa, International Republican Institute (IRI), Center for International Private Enterprise, and International Center for Not-For-Profit Law (ICNL), provided



funds from within or outside the country, their grants were usually short term and small. The United Nations (UN), European Union (EU), and foreign embassies continued to be major donors. However, USAID did not increase funding in 2018, which exacerbated competition for its grants.

Donors' priorities shifted in 2018 from service provision to human rights, democracy, good governance, and the fight against corruption, which caused CSOs' interventions in community development and education to suffer from inadequate funding. AAITG, for example, reported a significant drop in funding for its projects involving community development and farmers and had to close or merge regional offices and lay off staff. While a few well-established, internationally affiliated CSOs,

such as Future In Our Hands (FIOH), United Purpose (UP), and CF, continued to have diverse, steady, long-term sources of foreign funding, other prominent CSOs, including CPA, WANEP, Education For All Network, and Health Promotion and Development Organization, reported that their funding dwindled in 2018. Most small to medium-sized CSOs had extremely limited access to funding.

Opportunities for local fundraising are poor. Few individual philanthropists offer steady or large amounts of funding to CSOs. A unique case is Momodou Turo Darboe, a rich businessman who provides significant support to communities and CSOs, particularly during Christmas and Eid al-Adha. There is no consistent private-sector funding for CSOs, although some small businesses provide token amounts of money and in-kind support. No grants are available directly from the government at any level. However, CSOs may obtain grants from government agencies that manage projects funded by international agencies, such as the UN or EU, in which a CSO component is embedded. The government also awards a limited number of contracts to CSOs working in specialized areas, such as the construction of classrooms, health care, and technical capacity building.

CSOs obtain minimal income from the sale of products and services. Many organizations raise funds by hosting events, such as ticketed dinners and cultural events; selling products, such as t-shirts, hand-made household and personal products, and farm produce; or renting out conference facilities. The income generated by these efforts usually covers some operational costs but does not fund entire programs or interventions. Membership-based CSOs charge subscription fees, but the amounts are minimal, and most membership organizations are in constant arrears. Crowdfunding through online platforms is limited but growing. In December 2018, the Gambia Chamber of Commerce and Industry launched a crowdfunding platform to support local entrepreneurship. Constituents contribute to CSOs by volunteering their time, and communities sometimes donate land and materials, especially to CSOs that are engaged in activities that benefit the entire community, such as the construction of schools, clinics, or community centers.

CSOs generally understand the value of financial management systems, since they directly affect their ability to obtain and handle funding. More advanced CSOs, such as AAITG, CF, FIOH, and UP, have sound financial management systems and can usually afford to outsource professional financial management services if they do not have in-house staff for this purpose. Small to medium-sized CSOs rarely have such capacity, and as a result, their financial statements and audited accounts can be inconsistent or delayed. All CSOs receiving donor funding must allow donors to scrutinize their use of funds through periodic financial reports.

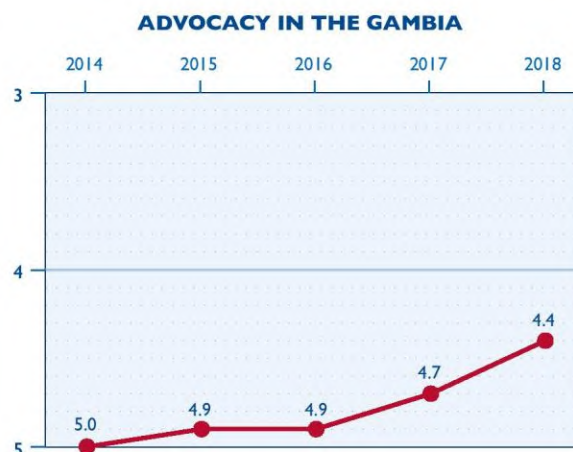
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## ADVOCACY: 4.4

As public fears of openly criticizing or disagreeing with the state subsided in 2018, advocacy by CSOs improved significantly. The number of CSOs and social movements engaged in advocacy increased rapidly, and CSOs sought to influence public policy and government decision making at all levels. For example, CSO representatives took part in the Truth, Reparation, and Reconciliation Commission and National Human Rights Commission. CSOs were also members of the Constitutional Review Commission, and networks such as CPA, Association of NGOs in the Gambia (TANGO), Gambia Press Union (GPU), and Gambia Bar Association submitted position papers to



the commission. CSOs also had ad hoc encounters with government officials. For example, GPU held a series of meetings with the ministries of justice and information to discuss issues affecting the media, including the reform of laws criminalizing media offenses and more reasonable requirements for media registration. However, representatives of TANGO, the main CSO coalition, were unable to meet with the president in 2018 to discuss such topics as growing perceptions of corruption and abuse of office, the slow pace of democratic transformation, and ways in which CSOs could support the government moving forward. Although no explicit legal restrictions exist, there are no laws or government policies requiring public access to information, and CSOs must generally rely on the goodwill of individual institutions and officials to stay informed.



CSOs engaged in various actions to influence or hold the government accountable in 2018. For example, the #OccupyWestfield movement organized protests against poor social services and corruption, and the April 10/11 Memorial Foundation submitted petitions seeking justice in the shooting deaths of fourteen students in 2000. A major environmental advocacy effort, including protests that ended with several arrests and prosecutions, focused on a Chinese fishmeal company in the coastal towns of Gunjur and Kartong. The government's attempt to raze a popular monkey sanctuary in Bijilo to build an international conference center generated protests headed by Green-Up Gambia, Climate Watch, and Gambia Environmental Movement. While these advocacy efforts did not lead to any legal or policy changes, they popularized the issues at stake. Above all, CSO advocacy served to make the government aware of the power of CSOs and engage in discussions with them.

However, in the highly polarized political environment, CSOs often lacked a strategy for jointly setting their advocacy agendas in 2018. Although they were able to form coalitions, CSOs had trouble sustaining their efforts and responding to issues consistently. For example, there was no consensus among CSOs about the best strategy for addressing the controversial issue of presidential terms. TANGO convened a series of CSO forums in which the decision was made to stage a pro-democracy march for good governance, but the event never took place, in part because of the lack of a common position among CSOs.

Most new CSO advocacy efforts in 2018 focused on democracy, human rights, and the environment. Youth and community groups and movements were overwhelmingly concerned with the efficiency of social services (especially electricity and water supplies), government transparency and accountability, corruption, and environmental protection, particularly on the coast and in forests. During the year, several new CSOs organized protests against government actions, including its contracts with local and foreign companies. Also emerging in 2018 were associations of workers and professionals, such as the Gambia Association of Resident Doctors and Teachers with a Difference, which protested poor working conditions and limited facilities in public hospitals and schools. Several CSOs, including youth groups such as Activista, embarked on a nationwide campaign to encourage citizens to take part in the drafting of the new constitution. Beakanyang ("We Are All Equal") conducted a series of sensitization activities in the Upper River Division to encourage women to participate in political activities.

Many new CSOs and social movements, especially those dominated by youth, used social media to mobilize target audiences. At the same time, the use of social media became contentious, as it sometimes served as a conduit for vilification, caricature, and the perpetuation of discrimination, sexism, and hate speech. In March 2018, the head of national intelligence said that social media posed a challenge to national security. Similarly, in July, the vice president expressed concerns that social media was destroying the country, despite its great contribution to the fight against the dictatorship. Both statements spurred a severe backlash from civil society, which saw them as attempts to deter social media use.

The concept and practice of lobbying is almost unknown in The Gambia, and no lobbying efforts took place in 2018.

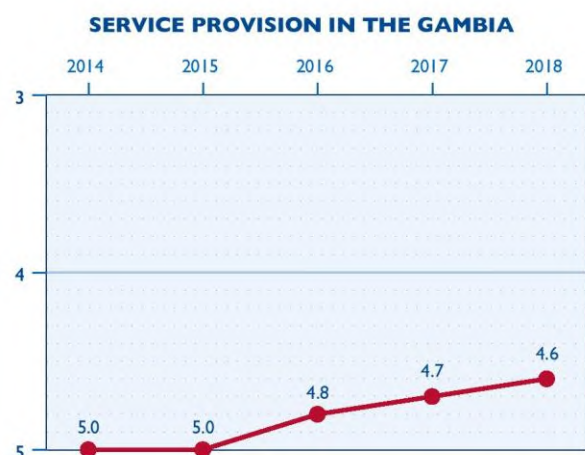
CSOs' efforts to promote legal reforms affecting the sector were ongoing in 2018. For example, TANGO, with support from ICNL, led periodic consultations among CSOs on the Public Order Act. CSOs developed an



advocacy plan to reform the act but were unsuccessful in effecting changes to the law during the year. GPU actively advocated for the reform of media laws and the creation of a freedom of information law. In February 2018, GPU and TANGO formed a coalition of CSOs to draft a bill on freedom of information, which the coalition plans to present to the Ministry of Justice for submission to the National Assembly for enactment. The coalition's draft bill was not issued in 2018, but the coalition conducted several forums with CSOs to sensitize them to the importance of the right to know.

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## SERVICE PROVISION: 4.6



CSO service provision improved slightly in 2018, as organizations expanded their engagement with communities by providing goods and services and helping them voice their interests in public policy discussions.

CSOs are actively engaged in providing social services in all areas. CSOs are a lifeline for health, educational, water, and livelihoods services in many Gambian communities. Most CSOs have longstanding relationships with their communities and are familiar with their concerns and challenges. Organizations such as AAITG, CF, Agency for the Development of Women and Children, and Tostan International usually work with their communities to plan interventions through a process known as participatory rural assessments. In 2018, these and other large CSOs helped partner

organizations expand their services on the ground to, for example, reach more farmers struggling with the effects of low rainfalls and crop failures in recent years. CSOs also delivered capacity-building training in local languages to diverse communities in 2018. For example, new anti-corruption organizations such as Gambia Participates and Open Society Platform The Gambia (OSPG) offered capacity building in human rights, budgeting, gender, and other topics to lawmakers, law enforcement officers, and other community members.

Most membership-based organizations cater to both members and their wider communities and are in fact designed to provide community support. While CSOs often focus on certain segments of the population, such as persons with disabilities, they do not discriminate on the basis of gender or ethnicity. Same-sex orientation is criminalized in The Gambia, making open service provision to lesbian, gay, bisexual, transgender, and intersex communities non-existent, although some organizations provide services to these communities discreetly.

CSOs sometimes sell products and services. Although the fees are often not set at market rates, and the income generated does not cover costs, the sales help ensure ongoing operations and service delivery.

The government appreciates the role and contribution of CSOs, even if they disagree on certain policy and governance matters. At both the national and local levels, public institutions continued to invite CSOs to take part in policy and committee meetings in 2018. CSOs even served as chairs or vice chairs of some technical and advisory committees, community groups, and other bodies associated with national and sectoral development agendas. The government's 2018 human rights report to the African Commission on Human and Peoples' Rights mentions the role of CSOs in supporting rights promotion.

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## SECTORAL INFRASTRUCTURE: 5.1

The sectoral infrastructure for CSOs in The Gambia improved slightly in 2018, thanks to a growing number of coalitions and partnerships, which were made possible by the opening up of democratic space.

CSO resource centers are limited in The Gambia. More advanced, internationally affiliated CSOs, such as AAITG, CF, UP, FIOH, and Catholic Relief Services, operate functional, well-equipped resource centers that offer informational materials in all forms. They do not provide training. There are few ISOs in The Gambia.

Exceptionally, IRI has an office that offers both training and funding. ISOs and resource centers do not charge for their products and services.

No local foundations provide funding to CSOs in The Gambia. The government sometimes provides grants to CSOs in the framework of projects funded by international organizations and agencies such as the World Bank, UN, and EU. For example, in August 2018, the Ministry of Agriculture provided funding to UP for a project to provide information on market prices to horticultural farmers, with funding from the International Fund for Agricultural Development under the Adaptation for Smallholder Agriculture program.

Since the democratic transition, CSOs share considerable information with their members and partners. Reports about policies and laws and other documents are usually general in nature but would not typically have been shared in the pre-2016 period because of fear of reprisal. In 2018, a number of formal networks emerged, including OSPG and Anti-Corruption International The Gambia, which, alongside existing networks, such as TANGO and CPA, shared information at a particularly high volume. Informal networks of organizations and individuals interested in specific issues, such as child rights or the environment, use social media to share information. Discussion forums also use WhatsApp to address topics such as the constitutional review process, transitional justice, and environmental protection.

There are no dedicated CSO management training institutes. CSOs instead make use of in-house experts, professionals from other fields, and public and private training institutes based mainly in the greater Banjul area, such as the University of The Gambia.

Formal and informal contacts between CSOs and the private sector are limited, although the private sector sometimes offers small amounts of funding to CSOs. For example, several companies contributed to celebrations of Gambia Democracy Day on December 1, 2018. Both sectors are aware of each other's potential and the need to collaborate, but this awareness has yet to translate into robust partnerships and much tangible funding.

In 2018, the level and frequency of CSOs' engagement with the central and local governments increased. CSOs continued their ongoing partnerships with various government agencies, including several that involve monitoring and evaluating governmental projects and reports, which boost the government's credibility and fulfill donor requirements. Organizations focused on education, health, and agriculture sometimes sign memoranda of understanding with government ministries, and CSOs sit on many technical and advisory committees overseeing the implementation of government programs. To ensure pro-people budgeting and fight corruption, Gambia Participates convened a "budget breakfast" in November 2018 with National Assembly members to equip them with knowledge and skills helpful in preparing the 2019 budget.

**SECTORAL INFRASTRUCTURE IN THE GAMBIA**

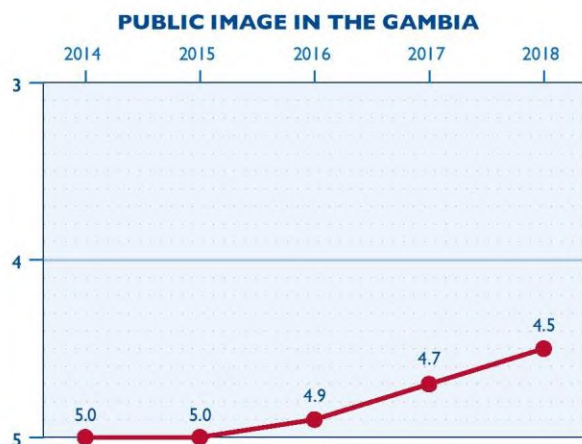


## PUBLIC IMAGE: 4.5

The public image of CSOs in The Gambia improved moderately in 2018 as increased advocacy enhanced the reputation of civil society.

CSOs enjoyed more extensive coverage by all forms of media in 2018. CSOs' coverage increased in part because many new traditional and online radio and television stations and newspapers emerged during the year, which regularly featured CSOs on popular talk shows and current affairs programming. For example, CSO representatives took part in Straight Talk on West Coast Radio, Good Morning Gambia on Gambia Radio and Television Services, and Daraji on QTV. In most cases, the coverage was positive. CSOs do not have to pay for media coverage.

Overall public perceptions of CSOs are positive. Many people sought CSOs' help in resolving social and community concerns in 2018, thereby demonstrating their support for CSOs' work. For example, while CSOs and activists that had sought to protest poor service delivery were sometimes viewed unfavorably in 2017, by 2018,



public disapproval was replaced by a growing appreciation of CSOs' role as public defenders. However, the public's understanding of the concept of CSOs is not always strong. In addition, the public was somewhat disillusioned with more traditional, well-established CSOs in 2018, especially those working in human rights and democracy, which many people viewed as having outdated or ineffective approaches to dealing with important social issues. This disillusionment helped fuel the emergence of new youth-dominated, activist movements.

The government understands the role and contributions of CSOs, but in the intensely polarized political environment of 2018, its perceptions were not always favorable, particularly regarding CSOs that promote

transparency and accountability. Nevertheless, governments at both the national and local levels rely heavily on CSOs for expertise and legitimacy. CSOs have yet to develop relationships with businesses, although the private sector tends to perceive CSOs favorably. A few small enterprises provide CSOs with water, t-shirts, or token sums of money for meetings or protests.

CSOs continued to publicize their work by printing t-shirts, banners, and flyers and working with the media in 2018. Many CSOs have websites and operate on platforms such as Facebook, Twitter, and WhatsApp. CSOs use social media platforms extensively, since they allow organizations to share information widely with minimal outlays of resources. In 2018, CSOs' presence on social media was key to popularizing a wide range of issues and mobilizing citizens to participate in campaigns to fight discrimination and sexual violence, expose corruption, and hold state institutions accountable. Youth groups, in particular, used social media often to sensitize citizens about issues or organize their involvement in campaigns and protests. CSOs generally enjoy cordial working relationships with journalists.

There was no effort to produce a sector-wide code of conduct in 2018. CSOs' constitutions usually include codes of conduct and statements of values. More advanced CSOs have internal management policies to promote transparency and accountability and combat corruption and other forms of misconduct. Leading CSOs produce annual reports and distribute them to partners, beneficiaries, and other stakeholders.

## OVERALL CSO SUSTAINABILITY: 4.2



The New Patriotic Party (NPP) government elected in 2016 introduced several important political and governance reforms in 2018. First, the government concluded a new status of forces agreement with the United States, which extended cooperation between the two countries' militaries. The public had mixed reactions to the agreement, and some opposition, CSO, and faith-based leaders expressed dissatisfaction with the lack of consultation and transparency during the negotiations. Critics of the agreement were also concerned that it granted waivers on claims for damages, injury, or death caused by U.S. forces, and that the staging and deployment of U.S. troops in Ghana would encourage terrorism in the country.

Second, the president replaced the chair and deputies of Ghana's electoral commission because of interpersonal conflicts, which opened the way for improvement in the body's effectiveness. The commission oversaw a successful referendum on December 27, 2018, which resulted in the approval of six new administrative regions in the country.

Third, in accordance with the National Identification Amendment Law passed in 2017, the registration and issuance of national identity cards to all citizens commenced in 2018. However, because of controversy over the requirement that applicants present birth certificates, which many Ghanaians do not have, the mass registration of citizens was delayed until November 2018.

According to the World Bank, Ghana's economy grew by 8 percent in 2018, making it the second-fastest growing economy in Africa. Despite general macro-economic stability, however, public debt continued to rise, and revenue mobilization was difficult. At the end of the year, the International Monetary Fund (IMF) announced that Ghana's arrangement with the Extended Credit Facility would be ending in 2019, giving the government space to implement important fiscal policies but also portending possible budget deficits. CSO leaders met with IMF chief Christine Lagarde during her visit to Ghana in December to discuss, among other things, the government's fiscal responsibilities before the 2020 election.

Public corruption remained a major concern in 2018, with Ghana ranking 78 out of 180 countries in Transparency International's 2018 Corruption Perceptions Index. Major anti-corruption efforts in 2018 included an investigative exposé of corruption in football (soccer) administration and the government's establishment of the Office of the Special Prosecutor (OSP) to investigate and prosecute allegations and criminal wrongdoing by public officers and politically prominent individuals. CSOs contributed on the policy level to the government's efforts to curb corruption, including reviewing the work of OSP.



CSOs in Ghana continued to operate in a favorable climate in 2018, and overall CSO sustainability did not change. Advocacy, the strongest dimension of CSO sustainability, improved with increased high-level engagement between CSOs and the government, CSOs' mobilization of communities to participate in the referendum on the new regions, and their intense lobbying for the passage of the Right To Information (RTI) bill. CSOs' financial viability declined, mainly because of decreases in foreign funding. The legal environment, organizational capacity, service provision, sectoral infrastructure, and public image of CSOs did not change.

At the end of 2018, 7,950 CSOs were registered with the Department of Social Development (DSD) (formerly the Department of Social Welfare), compared to 7,851 in 2017.

## LEGAL ENVIRONMENT: 3.9



The legal environment for CSOs in Ghana is favorable and did not change in 2018. CSOs must register with the Registrar General as nonprofit organizations (NPOs) limited by guarantee under the Companies Code of 1963. They must then acquire a permit to operate from the DSD, which has oversight responsibility for NPOs. Most CSOs begin operations before completing the process of acquiring DSD permits, although technically this is not permissible. Although the registration process is generally smooth, the process was hampered slightly in 2018 by several new directives, including the requirement that all citizens apply for tax identification numbers, which delayed the processing of business registrations, especially outside of regional capitals. Newly registered CSOs were also ensnared by bureaucratic red tape as they sought to acquire operating

permits from the DSD, which are needed to open bank accounts.

The laws governing CSO operations in Ghana are generally supportive. The Companies Code clearly stipulates the obligations and permissible activities of CSOs. For instance, like all companies, CSOs are supposed to submit annual financial reports to the Registrar General. Most CSOs fail to do so, but no major sanctions have ever been imposed. In a change of approach in 2018, the Registrar General issued a warning to all companies to file reports or face possible sanctions, including de-listing from the registry of companies. By the end of the year, the Registrar General had yet to issue a list of delisted companies. Because of under-resourcing, the DSD also does not enforce relevant laws. For example, although CSOs are supposed to renew their operating permits annually, only 823 organizations, or about 10 percent of registered CSO, did so in 2018.

CSOs in Ghana have the right to assemble and participate in public protests and are able to debate and criticize government policies without fear of reprisal. The government does not harass CSOs. However, in 2018, some members of the media wing of the RTI Coalition were prevented by security personnel from entering parliamentary chambers because they were wearing branded t-shirts. Another protestor was arrested for carrying a placard in front of the parliament building.

Grants received by CSOs are untaxed. However, like all other registered companies, CSOs must pay statutory taxes, such as pay-as-you-earn, social security, and national insurance for employees, as well as indirect taxes such as value-added tax on goods and services. CSOs may receive tax exemptions, including waivers of import duties, but not many organizations take advantage of this opportunity because of the perceived bureaucratic hassle involved. New government directives require importers, including CSOs, to pay full import duties and later claim refunds, which are awarded after due diligence investigations of the organizations.

CSOs may raise funds by selling goods and services. In recognition of the immense funding potential of social entrepreneurship, the Ministry of Trade and Industry, in partnership with the British Council and Social Enterprise Ghana, has developed a draft social enterprise policy, which seeks to provide the needed regulatory framework for the governance and development of a social enterprise sub-sector in Ghana. The policy was made available for comment to civil society actors in 2018.



CSOs may receive funds from foreign donors in country or abroad. In 2018, the Bank of Ghana enacted guidelines to ensure compliance with the country's Anti-Money Laundering Act 2008 and Anti-Terrorism Act 2008, which would forestall the funding of terrorism under the guise of funding CSOs. Newly registered CSOs are now required to produce DSD certificates of compliance with the acts before bank accounts could be opened in their names.

There are no lawyers specialized in CSO affairs in Ghana, but legal counsel is generally available, especially in urban areas.

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## ORGANIZATIONAL CAPACITY: 3.9

CSOs' organizational capacity was unchanged in 2018. Most Accra-based organizations engage in activities aimed at high-level policy makers, while community and rural organizations focus on activities that address local needs. In 2018, STAR-Ghana, the major local funder, awarded grants to organizations focused on both national and local issues. For example, VOICE Ghana received a grant to implement activities in communities in the Volta region, where it is based, while the Institute for Democratic Governance (IDEG)-led Civic Forum Initiative received a grant to implement activities targeting national policymakers on multi-party local governance reforms. Most CSOs are able to build local constituencies for their initiatives. However, since most funding is now project-based, these relationships are not always sustainable. For instance, STAR-Ghana's grants are usually limited to twelve to eighteen months, and when they end, CSOs struggle to sustain their engagement with local constituencies.



All CSOs have mission statements and objectives, since they are requirements for registration. Some CSOs have broad mission statements, which make them eligible for funding in several sectors. Strategic plans have become a standard requirement for funding, and most CSOs follow them, although their focus can change based on the availability of funds. This is particularly true for small and rural organizations. For instance, a CSO working on health-related issues may suddenly start to work on water and sanitation because funding is available for such activities.

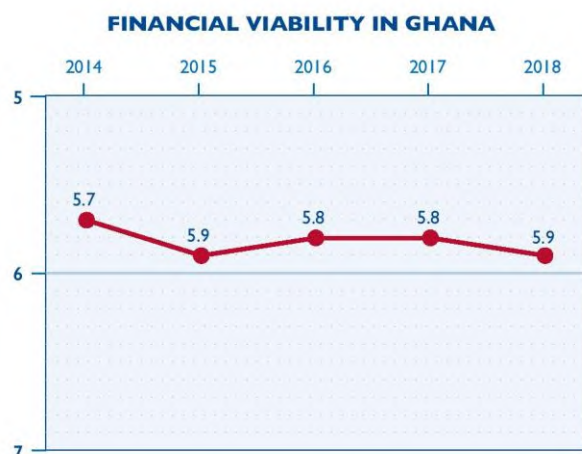
Large and urban CSOs increasingly have well-defined internal management structures. This trend has been encouraged by STAR-Ghana's policy of conducting due diligence investigations before awarding funding. For example, for projects in local governance and anti-corruption, STAR-Ghana assessed the financial and operating procedures, staff capacity, audited financial statements, and board structures of shortlisted organizations. Small CSOs generally do not maintain functional boards after registration. Most CSOs in both urban and rural areas have written operating procedures, although smaller organizations do not fully implement them. Conflict-of-interest issues are minimal in CSO operations.

The prevalence of project-based funding in the CSO sector makes it difficult for organizations to retain employees or offer them long-term or permanent employment, particularly on terms comparable to those in the public and private sectors. Larger CSOs offer their staff well-developed job descriptions, contracts, and salaries, but most smaller organizations do not have such practices because of limited capacity and funding. The use of professionals, such as accountants, information technology managers, and journalists, is common in many large and some small organizations. For example, Abantu for Development, the Center for Public Interest Law, and other CSOs engaged in human and gender rights employ or engage the services of lawyers to support their work.

With improvements in mobile telecommunication services, internet access through cell phones has improved throughout the country. CSOs are more tech savvy and seek to recruit staff with the skills needed to use new media. All types of organizations use social media in their operations. Urban CSOs tend to have good basic office equipment, but small CSOs, especially in rural areas, do not have well-equipped offices with computers and basic

software. Rising rents undermined CSOs' ability to rent office space in urban centers in 2018 and forced some CSOs to move their offices to peri-urban areas.

## FINANCIAL VIABILITY: 5.9



The financial viability of CSOs in Ghana declined in 2018, mainly because of decreases in foreign funding.

CSOs remain largely dependent on foreign donors. Donor funding became more difficult to obtain in 2018 as both the pool of donors and the volume of available funds declined. Most donors have indicated that they will withdraw aid by 2022, when the government hopes to implement its Ghana Beyond Aid policy. This prospect has caused a widespread feeling of uncertainty about funding among nearly all CSOs. USAID's Agricultural Technology Transfer project, Agricultural Policy Support project, and Financing Ghanaian Agriculture project ended in 2018, and its Agriculture and Natural Resource Management project was terminated in December after two years of implementation. These closures particularly

affected small CSOs and community-based organizations (CBOs). The Danish government has changed its focus from aid to trade and concluded its support to STAR-Ghana at the end of 2018.

At the same time, implementation of the United Nations (UN) Sustainable Development Goals (SDGs) provided new opportunities for CSOs to raise funds from UN agencies and other donors. The UN Development Program office in Ghana set up an SDG unit in 2018 to support CSOs working to achieve the goals.

Only a few large or urban CSOs have multiple sources of regular funding. Even for these organizations, funding is generally short term. Financial support for smaller and rural CSOs is almost always short term, activity based, and limited to one major donor.

Local funders for CSOs usually re-grant donor funds. With support from the European Union and the United Kingdom's Department for International Development, STAR-Ghana remains the major local grantmaking program. Most of the projects that it supports address carefully identified national and local priorities. STAR-Ghana did not advertise any major call for proposals in 2018. Local philanthropy is not well developed. Local philanthropic foundations tend to focus on a small set of activities, most commonly in health and education, which they usually implement themselves. Private-sector funding is generally limited.

Corporate social responsibility programs are the most common source of business funding. Such support is usually one-off. A few corporate foundations, such as the MTN Foundation, award small, short-term grants to a few individuals and CSOs. There is no state funding for CSOs, other than some support from state agencies for services in health, education, and agriculture. For example, the Ghana AIDS Commission funds several CSOs working in health care.

Except for a few CBOs, CSOs do not usually seek to raise funds from their constituents. Constituency support usually comes in the form of in-kind contributions. Crowdfunding is generally a new idea and not well developed. Generally, CSOs do not organize sporting and cultural events to raise funds. Many member-based organizations have become dormant in recent years, in part because of the non-payment of dues by members.

Although income generation by CSOs is not a generally accepted notion, CSOs may earn revenue from the marketing of services and products. Some CSOs earn income from research or consultancy work for government and private-sector entities, but such activities are limited and irregular. In the past, CSOs were able to sell publications, but in 2018, funding for research publications was limited, and even major publishers, let alone CSOs, were unable to make money through occasional publications.

Understanding of the concept of social enterprises as alternative or complementary sources of funding, especially for small CSOs, is growing. In 2018, the Ministry of Trade and Industry developed a draft policy that seeks to

establish a regulatory environment for social enterprises, drive innovation, and scale up enterprise-based approaches to social problems and achievement of the SDGs.

The capacity for sound financial management varies. Large organizations tend to conduct audits and publish annual reports, while only a few small organizations perform these activities. However, in recent years, funders, particularly STAR-Ghana, have required smaller organizations to improve their financial management systems. Most CSOs hire professional financial officers or engage the services of accountants, especially if they receive donor funding. Some CSOs publish annual reports that include their financial statements, but downward accountability in the sense of allowing stakeholders to verify financial operations is not common among either urban or rural organizations.

## ADVOCACY: 3.4

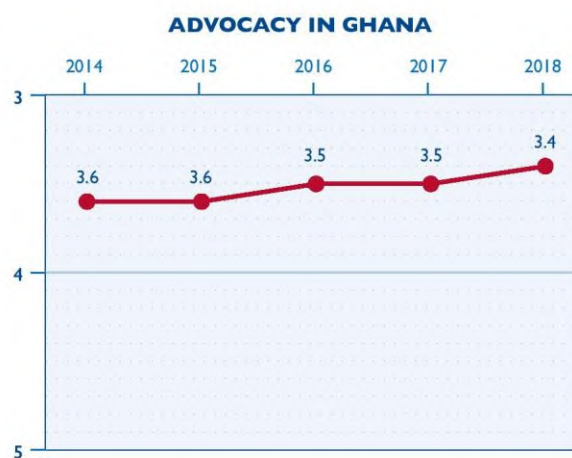
In 2018, CSO advocacy improved as CSOs interacted more frequently and at higher levels with all three branches of government, including, for the first time, the judiciary, which CSOs engaged in discussions about delays in adjudicating cases. At the local level, CSOs mobilized new community groups to support the referendum on the creation of new regions and lobbied intensively for passage of the RTI bill. The RTI Coalition continued to use both lobbying and public protests to draw attention to delays in passage of the RTI law.

CSOs in Ghana influence government decision making directly at both the national and local levels. In 2018, CSOs and CSO coalitions had structured engagements with the president, his cabinet, the parliament, and the judiciary on such issues as anti-corruption, fiscal and economic management, decentralization, agriculture, health, oil and gas, and the judicial process. The expertise of CSOs is valuable to government agencies, and CSOs serve on most public consultative committees, including the Public Interest and Accountability Committee, which monitors use of the country's oil revenues; the board of the Office of Special Prosecutor, the newly established anti-graft body; and the National Peace Council, which is predominantly composed of CSOs and religious leaders. CSOs also participate in public decision-making processes, such as the preparation of national and district budgets and development planning. For example, the Peasant Farmers Association submitted three proposals addressing the inclusion of the agricultural sector in the 2019 national budget.

An important effort in 2018 was CSOs' mobilization of new groups such as chiefs and community-based groups to support the referendum on the creation of new regions. In all six regions, participation in the referendum was massive, and support for the new regions was generally high. However, groups such as a Coalition of Volta Youths staged a protest against the division of the Volta region, and the Association of Western Togoland Youths and Concerned Citizens of Volta submitted petitions against the creation of the new Oti region.

Other CSO advocacy campaigns in 2018 included the efforts of the African Center for Energy Policy, Occupy Ghana, Imani Center for Policy and Education, and other CSOs to force a review of the contract re-negotiated with the Africa Middle East Resources Investment Limited (Ameri), which they considered overpriced. CSOs' intense advocacy led to the resignation of the minister of energy and the government's decision to reduce the value of the contract. Imani led a similar campaign on government contracts with Keln GVG and Star Times Platforms for communications services, which again led to a government review of some sections of the agreements. The leaders of several CSOs, including the CSO Platform on the IMF Bailout, met with IMF chief Christine Lagarde during her official visit to Ghana to discuss civil society's role in helping the government internalize fiscal discipline in the run-up to the 2020 general elections.

In addition, the Ghana Federation of Disability Organizations and other CSOs campaigned for a review of Ghana's disability law to ensure that it conforms to the UN Convention on Rights of Persons with Disabilities. Other campaigns included an ongoing court case filed by Food Sovereignty Ghana, a grassroots food advocacy movement,



against the commercialization of genetically modified foods; the Stop Galamsey project to combat illegal mining; efforts of the CSO Platform on the SDGs; and the Corruption Watch Campaign, which focused on reducing public corruption by ensuring that corruption cases are investigated, suspects are prosecuted, and proceeds are recovered by the state.

Although issues of sexual orientation are not publicly discussed in Ghana, a couple of CSOs advocate in this area. In 2018, the Perfector of Sentiments Foundation publicly called on the government to recognize the rights of lesbian, gay, bisexual, transgender, and intersex people.

Although Ghanaian CSOs do not usually lobby, several important lobbying efforts took place in 2018. The RTI Coalition circulated a paper to all 275 members of parliament on problematic clauses in the RTI bill, including the types of information to be disclosed and rules for exemptions. The Right to Information law was eventually passed by the parliament in 2019. IDEG met with the Parliamentary Select Committee on Food, Agriculture, and Cocoa Affairs to present findings on the socio-economic challenges facing cocoa-growing areas and urged the committee to support sustainable cocoa production and the development of cocoa communities. Gender-focused CSOs, such as Women in Law and Development, Ark Foundation, and Abantu for Development, met with the women's caucus to discuss passage of the Affirmative Action Bill, which the cabinet reviewed for approval during the year.

CSOs recognize the importance of a favorable legal regime and tend to be concerned about limitations that new regulations can bring. In 2018, CSOs engaged in several attempts to ensure a favorable regulatory framework. For example, a coalition of CSOs working on the NGO Bill started up again and met with officials at the Ministry of Gender, Children, and Social Protection. CSOs urged that the bill be developed through a process of broad consultation, which they hope will mobilize support for a CSO-friendly law. The bill was still not ready for passage by the end of the year because of a change of ministers and lack of urgency on the government's side.

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## SERVICE PROVISION: 3.7



CSO service provision was unchanged in 2018. CSO service delivery is dynamic, and CSOs operate in almost every sector. For example, CSOs provide water services to deprived communities, educational materials to schoolchildren in rural areas, emergency and relief assistance, and services related to gender, human rights, and disabilities. Civic Response, a CSO partnering with the Forestry Commission of Ghana, launched the Ghana Timber Transparency Portal in 2018 to make information on logging available to the public.

Most CSOs form to respond to standing or emerging needs neglected by the government. CSOs determine these needs through consultations, research, news reports, appeals by individuals from affected communities, and requests from opinion leaders.

Membership-based organizations, such as the Coalition of NGOs in Water and Sanitation, Ghana Coalition of NGOs in Health, and Network for Women's Rights in Ghana, tend to focus on serving their members through consultative platforms and policy advocacy interventions.

Because they are registered as nonprofit organizations and funded by donors, CSOs provide most of their services free of charge. The market demand for fee-based services is low. CSOs usually charge only for services contracted to the government and private sector, but such services are occasional in nature and provided by only a few organizations. CSOs face growing competition from major media in providing services such as organization of public policy forums. Similarly, research and publications, which used to be a hallmark of the CSO sector, are now being produced by universities and private professional firms.

Social enterprises are not well developed in Ghana, but a few CSOs have established projects to provide, among other things, susu (savings) and lending schemes and market services to farmers and women's groups. For example,



SEND Ghana provides loans and extension services to farmers, and the Association of Church Development Projects has a for-profit micro-finance institution that offers micro-credit to farmers.

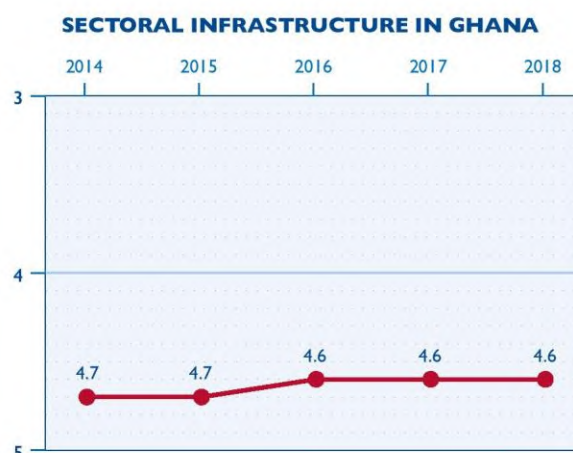
The government values CSOs' monitoring work. For instance, the government favorably received CSOs' analysis of the Ameri energy contract and responded by negotiating a reduction in costs. Reports of local community and social audit groups set up by CSOs provide the government with invaluable information on policy implementation. For instance, CSOs have provided a great deal of feedback on the implementation of the government's policy to increase access to high school education, which has led to government interventions in some schools.

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## SECTORAL INFRASTRUCTURE: 4.6

CSOs' sectoral infrastructure was unchanged in 2018. Resource centers and intermediary support organizations for CSOs are not common in Ghana. STAR-Ghana and the West Africa Civil Society Institute (WACSI) are the major sources of information for CSOs, while the African Women Development Fund operates a resource center for gender-focused CSOs.

STAR-Ghana is the country's major local grantmaker. In 2018, the STAR-Ghana Foundation was established to serve as the locally led, independent successor to the STAR-Ghana program, which is slated to end 2020. Although STAR-Ghana did not issue major calls for proposals in 2018, it continued to disburse funds to CSOs for projects in anti-corruption and local government reform. There are no other notable local grantmakers.



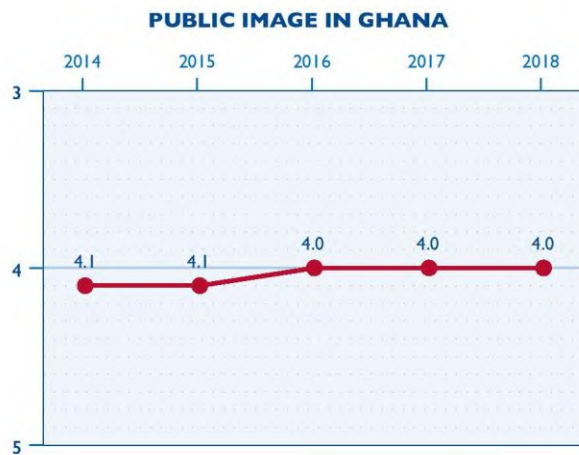
CSOs in Ghana do not have clearly established channels for sharing information on a regular basis. Because of competition over funding, CSOs tend to operate independently, although they come together to share information on major national policy issues, including RTI, corruption, and peace building. Dynamic groups include the RTI Coalition, Ghana Anti-Corruption Coalition, Ghana National Education Campaign Coalition, and SDG Platform. Short-term opportunities for learning include the sharing of best practices among STAR-Ghana grantees. However, the sustainability of these measures remains challenging, since the sector no longer has a well-recognized body to promote its interests. Internal disagreements split the formerly vibrant Ghana Association of Private Voluntary Organizations in Development several years ago.

Competent CSO management trainers and consultants are available, especially in the capital city. Training packages for CSOs are available at the national level, some for a fee. WACSI organizes paid training for CSOs in Ghana and the West African sub-region. Training centers operated by public and private institutions, including universities, also provide training to CSOs. For instance, the University of Cape Coast offers a full course of study on civil society and CSO management. Available training cuts across various areas, including customized sessions on demand. Training materials are not available in local languages.

Very few CSOs work in regular partnership with the private sector, other than private media companies. However, in 2018, STAR-Ghana took steps to help CSOs develop relations with private sector actors, such as the Association of Ghana Industries and local business communities. Most CSOs at the national level have good working relationships with the media and cooperate with them in formal or informal partnerships. For example, as part of its advocacy activities, Imani partnered with Joy News, a subsidiary of the Multimedia Broadcasting Limited, to organize a public forum on Ghana's digital migration project and aspects that they considered unfavorable to the country. CSO collaboration with both the government and the media on policy issues remains high. For example, governmental bodies such as the Commission for Human Rights and Administrative Justice, Judicial Service, Attorney General's Department, and Economic and Organized Crime Office collaborated with the Ghana Integrity Initiative, Ghana Anti-Corruption Coalition, Institute of Economic Affairs, Center for Democratic Development, and other organizations to organize a week-long commemoration of World Anti-Corruption Day in 2018.



## PUBLIC IMAGE: 4.0



The public image of CSOs did not change in 2018. The media report favorably on CSOs' activities at national and local levels and regularly call on CSO experts to provide informed analysis, usually on a pro bono basis. For example, most of the news reports on the Ameri contract in 2018 involved extensive interviews and analysis by CSO activists.

The public generally perceives CSOs positively. In the middle class, there is widespread awareness of the scope of CSOs' activities. However, people in rural areas often have the misconception that CSOs are only charitable organizations offering relief and infrastructure support.

CSOs' reputation with the government is generally favorable. Government officials widely recognize urban-based think tanks as credible experts on a number of

issues, including peace and security and governance. However, the government occasionally conveys negative views of CSOs, especially when CSO reports are less than favorable to the government. For example, the president and speaker of the legislature expressed dissatisfaction over what they considered to CSOs' excessive criticism of the government's failure to implement campaign promises and the delayed passage of RTI bill. The business sector has generally positive views of CSOs.

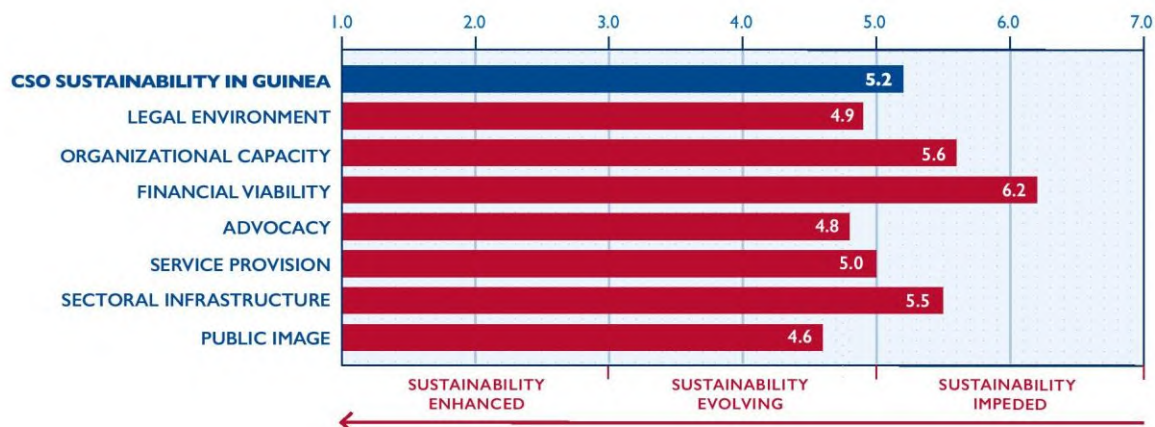
CSOs publicize their activities through traditional and new media outlets. CSOs' use of social media is on the rise, and some established organizations have personnel focused on enhancing their brand. Most CSOs invite journalists to participate in training programs to improve their knowledge of policy and advocacy issues. In 2018, CSOs such as Penplusbytes developed mobile-phone platforms to monitor, share, and elicit information with the public on the implementation of government projects.

Only a few, mostly urban organizations and smaller CSOs receiving regular funding support publish or otherwise share their annual reports. There is no national code of conduct for CSOs.

# GUINEA

Capital: Conakry  
Population: 11,855,411  
GDP per capita (PPP): \$2,200  
Human Development Index: Low (0.459)  
Freedom in the World: Partly Free (41/100)

## OVERALL CSO SUSTAINABILITY: 5.2<sup>1</sup>



In 2018, Guinea was plagued by political and educational crises. Long-awaited local elections, the first since the end of the military dictatorship in 2010, were finally held in February. In twelve municipalities, opposition political parties disputed the election results and alleged fraud, including the disappearance of ballot boxes, the removal of observers from polling places, and the annulment of votes for the opposition by magistrates who were centralizing election returns.

The Guinea Free Teachers' and Researchers' Union (SLECG) went on strike on October 3 to call for raises in teachers' pay. CSOs and opposition political parties supporting the strike organized street demonstrations, which led to the destruction of property and buildings. In response to the unrest, the Ministry of Territorial Administration and Decentralization (MATD) banned all street demonstrations. With the support of CSOs, an agreement was ultimately reached, and teachers' demands were met, thus averting a lost school year for students.

Overall CSO sustainability did not change in 2018, although improvements were noted in four dimensions. CSOs' organizational capacity improved as a result of donors' capacity-building programs. Financial viability improved with an increase in funding for community development activities, which are supported by dividends mining companies pay the government. CSOs made intensive efforts to find solutions to the political and educational crises facing the country, thus boosting their advocacy performance. The sector's public image improved as CSOs improved their relations with media, participated in public debates, and utilized social media. The other dimensions of CSO sustainability—legal environment, service provision, and sectoral infrastructure—were unchanged.

According to data from the Civil Society Support program (PASOC) of the European Union (EU), there were 1,014 CSOs in Guinea in 2017, including 941 non-governmental organizations (NGOs), 5 labor unions, 2 CSO collectives, 4 CSO forums, 11 federations, 12 platforms, and 39 networks. CSOs in Guinea work on a variety of issues, including the environment, education, infrastructure, health, human rights, democratic governance, conflict prevention and management, agriculture, fishing, youth, security, corruption prevention, and anti-money laundering. Most organizations are located in the capital city of Conakry.

<sup>1</sup> The score for the Legal Environment dimension was recalibrated in 2018 to better reflect the situation in the country and to better align it with other scores in the region, rather than based on changes from the previous year. This resulted in a change in the overall CSO sustainability score, while in reality CSO sustainability did not change from the previous year.

## LEGAL ENVIRONMENT: 4.9<sup>2</sup>



The legal environment for CSOs did not change in 2018. Article 10 of Guinea's constitution gives Guineans the right to form associations to collectively exercise their political, economic, social, and cultural rights. Laws L/2005/013/AN and L/2005/014/AN from 2005 on NGOs and associations, the 2010 Guinea Labor Code, the 2010 Law L/02/CNT on freedom of the press, and the Law on the Organization for the Harmonization of Business Law in Africa, which Guinea ratified in 1999 and regulates cooperative groups, also govern aspects of CSOs' work.

Except for unions, all domestic CSOs must be approved by a ministerial order or, at the local level, by governors and prefects, before they may operate fully. For example, only registered CSOs can open bank accounts, which

they need to receive funding. To register, a domestic CSO must submit an application that includes documents such as its bylaws, internal regulations, and minutes from its general assembly meetings. International CSOs must sign agreements with the government. The Service for the Regulation and Promotion of NGOs and Association Movements (SERPROMA) in MATD, governors, and prefects are responsible for issuing acknowledgements of receipt, which are valid for six months as provisional legal documents. Once approved, registration is valid for three years and may be renewed by filing activity reports; there is no renewal fee.

Applications were processed more quickly in 2018 than in 2017. Nevertheless, MATD generally does not meet the ninety-day deadline for reviewing CSOs' applications and issuing approval certificates. Therefore, some CSOs operate with acknowledgements of receipt that are renewed repeatedly before their registration requests are approved.

CSOs state their purposes in their legal documents, including bylaws, internal regulations, and legal authorizations. Article 11 of Law L/2005/013/AN requires CSOs to submit activity reports, budgets, accounting statements, and financial reports to MATD each year. Late submissions can theoretically result in the government's retraction of a CSO's registration. Although only about 2 percent of CSOs file annual reports, the authorities did not revoke any CSOs' registrations in 2018.

Article 10 of the constitution guarantees the right to assembly, but this right was restricted in 2018 when MATD banned all street demonstrations in response to the teachers' strike. In September, the Citizen Watch Group (CBC) and the Platform of Citizens United for Development (PCUD) united to form the organization Social Forces, which organized a sit-in at the Constitutional Court to object to the removal of the presiding judge of the Constitutional Court on alleged charges of financial mismanagement. Although appropriate officials had approved the demonstration in advance, the governor of the City of Conakry instructed law enforcement officers to suppress the sit-in based on MATD's ban. CSOs have the right to legal recourse to dispute governmental decisions that go against applicable laws.

Article 30 of Law L/2005/013/AN grants tax exemptions, including on customs taxes on imported goods and equipment, and other tax advantages to CSOs based on their stated activities. Grants from donors are tax exempt. Corporations donating to CSOs benefit from tax deductions with government approval.

Cooperatives and economic interest groups may earn income from their services, but organizations registered under Law L/2005/013/AN may not. CSOs may apply for contracts with the central and local governments if they meet the criteria stated in the calls for bids. CSOs are authorized to conduct fundraising campaigns for victims of natural disasters, the poor, and other disadvantaged or marginalized persons.

<sup>2</sup> The Legal Environment score was recalibrated in 2018 to better reflect the situation in the country and to better align it with other scores in the region. The score does not reflect an improvement in Legal Environment, which remained largely the same in 2018 as in 2017.

National organizations of attorneys, such as The Same Rights for All, give competent legal advice to CSOs. These attorneys are generally based in the capital but work at the local level when needed. In 2018, local law firms helped CSOs bring legal action against the governor of the City of Conakry for abuse of power after he suppressed the sit-in. MATD has created three groups—SERPROMA, Regional Support Network for Cooperatives (SERACCO), and the Department of Micro-Achievements (DMR)—to help CSOs with regulatory and legal issues, develop governing documents, and mobilize both financial and in-kind support. However, these bodies do not always have sufficient resources to provide CSOs with the support that they need.

## ORGANIZATIONAL CAPACITY: 5.6

CSOs' organizational capacity improved in 2018 as a result of the capacity-building efforts of donors including PASOC, USAID, and the United Nations Development Programme (UNDP). Larger, more experienced CSOs sometimes helped other organizations prepare strategic plans to better organize their operations and increase their productivity. For example, the African Training Center for Development (CENAFOD) supported the efforts of the National Council of CSOs for Democracy and Development in Guinea (CNOSC-DDG), NGO Women and Youth for Development in Guinea (FEMJEGUID), Coalition of Girls and Women of Guinea for Dialogue, Peace and Development (COFFIG-DCPD), and the CBC.

CSOs' activities generally fall under local development plans, which are prepared in a participatory manner based on the country's sector-wide social and economic development policies. CSOs identify beneficiary needs by conducting participatory diagnostics that include all stakeholders. CSOs' projects address identified needs, especially those of the elderly, children, women, and persons with disabilities.

Some CSOs have strategic plans that serve as frameworks for their work. CSOs with strategic plans include the NGO Forum for Sustainable Development (FONGDD), CENAFOD, Agency for Cooperation and Research in Development (ACORD), National Coalition for Women's Citizenship Rights in Guinea (CONAG-DCF), NGO Young Leaders for Peace and Development (LEJEPAD), New Generation Guinea (NG-GUI), and Convergence of Youth for Peace and Democracy (COJELPAID).

Law L/2005/013/AN mandates that CSOs have general assemblies, boards of directors, and auditors. Some CSOs' bylaws and internal regulations identify additional bodies. There is no information about penalties for violating the law. CSOs' governing bodies often have overlapping roles and duties. CSOs prepare and adopt procedural manuals if they have the financial means to do so.

CSOs hire staff depending on the availability of funding, their procedures manuals, and their commitments to donors. Because CSOs generally rely on project-based funding, they struggle to maintain permanent staff. Smaller local CSOs in particular are rarely able to keep long-term staff. Local CSOs that have managed to maintain long-term staff include CENAFOD, Alliance for the Promotion of Governance and Local Initiatives (AGIL), LEJEPAD, and the National Council of Civil Society Organizations in Guinea (CNOSCG).

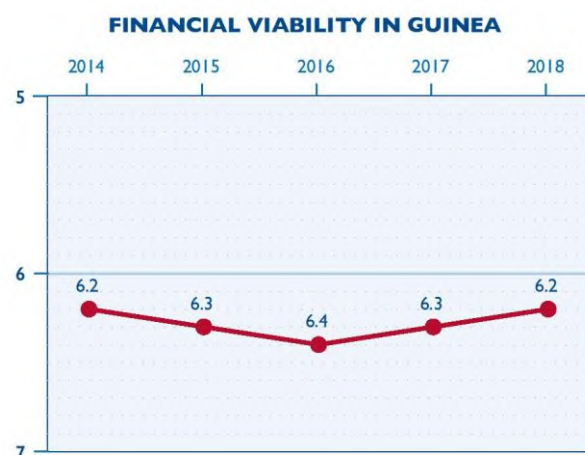
The law allows CSOs to use volunteers, but most CSOs in Guinea lack the means to recruit and train volunteers. Volunteerism is generally limited, and CSOs generally involve volunteers only in specific actions, such as a city cleanup project run by the Association of Women Teachers in Guinea (AGFE) in the town of Mali and a tree-planting project conducted by forest conservation groups in Labé. According to the Charities Aid Foundation's World Giving Index 2018, 24 percent of respondents in Guinea reported participating in voluntary action in 2017, an increase from 16 percent the previous year.

Most CSOs in Guinea have access to information and communication technologies. They either have their own hardware, including computers, telephones, printers, and internet access, as well as software and web-based



resources, or have access to these resources in cybercafes. Some CSOs also rely on the use of personal smartphones by CSO members, volunteers, and staff. CSOs use social media such as Facebook, WhatsApp, Yahoo, LinkedIn, Snapchat, and Twitter to access information and improve their visibility.

## FINANCIAL VIABILITY: 6.2



The financial viability of Guinea's CSOs improved slightly in 2018 as more funding became available for community development activities. These activities are financed by a portion of the dividends that mining companies, which have increased in number in recent years, pay to the central government, which it then redistributes to municipalities. The increased dividends had a positive effect on CSO funding in 2018, as municipalities see CSOs as preferred community development partners.

CSOs have multiple sources of funding, but most funding comes from outside of the country. The level of support from foreign donors did not change significantly in 2018. Key donors include bilateral organizations such as USAID, German Society for International Cooperation (GIZ), and the French Development Agency, as well as

multilateral funders such as the UN, International Organization of La Francophonie, and the EU. Few CSOs have the capacity to access funding directly from bilateral and multilateral institutions. Most organizations struggle to do so as they lack the skills to write quality proposals, lack appropriate financial management tools, and are unable to meet the high co-funding requirements of some donors. Most foreign donors fund international CSOs, which in turn subcontract to Guinean CSOs. These partnerships enable local CSOs to access international funding in many areas, including health, education, environment, democracy and governance, infrastructure, agriculture, and business.

In 2018, many CSOs signed contracts for government-initiated projects. For example, through its Village Community Support Program (PACV), MATD signed contracts with some CSOs, including PCUD and the Union for Development and Cooperation (UCAD) to support municipalities in planning their activities. The Mano River Women's Peace Network (REFMAP) also signed contracts with ministries to promote Guinea's history in universities in Conakry, to raise public awareness of and support for promoting peace and training union leaders. The African Youth Network-Guinea (RAJ-GUI)—as part of national citizenship week—signed a contract with the Ministry of National Unity and Citizenship.

Some associations receive individual contributions from local residents for community activities. For example, the Gaoual Residents' Association organized a fundraising campaign to help flood victims in that prefecture. A few foundations give grants to CSOs. These include the Orange Foundation, founded by the international telephone company of the same name; the Foundation to Promote Maternal and Child Health (PROSMI), founded by the first lady; the Karamba Diaby Foundation; and Hironde Foundation. Women's associations continued in 2018 to receive micro-loans through the African Women's Financial Collectives, which the government supports through guarantees from Afriland First Bank.

Some CSOs generate their own income. For example, the Regional Council of Civil Society Organizations in Guinea (CROSCG) rents out a farmhouse in Nzérékoré, and the Farmers' Federation of Fouta Djallon constructs and rents out storage warehouses for fresh produce in Timbi Madina.

Few CSOs have administrative or accounting procedural manuals, undergo audits, or have access to specialized administrative and account management services. Some large CSOs use accounting software to improve their financial management.



## ADVOCACY: 4.8

CSOs' advocacy work improved in 2018, as CSOs helped de-escalate tensions by mediating between the main parties in political and educational crises facing the country.

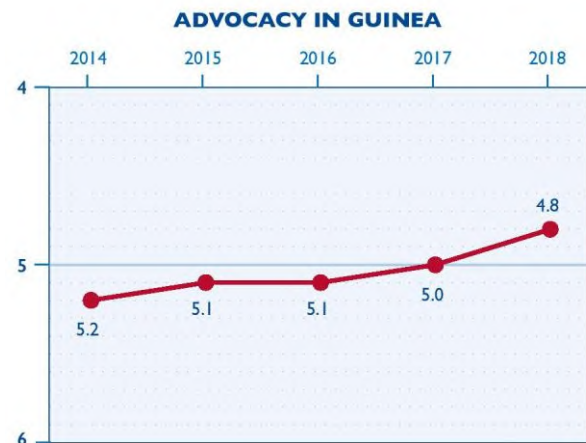
In the tense atmosphere following local elections in February, Guinea's president directed the Committee to Monitor Political Agreements to resolve the crises. The committee, which was established in 2016, included members of the ruling party and CSOs, with international bodies such as the UNDP and EU acting as observers. The committee discussed restructuring the Independent National Electoral Commission (CENI), auditing voter rolls, and resolving disagreements related to the elections. The election dispute was finally resolved with the conclusion of an agreement in which the government accepted political parties' request to review the voter rolls and strike duplicate names. In an agreement with SLECG, the government promised to review teacher rolls to remove the names of teachers who do not meet regulatory requirements. The funds recovered will be added to the salaries of those teachers who are in compliance.

CSOs in Guinea have many direct channels to communicate with local and central governments. At the central level, CSOs participate in meetings organized by ministerial departments. Municipal and prefecture development council sessions are open to CSOs. Many of these opportunities are formalized in Guinea's Revised Code for Local Municipalities.

In 2018, CSOs participated in or planned activities aimed at improving economic and social governance. CNOSCG and Publish What You Pay participated in the Extractive Industries Transparency Initiative organized by the Ministry of Mining and helped disseminate information to help Guineans better understand the benefits derived from mining. CSOs organized a sit-in at the National Assembly on April 5 to raise awareness of the need for a law to limit home rental prices to make them affordable. At the end of 2018, the National Assembly had yet to vote on the bill.

MATD banned street demonstrations after SLECG's demonstration on October 3. After gasoline prices rose almost 25 percent, many CSO platforms, including CNOSCG, CROSCG, CBC, Friends of the World Club (CAM), and Destiny in Hand, organized a series of protests opposing the price increase. Several protests took place before the ban, but others were canceled after MATD's ban was imposed. In other activity, some CSOs participated in a kick-off meeting in July 2018 focused on creating a multi-actor platform on land ownership. The gathering was organized by the Ministry of Agriculture, Ministry of Cities and Land Improvement, and organizations in the Coalition for the Protection of African Genetic Heritage (COPAGEN). A West African caravan led by COPAGEN, ACORD, National Confederation of Farmers' Organizations in Guinea (CNOPG), and CNOSCG traveled 653 kilometers from Mamou, in Central Guinea, to Nzérékoré, in Forested Guinea, to raise awareness of land and farm grabs and problems related to multinational corporations' appropriation of land. In addition, REFMAP organized a youth awareness campaign to mark the sixtieth anniversary of Guinea's independence, educate young Guineans about Guinea's journey from independence to the present, and dispel myths about the country's past.

Few CSOs are aware of the importance of a favorable legal and regulatory framework to improving CSOs' effectiveness and sustainability, and no notable initiatives were taken to improve the legal framework governing CSOs in 2018.



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## SERVICE PROVISION: 5.0



CSO service provision did not change in 2018. CSOs continued to provide a wide range of services without discrimination on the basis of gender, race, ethnicity, or religion. CSO services focus primarily on health, education, social assistance, water, environmental protection, agriculture, governance, fishing and aquaculture, livestock raising, business, and transportation. In 2018, CSOs worked in education and the environment in all four regions of the country. For example, the Save Our Islands movement (MSN), AGFE, and the Association to Support Girls' Education (AASF) worked together to donate and deliver school supplies to students who live on Kassa Island off the Kaloum peninsula near Conakry, Kaback Island in Forécariah Prefecture in Lower Guinea, and Mali and Lélouma prefectures in Middle Guinea. In Upper Guinea, Middle

Guinea, and Forested Guinea prefectures, associations of parents and friends partnered with Plan Guinea to support school cafeteria management and conduct educational campaigns on the challenges posed by climate change.

CSOs use local development plans to identify the needs of groups such as the elderly, children, women, and people with disabilities. When meeting needs involves physical labor, such as building a school or clinic, the results are quickly seen. The results are harder to perceive when they relate to changing attitudes or acquiring knowledge, such as with awareness-raising campaigns or training.

CSOs' services benefit a broad range of actors. For example, in 2018, CNOPG and regional chambers of agriculture distributed fertilizer to farmers.

CSOs do not charge their beneficiaries for services but do provide paid services to many partners in the public and private sectors. For example, in 2018, CENI paid CENAFOD to train villagers on decentralized governance and the electoral process. CAM and Guinea Bauxite Company (CBG), a mining company, paid CAM to deliver local community development services. CSOs learn about market demand for their services by reviewing calls for bids on government and private-sector websites.

National and local-level governments acknowledge the services that CSOs provide and include CSOs in discussions and implementation of sector-specific services planned by the central government.

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## SECTORAL INFRASTRUCTURE: 5.5

The infrastructure supporting the CSO sector did not change in 2018. Neighborhood libraries opened by the Ministry of Sports, Culture, and History with help from various sources, including the commission organizing the yearlong World Book Capital celebration in Conakry from April 2017 to April 2018 under the aegis of the United Nations Educational, Scientific and Cultural Organization (UNESCO), provided a wide assortment of books to help CSOs reinforce their capacities. In 2018, the libraries hosted debates organized by CSOs on Guinea's culture and history. Resource centers aimed specifically at CSOs include the Local Information Center, Community Center for Development and Education, Center for Youth Understanding and Counseling, Community Center for Reading and Awareness, and Civic and Electoral Education Center. CSOs can also access services from other centers, including culture and recreation centers, local information centers, other national and local libraries, and cultural centers in many diplomatic facilities, including those of the United States and France.

Some foundations and expatriate groups in Guinea support local community projects. The Rio Tinto Foundation, PROSMI, and El Hadj Djériba DIABY for Peace mobilize funds both locally and beyond Guinea's borders to help communities.

Guinean CSOs form local, regional, and international coalitions focused on various political, economic, social, and cultural topics. For example, through the Forum of NGOs for Sustainable Development, CENAFOD is a member of the Network of NGO Platforms in West and Central Africa (REPAOC).

In addition to support from the central government, CSOs benefit from various training and support programs funded by foreign donors. Certified trainers with expertise in diverse areas offer training to CSOs at the national and local levels. Trainers are associated with groups such as CENAFOD, International Trade and Development Center (CECIDE), ACORD, and CAM. International trainers very rarely provide training specific to forming and running CSOs. Most training is held in Conakry, to which regional CSOs are regularly invited. CSOs also benefit from social and private-sector media as sources of information and training. CSOs have access from a number of public and private entities to technical support and training on decentralization, governance, and operations. In 2018, PASOC supported several CSOs that served as regional support organizations, including CENAFOD in the Conakry region.

In 2018, CSOs worked in partnership with the private sector, government, and media, both officially and in less visible ways. For example, COJELPAID and the private media radio stations Nostalgie, Liberté, Lynxe, and Espace worked together on educational campaigns to fight female genital mutilation; REFMAP and Radio-Télévision Guinéenne cooperated to ensure that municipal elections were peaceful and to promote environmental protection; and REFMAP, the Ministry of International Cooperation, and the Ministry of Social Affairs, Women and Childhood collaborated to prevent migration and violence against women and girls. The Ministry of Education and the Ministry of Youth and Youth Employment also worked with RAJ-GUI on school-based violence and trash collection in Conakry.

**SECTORAL INFRASTRUCTURE IN GUINEA**



## PUBLIC IMAGE: 4.6

**PUBLIC IMAGE IN GUINEA**



The CSO sector's public image improved slightly in 2018, as CSOs improved their relationship with the media, participated in public debates, and showed greater facility in accessing social media.

CSOs must pay for media coverage of their activities. When implementing their activities, especially those involving training or community infrastructure, CSOs usually call on television, press, and social networks for coverage to the extent that they can afford it. In rare cases, media outlets may cover CSOs' activities without payment.

In 2018, the Ministry of National Unity and Citizenship had a more positive perception of CSOs, particularly RAJ-GUI, CNOSCG, and CBC, with which it cooperated on awareness-raising activities during Guinea's national

citizenship week. CENI showed its increased appreciation of CSOs by obtaining services from several CSOs to educate citizens during the 2018 municipal elections. These activities, with support from the media and social networks, attracted much attention and helped improve CSOs' image with the public, private sector, and government.

CSOs generally publicize their activities to reach larger audiences and increase public understanding and confidence in their work. All donors encourage organizations to actively promote the projects for which they receive funding, in order to improve the public perception of donors and CSOs. Donors frequently request that CSOs disseminate

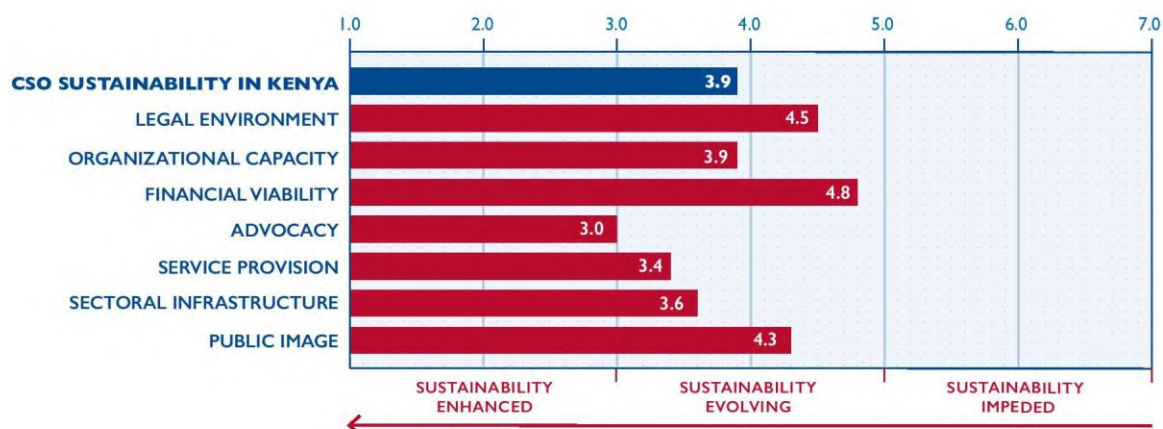
public service announcements to raise awareness about their work. Other major public relations efforts include brochures, calendars, t-shirts, posters, websites, social media, and online publications.

CSOs are legally required to publish annual reports, but very few CSOs do so. The government does not penalize CSOs that do not produce annual reports. To meet the requirements of good governance, CSOs have recently developed tools such as the Code of Ethics of CSOs of Guinea. These tools are maintained and promoted by SERPROMA.

# KENYA

Capital: Nairobi  
Population: 48,397,527  
GDP per capita (PPP): \$3,500  
Human Development Index: Medium (0.590)  
Freedom in the World: Partly Free (48/100)

## OVERALL CSO SUSTAINABILITY: 3.9



Relative tranquility returned to Kenya in 2018 after the hotly contested elections of 2017, in which the incumbent president, Uhuru Kenyatta, won a second term amid violent protests and accusations of fraud by the opposition candidate, Raila Odinga. In January 2018, Odinga had himself sworn in as the “people’s president” to show the country’s high degree of dissatisfaction with Kenyatta’s leadership. Although less than a week later Kenyatta and Odinga met and shook hands, thereby helping diffuse political tensions and return business operations to normal, controversies surrounding the 2017 elections continued throughout the year.

Kenya was rocked by five major corruption cases involving senior public officials in 2018. In May, the former head and other senior officials of the National Youth Service were arrested during a probe into the disappearance of KES 8 billion (approximately \$80 million) from the agency’s accounts. The same month, traders on the National Cereals and Produce Board were accused of importing large quantities of cheap maize at the expense of Kenyan farmers; seven officials of the Youth Enterprise Development Fund were suspended after an internal audit flagged suspicious payments of more than KES 10 million (approximately \$100,000) to four youth groups; and KES 2 billion (approximately \$20 million) was revealed to be missing from the National Tree-Planting Program. Later in the year, KES 647 million (approximately \$6.4 million) was lost through the flawed procurement of aircraft fueling equipment in the so-called Kenya Pipeline Company case. The 2018 Corruption Perceptions Index of Transparency International (TI) ranked Kenya 144 out of 180 countries, which was roughly on par with the previous year. CSOs led by the Kenya Human Rights Commission (KHRC), International Commission of Jurists (ICJ)–Kenya, and TI–Kenya campaigned against corruption through demonstrations and social media campaigns under the hashtag #StopTheseThieves.

The overall sustainability of Kenyan CSOs improved in 2018. Four dimensions showed stronger performance. CSOs’ organizational capacity was slightly stronger as cooperation with constituencies, including government agencies, increased at national and sub-national levels. A higher volume of activities related to accountability and post-election issues invigorated CSO advocacy. Service provision was slightly more robust as CSOs provided a range of new goods and services in the social and energy sectors. The sectoral infrastructure also improved slightly with a growth in the number of resource centers and intersectoral partnerships. However, CSOs’ legal environment deteriorated as state harassment intensified in the aftermath of the 2017 elections. CSOs’ financial viability was also slightly weaker as available funding declined and donors’ emphasis on election- and accountability-related projects diverted funding from other service sectors, such as education and health. CSOs’ public image stayed about the same as in 2017.



No recent nationwide data about the number of CSOs in Kenya is available. In 2013, the Non-Governmental Organization (NGO) Coordination Board reported that approximately 30,000 organizations were registered as NGOs, a distinct legal form, and more than 300,000 community-based organizations (CBOs) were registered as residential associations. Act Change Transform (ACT)'s mapping of county-based non-state actors in 2017 showed that the majority of the 5,087 CSOs operating in twenty-one counties were women's and youth groups working as agricultural cooperatives or providing services to meet emerging needs, such as drug abuse and prevention, security, and sanitation.

## LEGAL ENVIRONMENT: 4.5



The legal environment deteriorated slightly in 2018 as state harassment of CSOs continued after the general elections of late 2017.

CSOs must register under the NGO Coordination Act (1990), Companies Act (2015), Societies Act (2012), or Chapter 164 of the Laws of Kenya, which governs trusts. Most CSOs register under the NGO Coordination Act, since they are unaware of other registration possibilities. The requirements for registration as an NGO are clearly stated on the website of the NGO Coordination Board, the regulating body. However, officials sometimes impose additional requirements when organizations submit their documents, which can cause the registration process to take more than two years. Some groups choose to register as residential associations, since the registration

process is easier, although they may work only in their county of registration. Organizations sometimes circumvent the challenges of registration by working under the auspices of other CSOs. For instance, the Constitution and Reform Education Consortium (CRECO), a network of CSOs working on human rights, governance, and democracy, operates under KHRC, an independent national human rights organization.

Many CSOs, especially those engaged in human rights and governance, viewed the transfer in 2017 of the NGO Coordination Board from the Ministry of Devolution and Planning to the Ministry of Interior and Coordination of National Government as a sign that the government regards them as security risks rather than development partners. However, in 2018, a new head was appointed to the NGO Coordination Board, and CSOs were hopeful that with the change in leadership the board would exercise oversight according to its charter rather than seeking to control them.

A new Associations Bill tabled in 2018 provides a framework for the registration and governance of associations of CSOs. The bill provides that CSOs working in a similar area may not associate by holding joint activities, such as demonstrations or campaigns, if they have not registered as an association of CSOs.

The Public Benefit Organizations (PBO) Act (2013), which would create a more enabling legal environment for NGOs by establishing an independent regulator, mandatory government support, and high standards of governance and management through self-regulation, was still unimplemented in 2018, largely because of the absence of will on the part of the government. Once the act is implemented, CSOs are uncertain whether they will need to deregister and re-register as PBOs or if PBO status will convey automatically.

There are no significant legal limitations on CSOs' operations. The high court suspended the Cybercrimes Act (2018) pending resolution of a suit brought by the Bloggers Association of Kenya and other organizations, which claimed that provisions of the law infringe on the freedom of expression of internet users and is therefore unconstitutional.

Several incidents of harassment took place in 2018. In February, the police broke into the home of Miguna Miguna, a prominent member of the opposition, and eventually deported him. After the government refused to comply with more than ten court orders to return Miguna's passport, KHRC sued the government over the incident. Later, the police beat KHRC members during demonstrations against a parliamentary vote to increase members'

salaries, although KHRC had given the police advance notice of the protest, as required by law. Two environmental activists from Save Lamu and Lamu Youth Alliance were detained and interrogated for participating in an “illegal assembly,” although the groups had given advance notice of their plans to protest the construction of a power plant that is thought to pose environmental and health risks. The two activists were released without charges after six hours’ detention.

CSOs may apply for tax exemptions from the National Treasury through the NGO Coordination Board. The process involves a heavy administrative burden and opens CSOs’ financial records to a high level of scrutiny. In 2018, some CSOs and donor agencies working in humanitarian areas were able to obtain tax exemptions on imports of medicine and equipment related to their work. CSOs in other fields were less likely to attempt to obtain exemptions. Individuals and institutions that support CSOs do not receive tax benefits. CSOs are generally obliged to pay value-added tax and pay-as-you-earn tax for employees.

CSOs may accept foreign funding without prior permission from the government. However, the government scrutinizes funding sources to ensure that they do not support terrorism or money laundering. CSOs may undertake income-generating activities to sustain themselves, and they can access government funding through contracts at the national and sub-national levels.

CSOs such as International Institute for Legislative Affairs (IILA) and Kituo Cha Sheria provide free legal advice to other organizations. CSOs may also seek counsel from legal practitioners for a fee. Legal services are generally available in cities and at the sub-national level.

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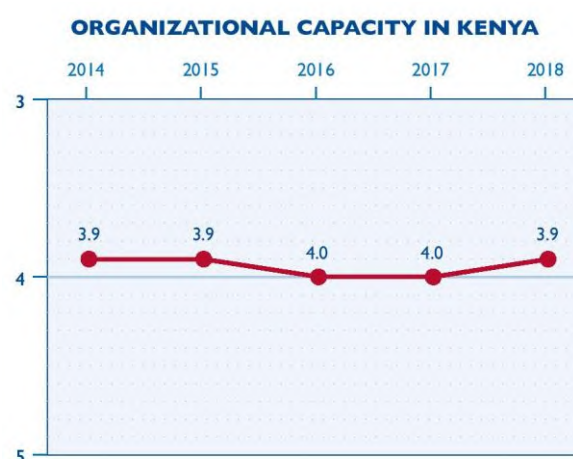
## ORGANIZATIONAL CAPACITY: 3.9

CSOs’ organizational capacity improved slightly in 2018 as they worked more intensively with constituencies, including governments, at the national and sub-national levels, particularly to develop mechanisms for monitoring service delivery.

CSOs deepened their relationships with many constituencies during the year. For example, Uraia Trust grantees, such as the Institute of Economic Affairs (IEA Kenya), worked with policy makers and citizens to monitor and evaluate county-level service delivery using community scorecards and social audits. Daraja worked with government officials and political leaders to develop a community scorecard on health-care service delivery in Kangemi Westlands Sub-County of Nairobi County, while Youth for Change, a CBO in Kiambu County, worked with the Nairobi County Department of Education to develop a community scorecard to assess the Uthiru Primary School and Early Childhood Education Center. Stakeholders’ expectations of financial benefits, such as reimbursements and per diems, sometimes undermined CSOs’ cooperation with their constituencies, especially on training workshops or participatory audits of government programs.

Many CSOs have strategic plans with well-crafted vision and mission statements, but their implementation is subject to funding. Since project funding is the most prevalent type of support, many CSOs realize their long-term goals only by aligning their projects to donors’ priorities. CSOs usually seek to show linkages between their missions and donor goals.

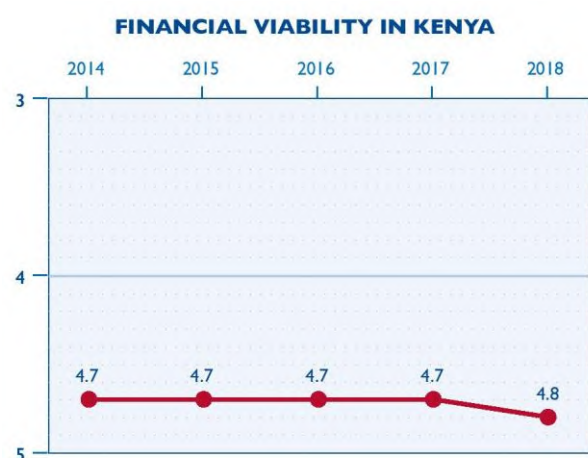
Established CSOs operating at the national level usually have written policies on procurement, finance, and human resource management, as well as operational and procedural manuals. Some donors make the existence of such documents a requirement for funding. Most CSOs have clear management structures, but the boards of some organizations are not active or can be prone to conflicts of interest. Several CSO boards have adopted codes of conduct. For example, the board of the Grassroots Development Initiatives Foundation (GRADIF)–Kenya has a code of conduct that includes provisions for conflict of interest and board interactions with staff.



Most CSOs rely on project funding, which can make it difficult for them to maintain permanent staff. Because of insufficient funding, a number of organizations cut down on activities or closed projects earlier than expected in 2018. These developments usually forced project staff to look for other employment. Many staff members with expertise in areas such as devolved governance were recruited by national and county governments, leading to a brain drain from the CSO sector. The employees of many CSOs work on contracts, and as a result their pay can fluctuate. The ratio of temporary to permanent staff is generally high. For instance, because of inadequate funding, the Africa Policy Research Institute (APRI) employs information technology and accounting specialists on an as-needed rather than full-time basis. As a cost-cutting measure, several CSOs have engaged recent graduates as interns and research assistants, who often leave after securing more promising or permanent employment. Skills development for CSO workers is dependent on the availability of funding, which is tied to donors' interest. In 2018, IEA Kenya received funding from the International Development Research Center of Canada for postgraduate training of its staff.

The adequacy of CSOs' office space and equipment remains mixed and dependent largely on organizational finances. Well-known advocacy CSOs, including KHRC, IEA Kenya, IILA, and the Africa Center for Open Governance (AfriCOG), have embraced digital advocacy, invest in internet services, and employ staff to manage their presence on social media platforms, such as Twitter and Facebook.

## FINANCIAL VIABILITY: 4.8



CSOs' financial viability was slightly weaker in 2018 because of continuing declines in donor funding. In addition, donors' shift in interest to accountability and post-election issues decreased the funding available for activities in sectors such as health care and education.

CSOs receive the bulk of their funding from bilateral donors such as the United Kingdom's Department for International Development (DFID), Danish International Development Agency, and Swedish International Development Cooperation Agency. Most donor support has shifted to the county level, where it largely targets CSOs working on open governance, devolution, and accountability. Very few funders are willing to engage in long-term partnerships with CSOs, which leaves organizations reliant on short-term projects that demand

a lot of deliverables, such as harvested data and reports on results. Funding for research, which tends to require longer timeframes, is difficult to find since donors are focused on quick results. Many CSOs have multiple sources of support, particularly if they rely on project-based funding. Ensuring the sustainability of funding has been a challenge since Kenya was elevated to a middle-income country in 2014. The Tax Justice Network (TJNA) experienced an unusual challenge in 2018 when one of its funders changed its support from core funding to project funding, thereby decreasing TJNA's discretionary spending.

Several local grantmakers support local CSOs. The Uraia Trust manages a basket fund which has been supported by the Danish International Development Agency, DFID, the governments of Netherlands and Finland, Diakonia Sweden, International Budget Partnership, USAID, and other partners. The Uraia Trust is a key source of funding for CSO capacity building and partners with national- and county-level CSOs on civic education and social accountability initiatives. The Yetu Initiative, a partnership project between USAID and the Aga Khan Foundation, seeks to enhance the culture of community philanthropy in Kenya. In 2018, it continued to offer an incentive fund to match funds raised by CSOs participating in its local philanthropy boot camps. One beneficiary of this initiative, the Social Welfare Development Program, noted that it was able to attract fifteen times more individual donors in one week than in the previous six-month period for a project to construct girls' lavatories in public schools.

CSOs may access government funding through contracts at the national and sub-national levels. Government funding is ostensibly available to all organizations, but it can be difficult to secure because of overly bureaucratic procurement processes as well as corruption. CSOs working on accountability usually reject government funding

for fear it will affect their objectivity and make it difficult for them to exercise appropriate oversight. In general, CSOs focused on human rights, governance, and accountability have limited opportunities to raise funds locally because of their poor relationships with the government.

Corporate philanthropy is not widespread in Kenya, and information about corporate programs for CSOs is difficult to find. Among the better-known programs, the 2Jiajiri program of the Kenya Commercial Bank Foundation supports the training of youth to start up small businesses. Safaricom Foundation supports programs in education, health, economic empowerment, water, technology, and disaster relief. CSOs with corporate board members sometimes receive funding support from their businesses, which usually seek to emphasize company branding in the projects they fund.

Some organizations, including IEA Kenya and Elimu Yetu Coalition, obtain income from membership fees. In 2018, CRECO raised funds through annual dues, although the amount raised was not enough to run the organization. The Kenya Community Development Fund (KCDF) generates income through a social enterprise that leases out a building that houses offices and shops. IEA Kenya and several other organizations engage in research to generate income, but they face stiff competition from consultants who are able to undertake research at lower costs.

Only a few CSOs publish financial reports, even though many CSOs have good financial management practices and keep adequate records of their financial activities, as required by donors. The Uraia Trust requires all CSOs receiving funding to use QuickBooks, an accounting software, and offers training in its use. Smaller CSOs, including CBOs, face challenges with financial management because of staffing limitations.

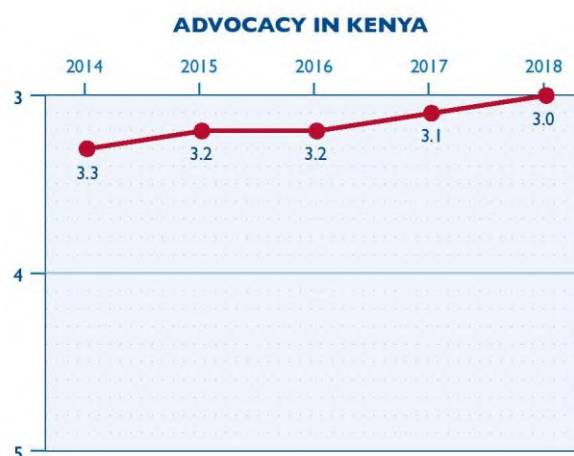
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## ADVOCACY: 3.0

CSO advocacy improved slightly in 2018 as donors' interest in accountability and post-election issues encouraged more activity in those areas. For example, in early 2018, a number of CSOs, including Human Rights Watch, ICJ Kenya, and KHRC, produced reports on human rights abuses related to the elections. Kenyans for Peace with Truth and Justice, a coalition of more than thirty CSOs created after the elections in 2017, launched a campaign against corruption, and AfriCOG and Infotrak, a research firm that conducts opinion polls, produced a report on corruption that was disseminated through social media platforms and the AfriCOG website.

At the sub-national level, CSOs focused on social issues, such as education and health care, worked with local governments to improve service delivery through awareness raising and capacity building. This work was easier in counties where government officials appreciate the role of CSOs. For example, in Bungoma County, the local CSO network partnered with the county government to mobilize citizens to participate in the budgeting process and help formulate the county's integrated development plan. The Supreme Council of Kenya Muslims in Garissa County provided feedback on service delivery in the county's early childhood education centers, which resulted in efforts by public officials to improve services and management of public resources. However, in some counties, government officials poorly understood CSOs' efforts to engage in civic education, which contributed to a "cold war" or slowdown in cooperation between the two sides. Public participation was hampered when notices for meetings were shared only a week in advance, leading to complaints that the public was meant merely to rubber-stamp predetermined outcomes.

In 2018, the Social Accountability Learning Group, composed of the Institute for Social Accountability (TISA), Center for Human Rights and Civic Education, and Center for Enhancing Democracy and Good Governance, implemented social accountability initiatives such as citizen scorecards. The CSO Forum, composed of CSOs working on devolution, remained focused on devolved governance and engaged in activities related to accountability and public awareness. CSO forums in Bungoma, Baringo, and Nakuru counties engaged with county governments on similar issues. For instance, in Nakuru County, CSOs worked with the county government to





develop a CSO engagement framework. The Uraia Trust trained the public in Uasin Gishu to evaluate health services using community scorecards, which resulted in additional inputs for health-care facilities. In other advocacy in 2018, TISA worked with Nairobi City County Assembly to improve solid waste management.

CSOs' advocacy initiatives continued to move into social media in 2018. Organizations relied on blogging, Twitter, Facebook, and other platforms to advocate about socio-economic and political issues. For example, IEA Kenya blogged on health, poverty, and public finance under the hashtag #NumberoftheWeek, which garnered more than 14,000 hits in 2018. Katiba Institute, AfriCOG, and KHRC promoted greater accountability in elections through social media campaigns.

CSO lobbying in 2018 included ILLA's work with county governments to pass legislation on tobacco control.

CSOs' efforts to reform the legal framework were limited in 2018, since most organizations focused on issues related to social development. Little progress was made on implementing the PBO Act (2013), even though organizations such as the Observatory for the Protection of Human Rights Defenders (OMCT-FIDH) renewed their calls for the government to uphold its promise to create an enabling environment for civil society by implementing the act. CSOs did little work on the Associations Bill in 2018, since the bill seems to have stalled after its drafting and information on its status was scanty.

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## SERVICE PROVISION: 3.4



Service provision improved slightly in 2018 thanks to CSOs' exceptional efforts to provide goods and services in the social and energy sectors. CSOs were able to ensure that the provision of services in these sectors continued even as their resources declined. Marie Stopes Kenya, for instance, continued to deliver community health and water services, and the Uraia Trust continued to support REDO Kenya's program of civic education on water conservation. Among new activities, Sapcone began a project to drill water boreholes and erect solar panels, the Institute of Public Finance Kenya (IPFK) provided capacity building to the Association of Women in Agriculture on gender-responsive budgeting, and ACT provided training in graphic design and videography to curb youth unemployment and radicalization in Kwale County.

Many CSOs work with communities to develop social accountability mechanisms such as community scorecards, which inform local governments of issues needing their attention. In 2018, IPFK undertook social audits of the water sector in Kinango, Kwale County, and KCDF identified needs based on interactions with network partners before introducing business mentorships, training on entrepreneurial skills, and interest-free loans for business start-ups to more than 300 young men in five urban slums. The Center for the Study of Adolescence relies on monitoring and evaluation to develop services and products related to reproductive health, gender, and HIV/AIDS.

CSOs seek to share informational and educational materials and research publications with their constituencies. Some organizations work closely with academia and universities on their research. IEA Kenya, for example, partnered with the University of Notre Dame on a study of the political economy of devolution in 2018. CSOs generally do not discriminate in their service provision.

CSOs rarely make efforts to recover the costs of services provided, since projects are fully funded by donors. Most CSOs are not involved in profit-making activities, since the amounts they raise are small and insufficient to meet their financial needs.

The national and county governments increasingly appreciated the role of CSOs in 2018, especially in the fight against corruption. The county government of Elgeyo Marakwet mapped CSOs in the county so that it could enhance open governance by including CSOs in processes such as planning and budgeting. The Office of the Auditor General initiated discussions with CSOs about developing participatory audits at both levels of

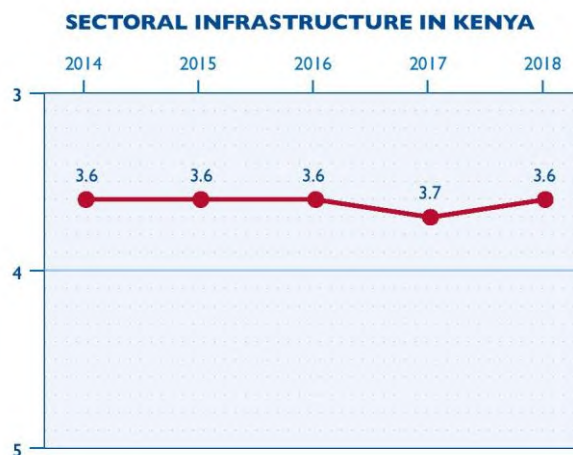


government. The president encouraged CSOs, the media, and the public to become more proactive in exercising oversight of public resource use.

## SECTORAL INFRASTRUCTURE: 3.6

CSOs' sectoral infrastructure improved slightly in 2018 as CSOs benefitted from new or expanded resource centers, training opportunities, and productive intersectoral partnerships.

Among several new resource centers in 2018, KHRC established the Ndula Resource Center at Del-Monte in Kiambu County, which focuses on human rights. Mapaka, a local CSO, established a resource center in Makueni County that offers legal services and internet access. The Uraia Trust worked on establishing a CSO resource center to allow users to access information online. The Kenya Correspondents Association maintained its resource center for journalists in Kisumu County. However, resource centers for CSOs are generally inadequate, especially at the county level.



Local grantmakers include the Uraia Trust, which tracks grantee performance through monthly and quarterly reports, and the Yetu Initiative of the Aga Khan Foundation (AKF), which hosts periodic forums in which grantees share information on progress, challenges, and lessons learned during their projects. ACT gives grants to partner organizations seeking to help eliminate violent extremism through policy dialogue in Kwale, Garissa, and Mombasa counties.

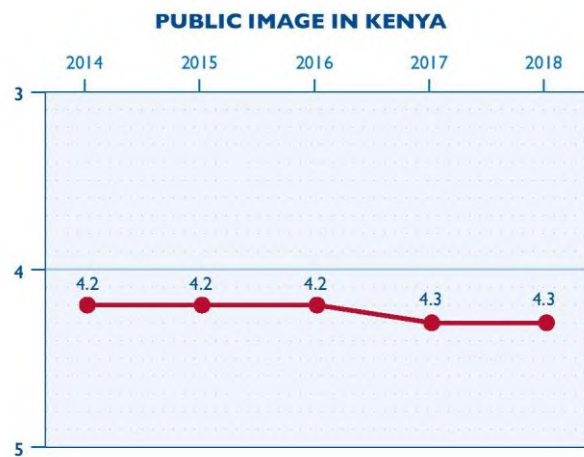
CSO coalitions have declined because of inadequate funding and competition among organizations. Coalition members have become less open with each other, leading to poor coordination and the duplication of efforts. Existing national networks tend to be loose and for the most part active when urgent matters arise. For example, a trade-focused network composed of the Southern and Eastern Africa Trade Information and Negotiations Institute Kenya, Econews Africa, TJNA, and CUTS Nairobi tends to coalesce only in years in which the World Trade Organization holds its biennial conference.

CSOs enjoyed a number of training opportunities in 2018. IEA Kenya and IILA offered training on social accountability and legislative processes, which was aimed at the public and reached a number of grassroots organizations. The Uraia Trust trained CSOs in bookkeeping, and IPFK offered training on social auditing to CSOs in Kwale County. ACT provided grantee organizations with capacity development in peace building and conflict transformation. Training materials were available in English and Kiswahili, but funding was not available for translations into local dialects.

Many intersectoral partnerships were underway in 2018. IILA provided technical support to policy makers drafting pro-people legislation and worked with various counties to strengthen their policy-making capacities. APRI offered technical assistance in public finance management to the government of Wajir County. National and county-level CSOs worked with the Office of the Auditor General to develop a framework for participatory audits. Youth For Change collaborated with the Kiambu County government to mobilize participants in county budgeting, and GRADIF followed up with the Embu County Assembly on service delivery in early childhood education and health programs.

In addition, the Uraia Trust worked with assembly members in Busia County to set up a county civic education department. ACT provided capacity building to state security agencies and non-state actors such as communities on ways to counter violent extremism. IEA Kenya and the Nairobi Stock Exchange worked together on a study of diversity and pluralism in the Kenyan private sector. GRADIF collaborated with several media stations, including Embue Mwimoro, Inooro, and Chooro FM, to develop news content on public finance and public participation.

## PUBLIC IMAGE: 4.3



CSOs' public image did not change in 2018. Media coverage of CSOs was generally positive. Both national and county-level media continued to invite CSO experts to discuss issues of public interest. For example, staff from GRADIF appeared on live radio talk shows and local stations, including Wimwaro FM and Inooro FM, to discuss child rights, public participation in devolved governance, and development projects. Coverage of CSOs' activities in development was minimal, as they tend not to be sensational.

Following the disputed 2017 elections, the public was more aware of CSOs such as KHRC, Info Action, and AfriCOG, because of their work on promoting electoral justice. The public tends to view these CSOs as brave and sufficiently protected by donors to withstand

government threats and harassment. CSOs engaging in both governance issues and service delivery usually have good working relationships with the public.

Some government officials view CSOs working on civic education and health as threats, since they raise questions and educate citizens about their rights. CSOs' relationship with the private sector is not solid, partly because of their differing cultures. Private-sector organizations prefer to work with professional associations such as the Kenya Association of Manufacturers and the Kenya Private Sector Alliance and are not usually open to other collaborations.

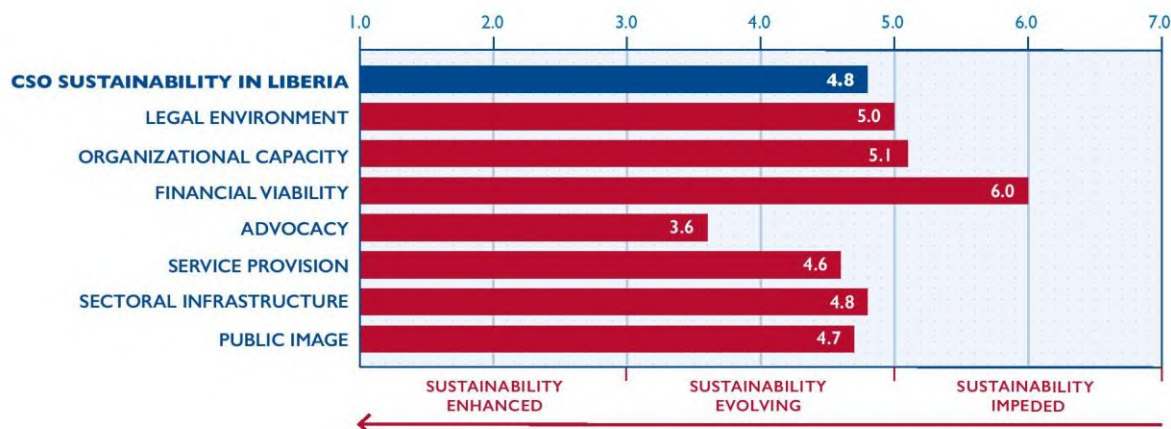
CSOs increasingly appreciate the need to use internet-based platforms as marketing tools. More than half of Uraia Trust grantees are active on social media, and some have websites. For example, the Community Empowerment and Development Center in Busia County used WhatsApp to fundraise for a new office building after it failed to receive funding from local philanthropies. IEA Kenya uses Twitter to disseminate its research findings and posts infographics summarizing its research on its website and YouTube.

Larger organizations such as TJNA, KCDF, and IILA make their annual reports and audits publicly available on their websites. Most other organizations do not publish regular annual reports. There is no single code of conduct for the CSO sector in Kenya, and accountability and transparency standards are instead determined by individual organizations.

# LIBERIA

Capital: Monrovia  
Population: 4,809,768  
GDP per capita (PPP): \$1,300  
Human Development Index: Low (0.435)  
Freedom in the World: Partly Free (62/100)

## OVERALL CSO SUSTAINABILITY: 4.8



For the first time since 1944, Liberia experienced a peaceful transition of power in 2018. After winning the election in late December 2017, George Weah of the opposition Coalition for Democratic Change (CDC) was inaugurated as president on January 28. Although Weah's campaign made few promises, expectations were high for his presidency, especially among the urban youth and others who felt excluded from political life.

Two issues dominated the new government's attention in 2018. First, the new government was plagued by reports implicating top Central Bank officials in the disappearance of about LRD 16 billion (approximately \$100 million) in cash while it was in transit from Sweden to the Central Bank in August. Hundreds of protesters demonstrated against the scandal, and civil society groups called for the government to hold the responsible persons to account. Although most of the missing money was eventually recovered, the incident helped hasten Liberia's economic decline, especially after the Central Bank mismanaged an effort to mop up excess cash. From January to July 2018, the Liberian dollar depreciated steeply against the U.S. dollar, and inflation approached an all-time high of 28.5 percent at the end of the year, according to the World Bank.

Second, an unprecedented war crimes conference took place in November to discuss the civil war that had ravaged Liberia from 1979 to 2003. At the conference, many Liberians, including CSOs, advocated for the establishment of a war crimes court to prosecute persons implicated in the 2009 report of the Truth and Reconciliation Commission. However, the government did not indicate whether it intended to establish the court.

During the year, the administration made sweeping changes to the public sector, including expanding the government payroll to hire party supporters. As foreign assistance declined, essential human services, such as health care and education, were cut significantly. In October, the government unveiled an ambitious development agenda, the Pro-Poor Agenda for Prosperity and Development (PAPD), which aims to stabilize the macro-economy and provide citizens with equitable opportunities to better their lives.

The overall sustainability of Liberian CSOs stayed the same in 2018. The legal environment was slightly less favorable as barriers continued to prevent the registration of some organizations advocating for the rights of lesbian, gay, bisexual, transgender, and intersex (LGBTI) people. CSOs' financial viability continued to deteriorate slightly as foreign donors maintained significantly lower levels of funding in the aftermath of the 2017 elections. CSO service provision suffered a moderate decline because of cuts in donor funding and government subsidies, and CSOs' public image was slightly weaker as the government cracked down on press freedom. At the same time, advocacy was slightly stronger as CSOs pushed for the government to investigate several important issues, including the missing banknotes and the Central Bank's effort to stabilize the rapidly depreciating Liberian dollar. CSOs' organizational capacity and sectoral infrastructure did not change.

The Non-Governmental Organization (NGO) Coordination Unit of the Ministry of Finance and Development Planning, the main regulatory body for CSOs, accredited 245 new organizations and renewed the accreditation of 312 organizations in 2018, for a total of 557 accredited organizations, compared to 312 in 2017. The increase in the number of accredited CSOs, most of which work in development, was due to donors' intensified focus on development projects.

## LEGAL ENVIRONMENT: 5.0



Continuing barriers to the registration of organizations engaged in LGBTI issues were responsible for a slight downward trend in CSOs' legal environment in 2018.

CSOs are governed by two policy documents: the Government-CSO Partnership Policy of 2006, and the CSO Accord signed in 2012 by the Ministry of Finance and Development Planning and the National Civil Society Council of Liberia (NCSCCL), the main umbrella organization for CSOs. These documents state that the government should enact a law governing CSOs, but such a law has yet to be passed. According to documents, before beginning operations, CSOs must register with the Liberian Business Registry, obtain accreditation from the NGO Coordination Unit at the Ministry of Finance and Development Planning, and

register with the government ministries or agencies with oversight responsibility for the areas in which they will work. CSOs must renew their accreditations every year.

Bottlenecks continued to cause delays in registrations in 2018. The establishment of service centers throughout the country in 2017 and 2018, which was part of the national plan to decentralize government, was meant to ease the registration process. However, most of these centers were either out of service or did not operate at full capacity in 2018. A lack of basic inputs such as electricity shut down a number of centers, while others were unable to issue licenses because of printer malfunctions. Some service centers levied extra, unauthorized fees on CSOs to process their documents. Altogether, the "one-stop shops" that were meant to streamline registration did not function much better than the previous centralized system, especially since CSOs continued to have to submit their documents to ministries or agencies in Monrovia, the capital city, before approval of their registrations was finally granted.

In an ongoing trend, the government refused to register organizations focused on LGBTI issues in 2018. Same-sex relationships are still generally regarded as illegal in Liberia, and without a law or even a public debate on prohibiting discrimination on the basis of sexual preference, organizations such as White Rose Alliance, United Sister's Lesbian Group, and Sisters for Sisters Lesbian Group continue to experience harassment and denials of registration. Nevertheless, these groups are informally active, and the government recognizes that they have formidable constituencies and cooperates with them on HIV treatment and prevention. CSOs have legal recourse to contest government decisions in court if they believe that their rights have been violated, but none of the LGBTI groups that have been denied registration has filed court cases.

CSOs' articles of incorporation must declare the activities in which they will engage. During registration, CSOs sign memoranda of understanding defining their reporting and accountability obligations with the Ministry of Finance and Development. However, the NGO Coordination Unit does not usually monitor CSOs' activities, either directly or through the NCSCCL. Instead, it relies mostly on annual reports submitted by CSOs to gather information about their activities.

The constitution guarantees the rights to freedom of expression, peaceful assembly, and protest, but CSOs had trouble exercising these rights in 2018. The government imposed considerable constraints on the public's ability to criticize it and advocate for politically unpopular causes. The press, in particular, was subject to repeated government pressure. The government shut down the newspaper Front Page Africa because of an article criticizing the president's forcible removal from office of the head of the secretariat of the Liberia Extractive Industries



Transparency Initiative (LEITI). After a report questioning government spending, the newspaper's entire staff was arrested, and a government minister threatened the publisher with imprisonment. The editor of another newspaper received death threats after the newspaper reported that a container holding a large sum of money had disappeared. A BBC correspondent left the country because he feared for his life after the president attacked him verbally, and a radio station was vandalized and a newspaper owner forced to go into hiding after they were accused of exposing the scandal involving the missing cash. The speaker of the House of Representatives instructed the secretary of the House to deny a radio journalist entry to plenary meetings, and the government revoked the broadcast license of Punch FM on allegations that it served as a mouthpiece for the opposition. A heated public confrontation took place between the government and the Press Union of Liberia, and in April, the union wrote an open letter to the United Nations (UN) secretary general voicing alarm about the rapid rise of official intolerance for independent journalism and dissent in Liberia. In a separate incident, while students from the Federation of Liberian Youth, Liberian National Student Union, and Student Unification Party at the University of Liberia were protesting the president's failure to declare his assets, as required by law, the event turned into a riot, and four students were arrested and sent to jail on the orders of the mayor.

Charitable and nonprofit organizations registered with the Ministry of Finance are exempt from taxes. A registered organization that engages in business activities or other activities inconsistent with its charitable purpose must pay tax on income from those activities. CSOs that award contracts of more than LRD 100,000 (approximately \$745) pay a withholding tax of 10 percent, and CSOs that rent buildings pay the government 10 percent of their rental income.

CSOs may earn income from the provision of goods and services. There is no known process for CSOs to obtain permission to fundraise, and it is not a common activity. CSOs may compete for government contracts at the local and national levels and receive funds from foreign sources.

There are no specialists in CSO law in Liberia. High-quality legal counsel is available but very expensive. If CSOs need legal advice, they usually request assistance from other CSOs with relevant expertise, which is usually provided pro bono.

## ORGANIZATIONAL CAPACITY: 5.1

CSOs' organizational capacity did not change in 2018. The UNMIL had built the capacity of many organizations, and after its drawdown, these CSOs continued in efforts to develop the capacity of smaller organizations. For example, New African Research and Development Agency (NARDA) and ActionAid Liberia provided capacity building to smaller CSOs, such as SAIL-Liberia, the Liberia Women Empowerment Network, Women Aid, and Medical Liberia (an international organization that became a Liberian CSO in 2018). The EU awarded a grant to Mercy Corps to help develop the capacity of twelve Liberian CSOs, which in turn helped community-based organizations (CBOs) gain the knowledge and skills they need to engage in advocacy, policy dialogue, and networking.



CSOs usually build relationships with constituents and beneficiaries by providing them with quality goods and services. A few CSOs actively seek to gain the trust of their constituents. For example, in 2018, Lofa Integrated Development Agency (LIDA) continued to work effectively with new CBOs in Bong, Lofa, and Nimba counties, which it had organized and trained to undertake routine maintenance of targeted feeder roads. LIDA ensured that these groups remained accountable to their communities, which contributed gravel, sand, and water to the construction projects and food to work crews. CSOs are usually successful in building social movements because of the large quantity of goods and services that they provide to beneficiaries, who often join the social movements.

Most CSOs state their missions clearly in their statutes. However, CSOs are also driven by donors' priorities. In 2018, most donors focused on development projects, causing CSOs to refocus their activities in that direction. For



example, CSOs working on gender-based violence had less funding, which caused some safe houses to be closed. Several CSOs worked outside of their mission areas during the year to take advantage of funding opportunities. With support from the UN, for example, the Faimaba Fisheries Development Cooperatives, a local CSO in New Kru town, implemented the Aquaponics project, which helps artisanal fishermen grow crops. While CSOs often have strategic plans, the incorporation of the plans into their decision making remains a major challenge because of the lack of resources. For the same reason, most CSOs do not monitor or evaluate project activities, which makes it difficult to determine the extent to which they actually carry out their missions and strategic plans.

Most CSOs have clearly defined management structures, including a division of responsibilities between boards of directors and staff. The boards usually engage actively in the governance of their organizations and give responsibility for the day-to-day operations to management. Although some CSOs have written policies and procedures to guide their operations, it is difficult to know the extent to which they are followed because of the widespread lack of monitoring and evaluation and compliance audits. Although conflicts of interest can underlie the absence of management structures in some organizations, most CSOs take steps to avoid conflicts of interest—for examples, by expecting any associated individual who enters politics to depart the organization.

Staff retention continues to be a major problem for most CSOs as donor support declines. Most organizations do not have permanent paid staff because of limited funding, and the majority of employees are hired on a contractual basis. Funding limitations prevent many CSOs from hiring staff members with adequate experience or offering training opportunities to core employees. CSOs that hire competent and qualified staff tend to be umbrella organizations such as Development Education Network, Liberia (DEN-L) and NARDA, which are based in major cities. They usually have adequate human resource practices, including contracts, job descriptions, payrolls, and personnel policies. In 2018, the new government recruited some CSO personnel into political positions, which raised suspicions that the main intent of the individuals working for CSOs was to obtain government jobs. As CSOs' financial viability continues to drop, it is likely that more CSO professionals will look for other careers. Unless funded by specific projects, CSOs cannot usually afford to hire professional services because of expense, including required payments of social security and withholding taxes. Some CSOs such as SAIL-Liberia, which works on HIV/AIDS, engage volunteers, but many do not because volunteers usually expect some form of stipend that the organizations cannot afford.

Liberia continues to develop technologically, and most CSOs have basic equipment. CSO staff members are usually computer literate and have good knowledge of social media. However, not many CSOs have internet access, because services are spotty, power supplies often fail during working hours, and the cost of electricity and internet services is high. To the extent that they are able to use the internet in their operations, most CSOs utilize social media to disseminate information.

## FINANCIAL VIABILITY: 6.0



CSOs' financial viability deteriorated slightly in 2018 because of ongoing declines in donor funding. Most CSOs faced serious short- and long-term financial constraints, which forced them to scale back their activities. In addition, the scandal involving missing cash at the Central Bank of Liberia made it harder for banks to disburse funds to their clients, causing shortfalls in CSOs' programming budgets.

CSOs in Liberia rely almost exclusively on foreign support. Three trends significantly worsened the funding situation for CSOs in 2018. First, donors began to withhold funding after the 2017 elections because of uncertainty about the direction of the new government. This trend continued in 2018, and key donors such as the UN Development Program (UNDP), Swedish

International Development Cooperation Agency (Sida), and European Union (EU) did not resume funding at pre-election levels. Second, the closure of UNMIL in March 2018 brought an end to support for organizations involved

in peace, justice, and security. Most donors were focused on development projects in 2018. Third, although donors had devoted considerable support to rebuilding the health sector after Ebola epidemic in 2014–15, that funding was specifically tied to the outbreak and was no longer flowing to Liberia in 2018. The end of Ebola funding coincided with the reduction in UN funding when UNMIL withdrew. “Regular” health sector funding was relatively stable.

Local sources of funding are few. The government rarely provides grants or contracts to CSOs. When it does provide funding, the sums are usually insignificant. CSOs sometimes partner with government agencies to apply for grants from donors. However, in a growing trend, the government has formed its own CSOs to implement projects funded by contracts from donors. In 2018, organizations working with the Liberia Agency for Community Empowerment, a nonprofit organization founded by the government, received government funding for a farming project, and Sherah Young Women Initiatives received government funding for vocational training scholarships for single mothers and street girls. There are no local philanthropic organizations that provide funding to CSOs. Orange Liberia, a cell phone company, supports CSOs working to build women’s capacity in technology.

CSOs occasionally raise limited amounts of funding from local sources. In 2018, a foundation operated by the first lady, Claire Foundation, held a major fundraising event. Otherwise, few CSOs have the ability to mobilize funding from their constituents, although they can often count on non-monetary support, such as labor, food, and materials from volunteers and local communities. However, in 2018, constituents increasingly expected some sort of tangible benefit from CSOs, and their in-kind support declined with reductions in services.

CSOs are allowed to engage in income-generating activities but have to pay tax on any revenue. In 2018, DEN-L, Young Men’s Christian Association (YMCA), Young Women’s Christian Association (YWCA), and some faith-based groups (FBOs) rented out their facilities, leased property, or sold assets to generate funds. FBOs sometimes received membership fees, and some youth organizations earned income by renting out their centers.

Although some donors still support CBOs, grassroots organizations, and informal groups, which they believe engage more directly with local communities, donors are reluctant to fund groups that they do not see as having adequate financial management systems. Most CSOs do not have sound systems and, because of the cost, do not have access to professional financial management services. Most CSOs operate in a non-transparent manner, do not conduct independent financial audits, and do not produce annual reports with financial statements.

## ADVOCACY: 3.6

CSOs’ advocacy was slightly stronger in 2018, as they actively urged the government to investigate the missing banknotes and the Central Bank’s mismanaged effort to deal with the steep depreciation of the local currency. CSOs also lobbied successfully for enactment of the Kamara Abdullah Kamara Press Freedom Act, the Governance Act, and the Land Rights Act.

Direct lines of communication between CSOs and policymakers exist at both the local and central levels. However, CSOs are not usually involved in a substantial way in government decision-making processes. For example, CSOs did not contribute to the development of the PAPD.

In early 2018, many CSOs protested the new president’s appointment to his cabinet of individuals involved in past scandals. As a result, a few nominations were withdrawn. CSOs also criticized the president’s dismissal of the head of the LEITI secretariat, which, according to the act that founded the independent agency, can be decided only by the LEITI Multi-stakeholder Steering Group. In addition, CSOs protested when the government refused to conduct a national census in 2018, which the constitution requires every ten years, and refused also to organize by-elections, which the law requires ninety days after a seat is declared vacant. In September, eighty CSOs urged the government to commit itself to a roadmap to ensure justice and reparations for victims of Liberia’s civil wars, in



accordance with the recommendation of the UN General Assembly. By the end of the year, the government had not responded to the petition, clarified its policy on the establishment of a war crimes court, or answered CSOs' other complaints.

Informal CSOs, such as Economic Freedom Fighters and Concerned Citizens United to Bring Back Our Money, pressured the government and the international community to investigate the missing banknotes and the Central Bank's mismanaged effort to stabilize the rapidly depreciating Liberian dollar. The Henry Costa Radio Talk show repeatedly advocated an investigation into the missing cash. In response to CSO advocacy, USAID brought in an external firm to investigate the two incidents, and the government set up a local investigative team, which recommended a forensic audit of the mopping-up exercise.

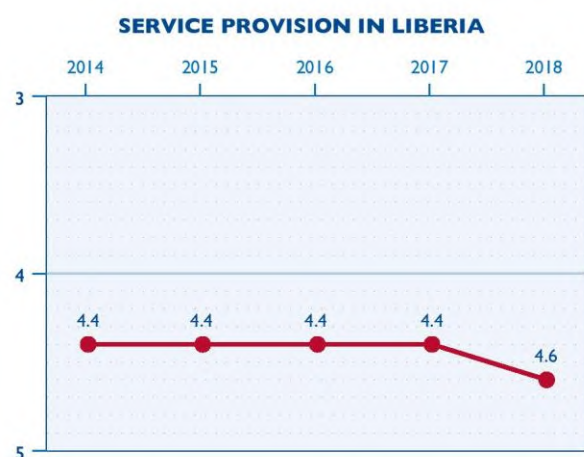
The use of mobile phones, email, and other internet-based communications has helped foster civic engagement by improving communications between CSOs, their constituents, and government decision makers and service providers. With the enactment of the 2010 Freedom of Information Act, the public can now access documents related to government decision-making processes. In 2018, the Sustainable Development Institute (SDI) and the Land Portal Foundation co-facilitated an online discussion on Liberia's Land Rights Bill, which seeks to ensure the more equitable distribution of land. Other members that supported this initiative included Rights & Rice Foundation, Habitat for Humanity International, Oxfam, and the Land Rights campaign.

Liberian CSOs are comfortable with lobbying. In 2018, the Institute for Research and Democratic Development and groups such as Women in Development Network, Southeastern Women Development Association, and Association of Female Lawyers of Liberia lobbied at both the local and national levels for enactment of the Land Rights Bill, which was passed in September. CSOs also lobbied successfully for enactment of the Kamara Abdullah Kamara Press Freedom Act, which promotes and protects freedom of speech and expression, and the Governance Act, which aims to deepen democratization and the delivery of basic goods and services by promoting reform, efficiency, and transparency in the Liberian public sector.

CSOs made few efforts to inform the wider CSO community of the importance of a favorable legal and regulatory framework or to promote legal reforms to benefit the sector in 2018.

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## SERVICE PROVISION: 4.6



CSO service provision suffered a moderate decline in 2018 because of UNMIL's drawdown and cuts in donor funding. CSO service provision was also affected by the government's inability to continue to pay subsidies to key institutions, such as hospitals and schools, after UNMIL and some international CSOs that had funded the subsidies pulled out. In a widely discussed case, Phebe Hospital in central Liberia, which is operated by FBOs and is one of the country's oldest health-care institutions, faced closure because of decreases in funding for drugs, generator fuel, and salaries from international CSOs. The funding crisis at Phebe Hospital affected other health-care facilities in the region operated by CSOs, such as Africare.

CSOs provide services in a variety of fields, including health, education, relief, water and sanitation, economic development, and environmental protection. The sector's services are diversified. For example, in 2018, the YMCA and YWCA offered training in computer literacy to school girls, and the National NGO Coalition of Liberia, in partnership with the Volunteers to Support International Efforts in Developing Africa and Tropenbos International and with funding from the EU, launched a training program to help communities guard against illegal logging.

The goods and services provided by CSOs reflect the needs and priorities of their beneficiary communities. Most CSOs determine these needs by conducting needs assessments. For example, the Open Society Initiative for West Africa (OSIWA)–Liberia conducted a survey on fostering citizens' engagement in the public health system through

Big Belly Business, a pregnancy literacy program, and early childhood programs in Grand Bassa, Margibi, and Rivercess counties. The purpose of the survey was to establish benchmarks for measuring progress towards project objectives. Liberia Accountability and Voice Initiative (LAVI) has worked with a group of CSOs in Lofa, Bong, and Grand Gedeh Counties to develop a results-based strategy for educational projects, which will enable them to advocate for improved classroom learning and teaching.

Membership associations such as the Lions Club provide goods and services to individuals other than members. Some CSOs distribute or market products such as stationery and computers to other CSOs, academia, or businesses. For example, the Light Up Liberia program, an EU-funded project implemented by Mercy Corps Liberia, provided solar lights to many rural communities free of charge, with the understanding that the communities would pay for their upkeep. CSOs generally provide their goods and services without discriminating on the basis of race, gender, ethnicity, sexual orientation, or religious affiliation. This lack of discrimination is very visible when Christian organizations donate gifts and food to Muslim organizations on Edi al-Fitr and Muslims do the same for Christian organizations on Christmas Day.

CSOs do not recover the costs of service provision by charging fees or working on contract. CSOs do not generally work with constituencies that can afford to pay for their products and services.

The government at all levels recognizes the value of CSOs in the provision of basic services. For example, the Governance Commission, a government body that recommends policy and institutional reforms to improve public service delivery and living standards, provided technical support in advocacy, communications, and human rights to CSOs at the national level in 2018.

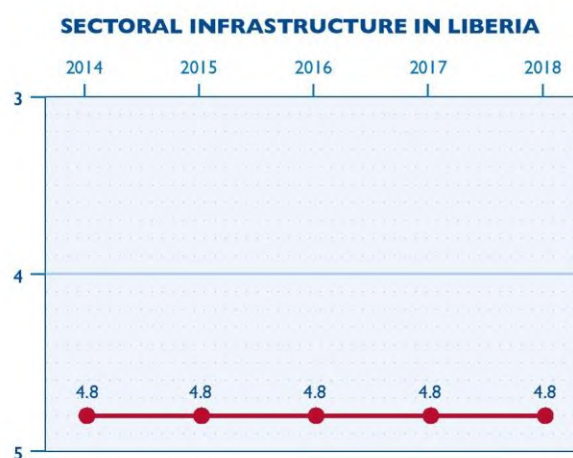
## SECTORAL INFRASTRUCTURE: 4.8

The infrastructure supporting the CSO sector did not change in 2018. In general, Liberia's resource centers and intermediate support organizations (ISOs) do not meet the needs of local CSOs.

Resource centers are located at the head offices of most umbrella organizations. For example, NARDA continued to operate resource centers in its five regional offices in 2018, which are open free of charge to member organizations and for a token fee to non-members. SDI, YWCA, and DEN-L also operate resource centers, which include space that they rent out to their members. At the time of the Ebola crisis in 2015, resource centers such as NARDA and DEN/L converted their services from the usual information sharing to Ebola awareness activities, including work with member organizations to train community leaders and households in Ebola prevention. In 2018, DEN-L continued to provide training on management and service delivery to its members in secondary cities and local communities.

OSIWA-Liberia distributes funding for projects in health, education, and other areas to organizations such as the Coalition for Transparency and Accountability in Education, Center for Transparency and Accountability in Liberia, and Public Health Initiatives Liberia. WE-CARE received a grant from OSIWA in 2018 to develop a pool of trainers, introduce teachers and educational institutions to critical thinking, and publish an anthology of Liberian writing.

There are few local coalitions or networks through which CSOs cooperate or share information. Most information is shared through the headquarters and chapters of the NCSCSL. However, the NCSCSL does not actively coordinate CSOs' activities or advocate on their behalf, and it did little to enhance CSOs' effectiveness or sustainability in 2018. CSOs sometimes engage in partnerships at donors' requests. For example, CSOs working in conflict resolution joined with the Justice and Peace Commission to implement a peace-building project in 2018.

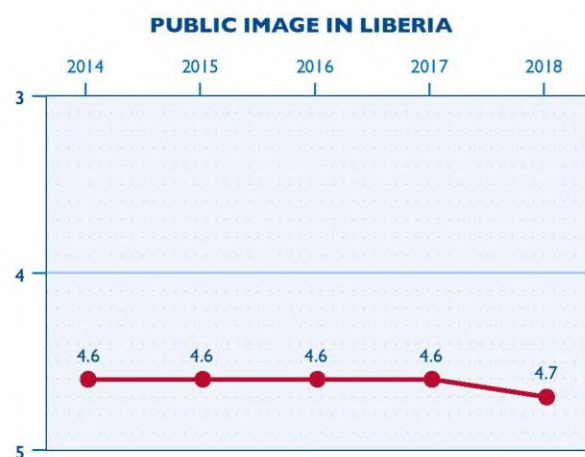




Liberian CSOs enjoy many training opportunities on topics such as human rights, gender, and peace building, which are led by capable trainers. International donors support most training programs, which often employ local trainers. For example, in 2018, DEN-L led a county-level capacity-building exercise targeting eight CSOs and also offered training in development and health. In 2018, International Alert Liberia provided leadership training in conflict management and gender sensitive issues in Gbarnga, Bong County. Catholic Justice and Peace, Community Development Research Organization, Foundation for International Dignity took part in training offered by LAVI to improve teaching quality and classroom learning in Lofa, Grand Gedeh, and Bong Counties. Otherwise, training is typically offered only in Gbarnga and Monrovia. CSOs often follow up training by participating in meetings at which they identify how to apply what they have learned.

Liberian CSOs partner with both the government and the media in 2018. The EU and Liberian government signed two financing agreements valued at \$29 million dollars to support improved technical and vocational education and training for CSOs. This program is expected to make a significant contribution to the government's pro-poor agenda by working with middle-level CSOs that are interested playing a stronger role in domestic public policies. The Media Foundation for West Africa, in cooperation with its Liberia-based national partner, the Center for Media Studies and Peacebuilding, hosted a post-election forum with media and police in 2018. The forum brought together stakeholders from the media, CSOs, UNMIL, Liberia National Police, National Electoral Commission, and Economic Community of West African States to discuss the role of the media, media safety, and media-police relations during the elections.

## PUBLIC IMAGE: 4.7



The public image of CSOs was mixed but overall slightly declined in 2018. Although the new government signed a press freedom law decriminalizing defamation of the president, sedition, and malevolence, the year was marked by many verbal and physical attacks on media personnel, which constrained the independence and objectivity of their reporting. Nevertheless, the media covered many CSO activities positively. Print and electronic media distinguish between public service announcements and corporate advertising, especially on radio and television. CSOs normally pay for coverage.

The public appreciates CSOs' analyses of major current events and their defense of the public interest, as when CSOs denounce government failures or focus on issues of concern to households and municipalities. On the

other hand, the public takes a dim view of CSO leaders who abandon critical roles in advocacy campaigns and use their organizations as springboards to high-level government or political positions. When the new government recruited CSO personnel to political positions, public suspicion was aroused that the main intent was to derail public trust in CSOs. CSOs' constituents sometimes feel that people work for CSOs only to make money.

The government also has a mixed view of CSOs. The government seems sometimes to rely on CSOs when it is in its interest but otherwise does not view CSOs or their information as credible. In general, organizations that work on controversial issues such as corruption are seen as troublesome, while those working in service provision are viewed favorably, since they are considered to contribute to government's work.

The business sector appreciates CSOs that work on social issues much more than those that work on policy advocacy or social accountability. For example, Orange Liberia, a cell phone company, supports CSOs working to build women's capacity in technology.

Most Liberian CSOs lack the resources to maintain staff devoted to public relations. However, many organizations send out materials such as newsletters, flyers, and brochures. CSOs that have access to the internet use social media to disseminate information. The Coalition for Transparency and Accountability in Education runs a radio program about education.

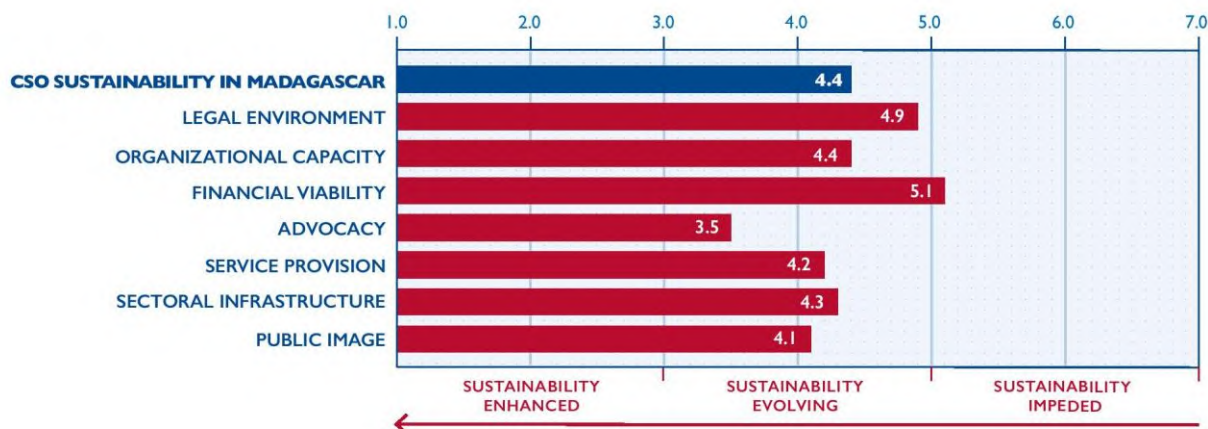


CSOs have yet to make an effort to self-regulate in the form of a code of ethics for the sector. Transparency measures such as the production and publication of annual reports are mostly lacking, except among a handful of leading CSOs that publish their annual reports on their websites.

# MADAGASCAR

Capital: Antananarivo  
Population: 25,683,610  
GDP per capita (PPP): \$1,600  
Human Development Index: Low (0.519)  
Freedom in the World: Partly Free (56/100)

## OVERALL CSO SUSTAINABILITY: 4.4



The political atmosphere in Madagascar was tense in 2018. The National Assembly adopted a series of controversial electoral laws on April 3 that some believed favored the ruling party. According to the Madagascar Observatory for Public Life (SeFaFi), the proposed laws “made a mockery of the suggestions and recommendations...various civil society entities” made in joint discussions with elected politicians. Opposition members of parliament (MPs) refused to participate in the vote, accusing the majority deputies of having accepted bribes from the executive branch. Political protests that started with MPs attempting to highlight the suspect and potentially corrupt passage of the laws turned into a violent confrontation outside of Antananarivo City Hall on the legendary Place du 13 mai that resulted in two deaths and fifteen injuries among the protesters. Protesters continued to gather at City Hall every day while opposition MPs of the Movement for Change vowed to protest daily until President Hery Rajaonarimampianina resigned. To defuse this situation, the High Constitutional Court ordered the president to dissolve the existing government and form a consensus government within seven days. The primary task of this government was to organize presidential elections on November 7.

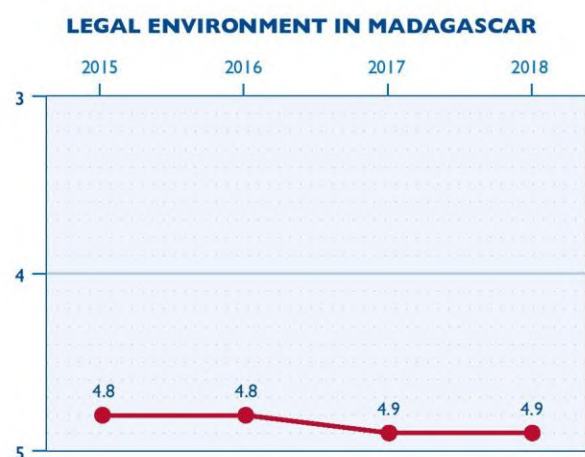
Overall, the elections were peaceful. In the run-up to the election, CSOs were fully engaged in educating citizens about how to register to vote and go to the polls. CSOs then monitored the election process, including the voting. The preliminary results of the second and final round of voting on December 20, 2018, pointed to Andry Rajoelina as the winner. This was contested by Marc Ravalomanana, who—in a radio and television broadcast late in the evening of December 23—called on his supporters and the people of Madagascar to rise up and defend their votes. At the end of the year, therefore, as happened after the 2002 elections, Madagascar was once again on the brink of falling into a spiral of violence. The international community, the army, churches, and CSOs all called for people to remain calm. On January 9, 2019, the High Constitutional Court declared Andry Rajoelina the winner. Ravalomanana acknowledged his defeat and congratulated Rajoelina, paving the way for a peaceful handover of power.

According to the World Bank, Madagascar’s gross domestic product grew 5 percent in 2018, compared to 4.2 percent in 2017. Madagascar’s score on the Human Development Index of the United Nations Development Programme (UNDP) improved from 0.517 in 2017 to 0.519 in 2018, reflecting an overall increase in gross national income, life expectancy, and educational attainment. However, the poverty rate remained high, at 73.7 percent in rural areas and 50.3 percent in urban areas. Corruption continued to be a concern, although Madagascar’s overall score on Transparency International’s Corruption Perceptions Index improved by one point in 2018 (from 24 to 25 out of 100).

Overall CSO sustainability did not change in 2018, although improvements were noted in CSOs' financial viability, advocacy, and public image. Although it remains the weakest dimension of sustainability, CSOs' financial viability improved with increases in government funding and new foreign funding opportunities. The central government was increasingly open to civil society, allowing CSOs to participate in policy discussions on key issues such as the election laws, land ownership, and the finance law, as reflected in the improved score for advocacy. The positive impact of CSOs' advocacy and increased media coverage of their work enhanced CSOs' public image. There were no significant changes in CSOs' legal environment, organizational capacity, service provision, or sectoral infrastructure.

As in previous years, seven types of CSOs are recognized in Madagascar: associations, non-governmental organizations (NGOs), unions, foundations, cooperatives, savings and loan groups, and religious and cultural associations. CSOs range in size from large-scale organizations, such as the Madagascar Red Cross and the Department for Development of the Church of Jesus Christ in Madagascar (SAF-FJKM), to small CSOs, such as associations for the parents of school children. The most recent estimate of the number of CSOs is from a 2012 European Union (EU) report, which stated that approximately 15,000 CSOs were registered in Madagascar at that time. While there is no official national breakdown of this number by type of organization, in the Atsinanana region, estimates by association managers indicate that associations comprise 88 percent of all CSOs, NGOs 10 percent, unions 1 percent, and foundations 1 percent.

## LEGAL ENVIRONMENT: 4.9



The legal environment governing CSOs did not change in 2018. Ordinance 60-133 from 1960 governs associations; Law 96-030 from 1997 governs NGOs; Law 95-028 from 1995 governs foundations; and Law 99-004 from 1999 governs cooperatives. Most CSOs register as associations, which have simple organizational structures and require simple registration forms. Registration as an NGO involves more complicated procedures and is more time consuming. In addition to filing a statement of existence with the Bipartite Committee, an approval application must be submitted with the relevant regional offices. However, unlike associations—whose funding comes solely from donations and dues—NGOs can access a larger array of funding sources, including fees for their services, rent from their assets, and in-kind and financial support from local and foreign entities.

Unregistered CSOs can also operate legally and some CSOs explicitly choose to operate informally. For example, the ROHY Movement, a coalition of more than 120 platforms, NGOs, and associations that evaluates political performance and formulates policy recommendations, and Liberty 32, which works to increase the public's political, social, and economic participation, both operate without registration. Lack of legal status does, however, prevent these CSOs from bidding on government contracts. Donors, on the other hand, do not exclude them from funding. The Common Multidonor Fund, for example, expressly mentions unregistered CSOs as eligible project partners.

Unions sometimes have difficulty registering branches in companies. This is a particular problem in security agencies, whose human resources managers may find reasons to unjustly fire people who initiate unionization.

The government has the right to dissolve or suspend a CSO that does not adhere to its mission. Dissolutions must, however, be well founded, and CSOs may appeal them in the courts. A CSO's failure to file required reports or report changes in internal structures or bylaws within three months may be removed from the official registry. In practice, however, CSOs are rarely penalized, because the government often fails to notice noncompliance. Tax collection staff and prefecture employees sometimes turn up during press conferences to examine CSOs' administrative and tax files, as happened in 2018 in Toamasina Province. CSOs see these intrusions as acts of intimidation directed at organizations whose critical or questioning tone antagonizes the government.

The constitution guarantees freedoms of association, assembly, and speech. However, the government sometimes restricts these rights by citing public order and national security concerns. In May 2018, the Government Council issued a memo prohibiting all demonstrations in the provinces after some opposition members of parliament demonstrated in Antananarivo ahead of the November elections. Amnesty International denounced this governmental action in a press release issued on May 9, calling it a “violation of the freedom of peaceful assembly and the freedom of speech.” Members of civil service unions who participated in the demonstrations organized by opposition members of parliament or who initiated strikes were subject to disciplinary action and the suspension of bonuses or other benefits in 2018.

Some CSOs, such as the national police officers’ union, face limits to their freedom of expression. Article 6 of Law 96-026 on the general autonomous status of police personnel, for example, prohibits the union of national police officers from striking. Likewise, CSOs that implement national strategies or sector-specific programs may not publicly state their opinions on entities with whom they work.

Although CSOs have the right to appeal to the courts, they rarely do so, since they feel that they are unlikely to win claims against the government. However, the Madagascar Council of Unions (SSM) scored a victory when the Council of State of the Supreme Court issued a stay of implementation in May 2018. The stay prohibited three government employees who are members of the Police Inspectors’, Sergeants’, and Officers’ Union and the Tsimbazaza Botanical Garden and Zoo Employees’ Union from being assigned to new positions, thus allowing them to keep their jobs.

CSOs are not protected from harassment or intimidation by government authorities (including those at the central, regional, or municipal levels and their divisions) or from arbitrary decisions by the central government. CSOs state that they are subject to telephone surveillance and e-mail hacking. In 2018, without giving a reason, the government canceled a scheduled TV program on the plan to build a hydroelectric dam in Farihitsara, in the Vakinankaratra region, which local community members had opposed. CSOs are also subject to harassment by private sector actors. In 2018, for example, CSOs that advocated for improvements to the roads were routinely threatened by middlemen who benefit from the poor condition of these roads, as better roads would give farmers direct access to markets, thereby eliminating the need for middlemen.

Many CSOs practice self-censorship to protect themselves. CSOs in cannabis growing areas refrain from providing information about where cannabis is grown and about trafficking networks. Likewise, organizations working in the Melaky region refrain from criticizing multinational resource-extraction corporations. Fear of retribution led the Ampanjaka, or traditional leaders, to eventually drop plans to organize a public debate on peacekeeping operations in southern Madagascar.

Public benefit status is granted at the discretion of the Government Council. CSOs say that the conditions for obtaining that status should be specified in legal documents. Only CSOs that obtain public benefit status are exempt from taxes on profits, the flat tax on transfers, document registration and transfer fees, and customs charges.

In general, registered CSOs can bid on government contracts, raise funds, and receive material and financial aid from international donors. CSOs can also bill for their services and sell products that they produce, although there is no specific law on social enterprises.

An increasing number of attorneys specialize in CSO-related topics, such as land rights, the environment, child protection, human rights, and union issues. Legal clinics such as Trano Aro Zo remain accessible to CSOs, especially in large cities. CSOs also use the services of legal experts for a fee. For instance, CSOs can call on the Voahary Gasy Alliance (AVG), which has developed legal expertise. These services, however, cannot always satisfy demand.

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## **ORGANIZATIONAL CAPACITY: 4.4**

CSOs’ organizational capacity did not change significantly in 2018, although some CSOs continued to engage in efforts to improve their internal structures, grow their membership rolls, and prepare national strategies. In addition, many CSOs revitalized their efforts in their areas of activity, either on their own or with support from the central government or donors.

During 2018, some CSOs undertook major mobilization campaigns. For example, the platform Union Solidarity of Madagascar (SMM) was able to recruit 438 new union members, not only in the capital but also in other provinces, increasing its membership by about 10 percent.

In theory, CSOs' bylaws include clearly defined missions. CSOs also strive to prepare strategic plans, but do not always have the resources to implement them. To survive, some CSOs accept funding for activities that are not in their plans. Only large, well-structured CSOs remain faithful to their missions and strategic plans. SAF-FJKM plans integrated development projects focused around five interdependent and complementary programs: food security and nutrition; water, sanitation and hygiene; health; risk and disaster management; and the environment.

Large organizations usually have a board of directors to govern them, in addition to an executive director and an audit body. They also have procedural manuals to comply with current laws and, in some cases, meet donor requirements. Smaller CSOs have simpler structures, often with only a president, a secretary, and a treasurer. Since Madagascar has an oral tradition, it is not customary to document practices. Instead, some associations work simply by "giving one's word."

Because of resource limitations, CSOs rarely have permanent staff or human resource management policies. Of the 400 registered unions in the country, for example, only three have permanent paid staff. This severely limits CSOs' ability to defend workers' rights, stay abreast of ongoing corporate issues, and call on institutional memory. CSOs lament the "brain drain" of staff to donors, international organizations, and in 2018 even to ministries within the government, with which CSOs cannot compete in terms of job stability, salaries, or benefits. Only large CSOs have the resources to engage professional help from accountants, information technology coordinators, or legal assistants. While volunteers respond to calls for help, they often lack the skills CSOs need. The organization Union and Corporate Life (SVS) is a rare example of a CSO that has volunteers working as media and information technology coordinators.

Given the precarious financial situation of most CSOs, only large organizations with funded projects have functioning computer equipment. Some donors fund the purchase of computer equipment but require CSOs to return the equipment at the end of projects. Other entities, such as the United Nations (UN) World Food Programme, help small associations by giving them refurbished computers, printers, and other equipment. In the course of their work, CSOs use mobile phones, e-mail, social media platforms such as Facebook and WhatsApp, and the secure messaging system Signal. Only 7 percent of Madagascar had access to internet services in 2018, according to Internet World Stats, and access even thirty kilometers from the capital can be limited.

**ORGANIZATIONAL CAPACITY IN MADAGASCAR**



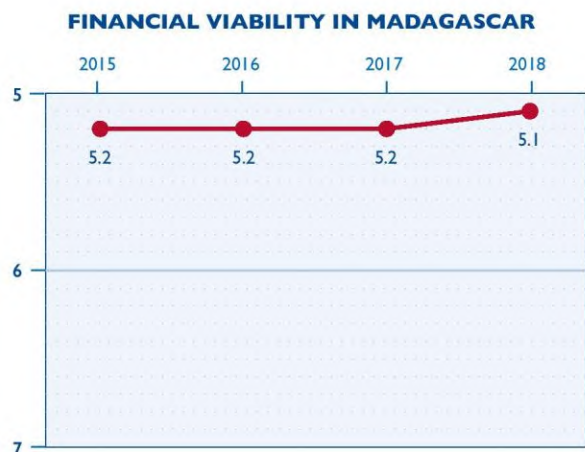
## FINANCIAL VIABILITY: 5.1

CSOs' financial viability improved in 2018, with increases in government funding and contracting, and new foreign funding opportunities.

CSOs remain highly dependent on foreign funding. In 2018, major donors included the World Bank, UN, EU, USAID, International Organization of La Francophonie (OIF), the German Society for International Cooperation (GIZ), and the French Embassy. In 2018, USAID began supporting the biodiversity conservation and natural resource management sectors after nearly a decade-long absence. The EU, GIZ, French Embassy, and Cooperation of Monaco in Madagascar launched the second phase of a four-year, EUR 8.5 million (approximately \$9.8 million) facility called the Common Multidonor Fund to support civil society in seven regions.

Most donor funding is project based for a period of one to two years. Larger CSOs that are familiar with donors' rules can more easily respond to calls for proposals than smaller CSOs and thus are more able to obtain funding.





Smaller CSOs lack skilled staff and are often unable to fulfill funders' cost-sharing requirements. This leads to the same CSOs receiving funding, giving the impression that donors prefer certain NGOs and associations.

Given the shortage of funding, platform coordinators are reluctant to share information on funding opportunities with their member associations. Some CSOs are created purely to receive existing funding. In the Atsimo Adrefana region, very few CSOs that were formed in 2017 under the Common Multidonor Fund were still operating at the end of 2018, as most of them ceased operations when the first phase of the project ended.

Support from the central government, local governments, corporate social responsibility (CSR) initiatives, and individual benefactors contribute only

small amounts to CSOs' financial resources. The government supports CSOs through entities associated with the prime minister's office such as the National Nutrition Office's (ONN's) Second Surveillance and Education for Schools and Communities on Food and General Nutrition (SEECALINE) program and the Development Intervention Fund (FID), which oversees the state's social safety net program.

Many youth associations receive support from the Ministry of Youth and Sports, as well as from regional and municipal entities. Likewise, the government partners with and offers service provision contracts to local CSOs. For example, in 2018 the municipality of Antananarivo contracted with the Young Men's Christian Association (YMCA) to provide trainings on citizenship and entrepreneurship, and the rural municipality of Antanetikelly contracted with the rural youth organization Mitahas to provide civic education to youth. In the Atsinanana region, CSO projects have been included in the budgets of two municipalities, Fénérive Est and Soanierana Iyongo.

Corporate foundations increasingly involve CSOs in their activities. The VISEO Foundation, operated by the industrial group VISEO, was launched in May and issued a call for CSO projects in the fields of education, health care, and cultural promotion. The Telma Group's foundation continued providing aid to CSOs such as Ny Sahy (Those Who Dare) to build and equip schools. The Axian Group's H Foundation helped school children from disadvantaged families sponsored by CSOs view an online exhibition on Madagascar. Likewise, part of the income that lychee producers earn from selling the fruit goes to communes in lychee-growing areas in Toamasina Province. In the difficult economic context, individual contributions are often symbolic.

Unions require contributions from their management committee members and withhold a percentage of the damages that employees receive from the labor court. The few CSOs that have physical assets and real estate sometimes earn money from them. For example, the YMCA rents space and its four-wheel drive vehicle to the municipality of Antananarivo. Small associations in the Atsinanana region that relied on microfinance institutions now have a hard time getting funding for their income-generating programs since most microfinance institutions have morphed into banks.

Only large, nationwide CSOs have the resources to create financial management systems, and even these systems are not always effective. In May 2018, an international audit firm uncovered cases of embezzlement and corruption involving funding that the Madagascar Red Cross received from the Norwegian Red Cross. Very few CSOs prepare financial statements or perform audits, unless donors request them. The fees for professional financial management and auditing services are often outside the reach of CSOs.

## ADVOCACY: 3.5

CSOs' advocacy efforts continued to improve in 2018. The central government is increasingly open to civil society and a participatory approach to policy making. Still, civil society is sometimes included in the decision-making process only for appearance's sake or under pressure from donors.

For the first time, in 2018 CSOs were able to participate in sessions of the National Assembly focused on legislation such as the election laws, the special economic zone law, and the law on private property ownership. In

January 2018, the prime minister held a second work session on the election legislation with CSOs, including the National Committee for Election Monitoring and Citizen Education (KMF-CNOE) and the ROHY Movement. CSOs spoke for more than five hours to members of parliament in committees and in a plenary session, asking for limits on campaign funding so that all candidates have an equal chance, and to combat large-scale corruption and money laundering. However, the versions of the laws that were voted on and promulgated did not reflect these arguments. The final version of the special economic zone law also did not reflect CSOs' recommendations.

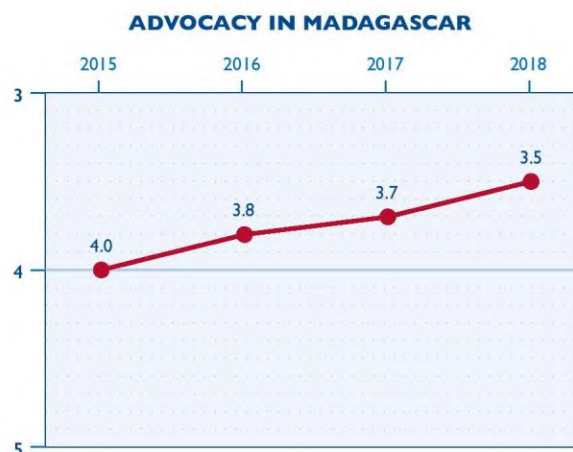
Two CSOs, the Liaison Office for Rural Training Institutions (BIMTT) and Land Stakeholders United (SIF), serve on the Committee on the Drafting of Legal Texts on Property (CRTF) under the Ministry of Land Development, Housing, and Public Works. This multiparty committee wrote a draft of the law on land ownership that was submitted to the government. The Ministry of National Education consulted with the Platform of Associations in Charge of Action for Inclusive Education in Madagascar (ASAMA) and Post-ASAMA (PACA) Madagascar during the preparation of the national educational strategy and approval of the Educational Sector Program. The Citizens' and Citizen Organizations' Collective (CCOC) and the Network for Social Transparency and Accountability in Madagascar (RTRSM) participated in work sessions where they advocated for more education and social-sector funding in the government's 2019 finance law.

CSOs played a key role in the elections in 2018. KMF-CNOE, with support from the Catholic Church's Episcopal Commission on Justice and Peace and the Liberty 32 association, deployed nearly 5,500 election observers in nearly all the country's districts. The ROHY Movement, which supports the EU-funded Safidy Election Observatory, collaborated with 700 community-based organizations to mobilize 6,700 observers in seven of Madagascar's twenty-two regions. The observers' presence, along with the availability of toll-free hotlines, discouraged attempted election fraud and violations of the election laws.

CSOs also advocated on many other issues during the year. In Toliara, advocacy by the Fati-drà Miaro ny Ala syn y Riake (FAMARI) environmental platform resulted in the adoption of rules governing all mining activity, including such issues as access to information, transparency in the granting of mining permits, public consultation and participation, and working with the government, the private sector, and civil society. The Vohitrambato Marovato Relocation Committee and the External Complaint Management Committee spurred the Ambatovy mining corporation to complete its population resettlement process, which began in 2010. CSOs, notably Ny Sahy, prepared Madagascar's first national tobacco prevention plan. The Madagascar Alliance for Sustainable Development, which includes employers' organizations, unions, and research professors, prepared a baseline assessment of the scale of industrialization and a second assessment that focused on monitoring and evaluation. In the Atsinanana region, the Associations of Tangalamena (traditional and tribal leaders), Federation of Associations of Women and Development (FAFED), the scouting movement, and Young Peer Educators (JPE) worked with other stakeholders to prepare a regional strategy to prevent child marriage. The National Coalition for Environmental Advocacy joined AVG's advocacy against rosewood and tortoise trafficking.

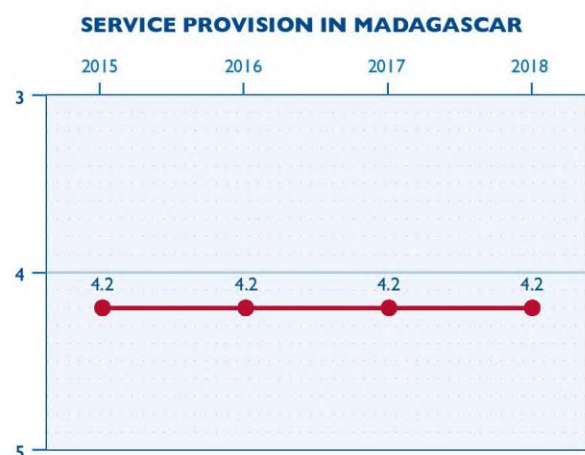
Initiatives to promote transparency and monitoring are being created in response to CSO advocacy. The government has created toll-free hotlines such as "Allo, Volamahitsy!" to allow citizens to comment or make complaints on the management of funding given to communes under the Public Sector Performance Support (PAFSP) Project. SAHA and AVG prepared a Citizen Report Card (CEC) on mining governance.

Specialized training in recent years has helped CSOs become more comfortable with the concept of lobbying and realize significant successes in 2018. The platform Harmonized Initiative for Nutrition Action (HINA) obtained the central government's commitment to allocate 3 percent of its budget to fight malnutrition. Other efforts by CSOs contributed to the creation in 2018 of the National Labor Council and the adoption of the law on the National Vaccination Fund. In addition, CSOs lobbied for the development of proposed Law No. 02-2018, which extended the mandate of the Independent National Commission on Human Rights (CNIDH) to include torture prevention; the law was adopted in June.



The Civil Society Charter, written in 2016 by the ROHY Movement, would clarify the terms of preparing a new law to replace—among others—the six decade-old Ordinance 60-133 on associations. However, priorities in 2018 were elsewhere, especially because CSOs were very involved in the election process.

## SERVICE PROVISION: 4.2



CSO service provision did not change in 2018. The range of goods and services provided by CSOs remains diverse and focused on—among other issues—basic social services as well as local governance, democracy, environmental protection, sustainable development, and civic education. CSOs support community needs in a range of areas. In 2018, the Economic, Environmental, and Social Action (ACTEES) platform, for example, worked alongside residents of Anakao to rebuild villages that were pillaged and burned by bandits. As part of its Youth Power Space Action program, the YMCA provided professional counseling to youth from Fort Dauphin who were looking for jobs. CSOs identify their target groups' needs and priorities through questionnaires distributed on social networks, in addition to conducting or consulting studies and surveys. YMCA

Madagascar produced a monograph and an analysis on the inclusion of young people in Antananarivo's fifth arrondissement.

The beneficiaries of CSO activities extend beyond the CSOs' own members, without discrimination. In 2018, beneficiaries were more engaged, and there were even signs of independent activity through local initiatives. In 2018, in Maroantsetra in eastern Madagascar, community-based volunteers working with SAF-FJKM on its risk and disaster-reduction program no longer wait for directions or financial compensation to undertake sanitation work. During landslides in the capital city, young scouts lent a hand to the rescue operations. In Ambohitjoky, outside the capital, villagers who had received an introduction to sanitation systems implemented them without financial assistance.

However, CSOs also align their projects with donors' priorities, which do not always target community needs. For example, the Global Sanitation Fund finances a sanitation program in Zafimaniry, an isolated region on the Big Island near the city of Ambositra, in which CSOs are constructing improved latrines. However, the program did not include funds for CSOs to run an awareness-raising campaign to educate traditional community leaders on the use of the latrines, hindering the program's ability to reach the 20,000 people in this tribe. Likewise, CSOs' role as implementing agents frustrates them, because they do not have the ability to document and address the community's true needs.

CSOs charge for their services but are only able to collect meager sums due to beneficiaries' limited ability to pay. Some CSOs attempt to recover costs by selling products such as publications, facilitating workshops, and offering training. For example, BIMTT offers paid training on the land ownership law and environmental impact studies to cooperatives.

The government acknowledges the major role CSOs play in the country's development, but sometimes claims CSOs' accomplishments as its own.

## SECTORAL INFRASTRUCTURE: 4.3

In 2018, the infrastructure supporting the CSO sector did not change.

Several intermediate support organizations (ISOs) provide training and offer technical and financial support to CSOs. The initiative Shared Resources, Joint Solutions (SRJS), which has a \$2 million funding line from the

International Union for Conservation of Nature and Natural Resources and the Dutch office of the World Wide Fund for Nature (WWF), builds civil society's capacity in advocacy and lobbying for environmental protection. The Friedrich-Ebert-Stiftung provides unions with a resource center and meeting place and unlimited internet access. Foundations such as the Tany Meva Foundation and the Madagascar Biodiversity Fund (FAPBM) support CSOs working on environmental protection.

CSOs work together, pool resources, and share information through coalitions. For example, the Human Rights Working Group holds monthly multidisciplinary meetings that allow member CSOs to improve their skills in a peer-to-peer environment. However, platforms and networks are sometimes undermined by their leaders, who feel that they have sole say over all decisions in their geographical regions and areas of expertise and that no new platforms in these areas can be launched without their approval. Divisions also arise among CSOs, which sometimes engage in infighting, have trouble speaking with one voice, or blame each other for encroaching on each other's work to obtain donor funding.

Training and capacity-building sessions continued to be offered in 2018, especially at the initiative of platforms or donors. Topics included organizational and financial management, leadership, project management, communication techniques, and advocacy methods. Training is most often organized in district capitals to reach as many CSOs as possible. Ny Sahy benefited from OIF's capacity-building initiative in the Indian Ocean region, gaining skills in crime and drug prevention. WWF-Madagascar produced an advocacy manual in Malagasy for village residents and environmental CSOs and distributed it throughout the country.

CSOs effectively collaborate with the government, businesses, and other types of organizations. For example, in 2018, CSOs, the central government, and the UN Children's Fund (UNICEF) created a social protection working group. In February, the ministries of public health, communication, population, interior, and education, the state media, CSOs, and donors such as UNICEF, USAID, Roll Back Malaria, and the IBM Corporation held a national advocacy meeting on distributing long-lasting insecticide-treated mosquito nets to effectively fight malaria. The Extractive Industries Transparency Initiative (EITI) in Madagascar involves CSO representatives in work with industry decision makers to ensure transparency in companies' payment of mining fees.

#### SECTORAL INFRASTRUCTURE IN MADAGASCAR



## PUBLIC IMAGE: 4.1

#### PUBLIC IMAGE IN MADAGASCAR



CSOs' public image improved slightly in 2018. Civil society received very good media coverage throughout the year.

Public and private national and local media outlets see CSOs as credible sources of information, and often call on CSOs for newspaper, television, and radio interviews. Some CSOs periodically broadcast their own shows in partnership with church-run radio stations or public media. In 2018, for example, associations such as Ny Sahy, Iza, Miarintsoa, and Blue Cross Madagascar produced shows on alcoholism and drug prevention, with production and broadcast costs fully covered by the Inter-Ministerial Coordinating Commission on Drug Prevention (CICLD). Media outlets also publish paid inserts or advertorials on behalf of CSOs.

Civil society is also gaining international recognition. Ny Sahy's participation in the eighth Conference of the Parties to the World Health Organization Framework Convention on Tobacco Control in Geneva in October 2018 was a significant first for Madagascar.

The public has a positive opinion of many CSOs working on advocacy or providing social services. Disadvantaged populations often access health care, education, and drinking water through CSOs. Without support from CSOs such as BIMTT, village residents in the Vakinankaratra and Amoron'i Mania regions affected by the Farihitsara hydroelectric dam construction, for example, would not have been able to make their voices heard at the highest levels.

However, for some members of the public, the concept of civil society remains unclear. They feel that CSOs favor research or are motivated by financial gains and other advantages and interests, or they see them only as service providers. Some people also question civil society's mission when citizens use CSOs for political purposes, or simply as a springboard for high-level jobs in institutions such as the government. In these cases, citizens may see involvement in civil society "as the first stage in political engagement" while appearing to work in the social sector, as SeFaFi noted in a February 2018 press release.

CSOs' critical outlook displeases the central government, which accuses organizations of supporting the opposition. Despite this, government entities frequently rely on CSOs' expertise, as during the colloquium to revitalize farmers' organizations organized by the Graduate School of Agronomic Sciences (ESSA) at the University of Antananarivo. The municipal authorities appreciate CSOs that build schools, dispensaries, roads, and other civil infrastructure.

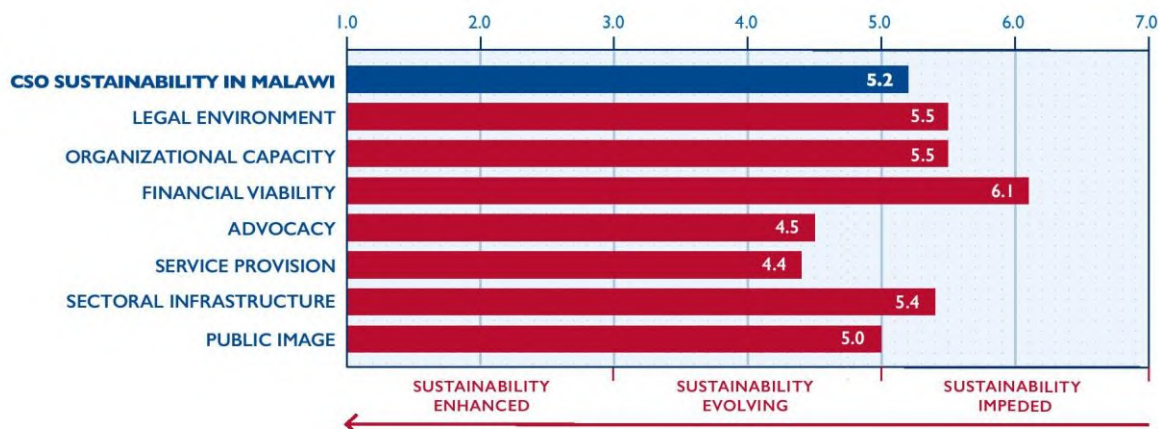
The private sector sees CSOs as credible partners and does not hesitate to support their activities through financial or material donations. Corporate executives acting in the interest of their companies are beginning to create closer relationships with unions, and unions' image as strike instigators is beginning to fade.

A growing number of CSOs promote their image and activities. They take advantage of fairs and UN-sponsored international days to spread the word about their organizations. CSOs that are members of the Madagascar Youth Observatory have made major efforts to garner media coverage and raise awareness on social media. Some CSOs have created pools of journalists trained on the subjects they work on, and these journalists convey information about CSOs to the public.

Only a few CSOs have codes of ethics. Most organizations that prepare annual reports with financial statements distribute them only to the government and donors, and they are not intended for public consumption. The Akamasoa Association is one of very few CSOs that posts up-to-date annual reports on its website.



## OVERALL CSO SUSTAINABILITY: 5.2



Efforts by the Government of Malawi to meet the human rights commitments that it had made to its people had shortcomings in 2018. Reported rights violations included arbitrary arrests and detentions; the infiltration of demonstrations by paramilitary groups affiliated with the ruling Democratic Progressive Party (DPP); and the excessive use of force and torture by security officers. Other widespread human rights violations in 2018 included the sexual exploitation of women and children, including sexual violence and early and forced marriage; the criminalization of same-sex activity and violence and discrimination against lesbian, gay, bisexual, transgender, and intersex persons; and the abduction and killing of persons with albinism.

Corruption worsened in 2018 and affected all of society as rampant financial mismanagement was reported in most government departments. CSOs continued to criticize the Anti-Corruption Bureau (ACB) for its failure to investigate the DPP's bank deposit of MWK 145 million (approximately \$200,000) in 2016. Under pressure, the ACB finally initiated a probe into the scandal, which led to the DPP's pledge in August 2018 to pay back the funds. In December, the Political Parties Act came into force, which obliges political parties to declare their sources of financing and bans politicians from using cash handouts to ensure votes.

In other corruption scandals, twenty members of parliament were alleged to have abused the Constituency Development Fund (CDF), which is intended to help members defray the costs of local projects to benefit their constituencies. The speaker of the National Assembly ordered the Parliamentary Appointments Committee to work with the Ministry of Finance and auditor general to probe the claims and present a report by August 2019. In follow up to the so-called Maizegate scandal involving the purchase of maize from Zambia at inflated prices in 2016, the former minister of agriculture George Chaponda was acquitted of graft charges in 2018. Chaponda promptly sued the executive director of the CSO Youth and Society (YAS) for initiating the prolonged scandal. The court fined the YAS executive director MWK 15 million (approximately \$20,000) in a personal capacity to cover the costs of the case, and the case was under appeal at the end of the year. Throughout the year, CSOs were fully engaged in these and other public interest issues. In particular, the Human Rights Defenders Coalition (HRDC), which was formed in 2016, spoke out and organized anti-government demonstrations on numerous issues.

Malawi's economy was fragile in 2018. Although the National Statistical Office reported that inflation declined from 11.5 percent in 2017 to 9.2 percent in 2018 and the Reserve Bank reduced the lending rate from 26 percent in 2017 to 16 percent in 2018, the economy did not respond because of heavy government borrowing. The poverty rate remained at about 50 percent, driven by poor agriculture performance, volatile economic growth, high population growth, and limited participation in non-agricultural activities, according to the World Bank. Food

security was threatened by an infestation of armyworms in late 2017, which destroyed much of the 2018 harvest of maize, the staple crop.

Overall CSOs sustainability in Malawi was stable in 2018. The legal environment declined as the government sought to require CSOs to pay substantially higher fees, considered a repressive NGO Amendment, and harassed some advocacy organizations engaged in human rights and anti-corruption activities. CSOs' organizational capacity deteriorated as funding shortfalls prevented many organizations from maintaining staff or obtaining modern equipment. Their financial viability was similarly undermined by shrinking donor funding levels. CSO advocacy showed increased strength with effective campaigns to raise the age of legal marriage, combat corruption, and protect the rights of persons with albinism. Service provision was also stronger as CSOs delivered a well-coordinated response to the armyworm infestation. CSOs' public image improved with positive media coverage and increased public support for CSOs and their activities.

The Non-Governmental Organizations (NGO) Board, the main government oversight body for CSOs as provided under the NGO Act of 2000, published a list of 713 registered CSOs in 2018. However, there is no evidence that all of these organizations were operational. Malawi also has thousands of informal community-based organizations (CBOs).

## LEGAL ENVIRONMENT: 5.5



The legal environment for CSOs in Malawi declined in 2018 as the government harassed CSOs engaging in human rights and anti-corruption, sought to significantly increase annual fees, and considered a repressive NGO Amendment Bill.

All CSOs, other than faith-based organizations (FBOs) and informal organizations without written constitutions, must register under the NGO Act before beginning operations. To register, CSOs apply to the Office of the Registrar General, which, depending on their areas of activity, refers the applications of some organizations to the minister of justice for approval. Thereafter CSOs must register with the NGO Board; the Council for NGOs in Malawi (CONGOMA), which, like the NGO Board, is a statutory entity established under the NGO

Act to facilitate partnerships and collaboration between the government and civil society; and the districts in which they intend to implement projects. CSOs must submit mission statements and letters of association with their applications to register. Although the registration process is clear, CSOs complain that it remains cumbersome and registration fees are high. The NGO Board publishes a list of registered CSOs in the press and on its website, and donors usually require certifications from CONGOMA and the NGO Board to consider funding applications. CSOs must pay annual fees to the NGO Board and CONGOMA, whether or not they have received funding during the year. The NGO Board has the authority to dissolve a CSO for various reasons, although it has yet to do so.

During 2018, a new version of the NGO Amendment Bill was introduced and under consideration by the parliament. Among other provisions, the draft law would concentrate powers for the registration, regulation, and deregistration of CSOs with the NGO Board, thereby excluding CONGOMA. The bill would also restructure the NGO Board into a statutory corporation, or government company, with members appointed by the government, and would grant more powers to the minister of finance to regulate CSOs. CSOs strongly resisted the draft law as a threat to civic space, and a court injunction prevented the parliament from debating the bill, pending a judicial review in 2018. The government continued to work on a draft NGO policy during the year.

Tensions between the NGO Board and CONGOMA continued to escalate in 2018. The friction focused on a wide range of issues, including policies affecting CSOs, amendments to the NGO Act, and even suggestions to change the name of the NGO Board. One of the most contentious issues was a proposed hike in registration fees that the NGO Board had announced in 2017. The new fees, which the government claimed were needed to promote

“transparency and accountability,” would raise registration and annual fees from MWK 50,000 (approximately \$68) to as much as MWK 2 million (\$2,700). CONGOMA labeled the new fees illegal and later, along with HRDC, Human Rights Consultative Committee (HRCC), Civil Society Education Coalition (CSEC), Malawi Economic Justice Network (MEJN), and Malawi Health Equity Network (MHEN), obtained a temporary court injunction against the fee hike, which was still under judicial review at the end of the year.

The laws set out rules for CSOs’ internal governance. CSOs are supposed to be self-governing and have active boards. The law also requires CSOs to file annual audited financial reports, which CSOs have vehemently resisted since they are uncertain about the government’s intended use of such information and believe that they are sufficiently accountable to their donors. The issue remained an area of debate between CONGOMA and the NGO Board in 2018.

In general, CSOs operate without interference as long as they do not seek to engage in areas that the government sees as a threat, such as corruption and human rights. CSOs had adequate access to information in 2018, although the Access to Information Act, which was signed into law in 2017, had yet to be implemented.

CSOs have the right to assemble but must submit advance notification to local governments and provide surety that they will be responsible for any damage resulting from protests. CSOs organized demonstrations largely without government interference in 2018. On several occasions, city councils in Zomba, Mzuzu, Lilongwe, Blantyre, and elsewhere tried to block CSOs’ right to demonstrate by withholding authorizations, but in most of these instances, the legal system effectively supported CSOs by lifting the blocks on demonstrations. Some protests turned violent when the DPP’s paramilitary group, known as the Cadets, infiltrated protests or the police used tear gas on the protesters.

Although CSOs generally express themselves freely and are able to criticize the government, the state continued to harass some CSOs involved in human rights advocacy in 2018, such as HRDC, whose organizers reportedly received death threats. CSOs reported that the heads of some organizations did not feel safe in light of the lawsuit against the executive director of YAS. While it is too early to tell whether the ruling against the YAS executive director will have a chilling effect on CSOs’ anti-corruption efforts, it is possible that the financial liability will be a major disincentive for organizations and individuals to engage in such work.

CSOs pay taxes on all income, including grants, at a 16.5 percent rate, like other nationally registered entities. CSOs must file tax returns with the Malawi Revenue Authority and comply with the Taxation Act unless otherwise authorized. A few commodities, such as relief food supplies and medical equipment, are exempt from import duties provided CSOs apply for authorization from the Ministry of Finance, Economic Planning, and Development. However, the process for obtaining exemptions is long and uncertain.

CSOs may compete for government contracts, which are commonly assumed to go to organizations that support the government. CSOs may earn income from the provision of goods and services and engage in fundraising.

The legal services available to CSOs are generally adequate, although expensive and unaffordable for some organizations. Resources for public interest litigation on civic space issues are usually accessed on an ad hoc basis from donors. If legal or administrative action is necessary, Malawian CSOs sometimes benefit from taking their issues before constitutional and statutory bodies such as the courts (especially the higher courts) and the ombudsman, which are known to issue judgments or recommendations that do not always align with the government’s positions.

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## ORGANIZATIONAL CAPACITY: 5.5

CSOs’ organizational capacity declined in 2018 as limited funding curtailed their capacity to recruit and retain skilled personnel and prevented many organizations from obtaining modern equipment.

CSOs coordinate with their constituencies and involve them in project planning and implementation. For example, the International Group Association consults directly with its constituencies through so-called accountability clubs. Local governments often seek to ensure that CSOs align their projects with the activities of district sector working groups, and some organizations, such as the Women Judges Association of Malawi, work fairly closely with these groups.

Most CSOs have mission statements but a weak sense of mission. Strategic plans may exist on paper but are usually not followed, especially if organizations must diverge from their plans in the search for funding. Most strategic plans lack a theory of change or monitoring and evaluation frameworks to guide operations. CSOs are usually not competent in policy analysis and are unable to engage in evidence-based policy and decision and policy making. The executive directors of member organizations of HRDC, including HRCC, YAS, and the Center for the Development of People (CEDEP), sometimes diverge from the strategic plans of their own organizations in pursuing HRDC activities.

All CSOs have boards of trustees or boards of directors, since they are a requirement for registration. However, because of funding shortfalls, many boards meet infrequently. Executive directors, as the founders of their organizations, usually have more power than the boards, and they sometimes argue that governing bodies exist only to serve as rubber stamps. However, certain boards are actively involved in the affairs of their organizations. For example, after an audit exposed financial mismanagement at the Federation of Disability Organizations in Malawi in 2018, the board suspended the executive director and put the leadership in the hands of a trustee.

Most Malawian CSOs have a narrow staffing base. More established CSOs usually have an executive director, a deputy director, a finance manager, and an administrative manager. Since funding to hire staff is usually short term, most CSOs are unable to hire other personnel on a permanent basis and instead rely on consultants or employ staff such as program officers and monitoring and evaluation officers on a project-level, as-needed basis. In 2018, many organizations were unable to hire, retain, or train staff because of a lack of project funding.

Funding shortfalls often prevent Malawian CSOs from acquiring modern equipment. In a new problem in 2018, landlords seized the equipment and other assets of organizations that were in arrears on rent. Some CSOs operate as “briefcase” operations without offices.

**ORGANIZATIONAL CAPACITY IN MALAWI**



## FINANCIAL VIABILITY: 6.1

**FINANCIAL VIABILITY IN MALAWI**



CSOs' financial viability declined slightly in 2018 as donor funding levels continued to shrink, challenging sustainability and forcing some organizations to scale back their activities. CSOs' access to financial resources was further affected by donors' continuing lack of confidence in the government's and CSOs' ability to manage funds properly and their tendency to offer short-term support only. The annual fees that CSOs' must pay to CONGOMA and the NGO Board further strained their financial viability.

Most CSOs, including CBOs, rely on foreign sources of funding. In 2018, the main donors were the EU, Open Society Initiative for Southern Africa, United Kingdom's Department for International Development, United Nations (UN) Development Program, USAID, and Global

Fund to Fight AIDS, Tuberculosis, and Malaria. Their major areas of focus included governance, women's empowerment, children, and water and sanitation. Donors increasingly offer short-term funding rather than grants for longer periods, which used to be customary. With stiff competition for funding, the quality of CSOs' proposals is increasingly important. However, the majority of CSOs are unable to write competent proposals. In addition, donors usually want to see evidence that CSOs have paid their annual fees to the NGO Board and CONGOMA, which is difficult to impossible if they do not have funding.



Very few CSOs have diversified sources of income. Among local sources of funding, the Tilitonse Foundation issued grants for projects focused on local governance in 2018. Its grants continued largely to target CBOs rather than urban-based CSOs, since CBOs are seen as more closely tied to their communities. This has been a major concern for larger CSOs, since they must compete with both international CSOs and CBOs for funding, and they complain that CBOs lack capacity and influence and are easily swayed by local politicians.

CSOs may compete for government contracts. Organizations that receive government contracts, such as the Center for Alternatives for Victimized Women and Children, are generally supportive of the government. In 2018, the government increased funding to meet the needs of persons with disabilities by 18.6 percent, according to the UN Children's Fund, and established a fund to provide support to CSOs working in the disability sector.

Few private-sector entities offered grants to CSOs in 2018 because of the weak economy. Instead, corporate social responsibility programs tended to work directly with communities. The Association of Persons with Albinism (APAM) approached big football teams in Malawi to organize a football match and used the funds raised to buy vehicles.

CSOs find fundraising difficult, as people have little money, and the public often sees CSOs as “money spinners,” or profitable businesses. A few CSOs working in health and agriculture, such as Banja La Mtsogolo, Partners in Hope, and the Family Planning Association of Malawi, generate income by charging fees on some services. CSOs with consultancies in areas such as research, proposal development, and evaluation also earn income, as do organizations that own radio stations and charge for advertising. Some CSOs report that they are still unable to raise funds because of damage inflicted by the Cashgate scandal, in which millions of dollars were stolen from government accounts over a ten-year period. After the scandal, the government displaced CSOs and the private sector as the primary customer for loans from local banks, which drove up interest rates to levels that were unaffordable for the CSO sector.

Donors' lack of confidence in CSOs' ability to manage finances properly was still evident in 2018. However, countering this trend, a major international private foundation and the European Union awarded direct funding to APAM, which until recently was funded through a fiscal agency arrangement with a larger organization. The direct funding was seen as a show of confidence in APAM's strong fiscal management. In general, CSOs believe that the government, through the NGO Board, seeks to shift blame for its mismanagement of funds onto CSOs by portraying them as lacking in accountability and transparency. CSOs are legally required to establish internal oversight and governance structures and report annually to the NGO Board and CONGOMA, but the two bodies have yet to take administrative or punitive action against organizations as a result of non-compliance with these requirements.

## ADVOCACY: 4.5

CSO advocacy was increasingly vibrant in 2018, with several important campaigns achieving impressive results. HRDC took center stage as, despite death threats, it engaged in intense advocacy on several fronts, including successfully pressuring the ACB to investigate the so-called K145 million case involving the DPP's illegal appropriation of government funds.

There are few formal avenues for CSOs to cooperate with local and central governments on policy issues. CSOs participate in budget consultations, but the government does not usually take their suggestions into account. With general elections scheduled for 2019, 2018 was a campaign year, and some political parties advanced their agendas by adopting the platforms of CSO advocacy groups. A few CSOs, such as CONGOMA, MESN, and Youth Net and Counselling (YONECO), worked on voter education, voter registration, and related activities.





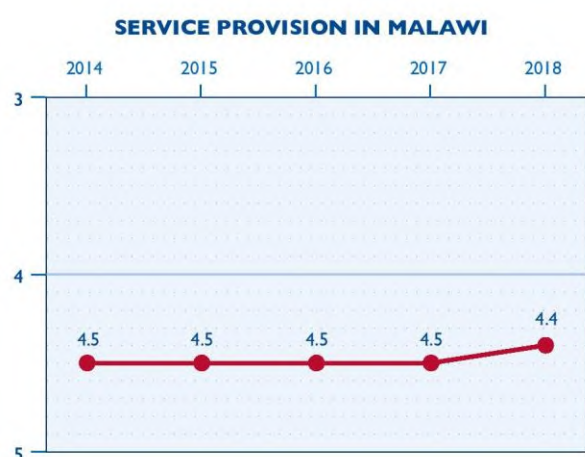
In April 2018, several CSOs, including CEDEP, HRCC, and HRDC, protested the government's lack of transparency and accountability. They successfully forced the minister of finance to cancel a MWK 4 billion (approximately \$5.5 million) fund, which was to be distributed to members of parliament in exchange for opposing a proposed law to change the election of the president from "first past the post" to 50+1 percent of the vote. The same group of CSOs demonstrated against the government's intention to bail out the Agricultural Development and Marketing Corporation, a statutory corporation, with a MWK 45 billion (approximately \$61 million) grant to purchase maize. The grant was not awarded.

Women's rights organizations, such as the Women's Legal Resources Center (WOLREC) and Gender Coordination Network (GCN), were more active in 2018. Among other activities, they successfully pressured the parliament to investigate twenty members of parliament who had misused the Constituency Development Fund. CEDEP, HRCC, and HRDC worked together to advocate on behalf of persons with albinism. For example, APAM pushed for government action to protect persons with albinism and worked with HRDC to organize a demonstration to demand implementation of a national policy to raise awareness, protect them from attack, and meet other needs. The government finally launched its four-year National Action Plan on Persons with Albinism in June 2018, and the president issued a directive for killers of persons with albinism to be sentenced to death.

The success of CSOs' lobbying efforts was mixed in 2018. However, in a major victory, advocacy by women's groups and HRDC helped ensure passage of the Marriage Act, which raised the minimum age for marriage from sixteen to eighteen years.

CSOs engaged actively to resist the unpopular NGO Amendment Bill in 2018. In particular, they opposed provisions that would give the government the authority to impose fines and prison terms for non-compliance with the act, set new rules for deregistration, end CSOs' ability to self-regulate, and allow ministerial appointment of a new oversight authority, which would assume responsibility for coordinating and representing civil society. CSOs successfully persuaded members of parliament to reject the bill, which was then referred for judicial review. CONGOMA also obtained a court injunction to restrain the NGO Board from implementing the proposed hike in registration fees. Throughout the year, CSOs worked in coalitions to defend civil society by building public pressure and media messaging. For example, HRDC used its regional and international networks to shine the light on human rights and accountability issues affecting CSOs.

## SERVICE PROVISION: 4.4



CSO service provision improved slightly in 2018 as both international and domestic organizations delivered a well-coordinated array of services and products to cope with the effects of armyworm infestation, which destroyed vital crops and threatened a large portion of the population with food insecurity. Malawian CSOs actively involved in the effort included Find Your Feet and Livingstonia Church and Society. International organizations included Concern Worldwide, Islamic Relief, Oxfam, Project Concern International, Save the Children, and United Purpose.

CSOs' services and goods are diversified. In addition to donations of food after the armyworm crisis, CSOs provided books, meals, and buildings for students in local communities and sunscreen and reading glasses for

people with albinism. CSOs' services include pro bono legal counseling, community empowerment workshops, and education on human and legal rights. In 2018, for example, YONECO continued to provide young people with training in business management and vocational skills, as well as start-up business loans. YONECO also raised community awareness about the importance of girls' and children's education.

The goods and services that CSOs provide reflect community needs and priorities in areas such as sanitation, water, and health care. Donors often require CSOs to conduct baseline assessments and evaluations, and district executive committees usually request CSOs to consult with them to verify the need for projects before they are

implemented. FBOs often provide goods and services only to members of their faith groups, while most other groups make goods and services available to communities at large.

CSOs do not seek to recoup costs from services that they provide. Most goods and services are provided free of charge, although communities must sometimes pay some small amounts to maintain facilities such as boreholes.

The government recognizes and supports CSOs that do not engage in advocacy and human rights. For example, in 2018, after the outbreak of armyworms, government representatives were quoted in the media as acknowledging the help that organizations such as Find Your Feet in Rumphi and Community Initiative for Rural Empowerment in Salima had given to local populations dealing with the pest.

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## SECTORAL INFRASTRUCTURE: 5.4

The infrastructure supporting the CSO sector showed moderate improvement in 2018 as collaboration among CSOs and between CSOs and other sectors increased.

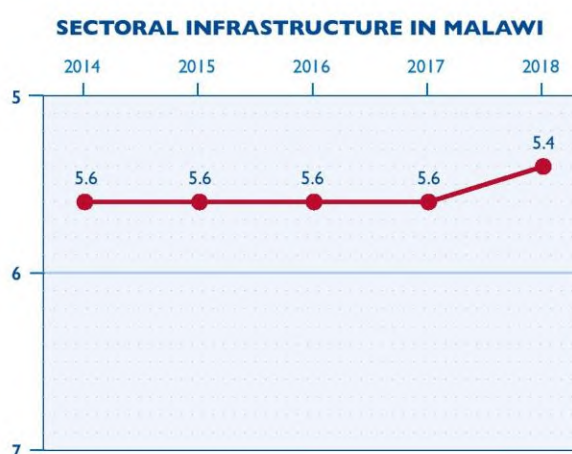
CSOs continued to rely on resource centers such as the National Library, British Council library, University of Malawi libraries, and more specialized facilities such as Malawi Human Rights Resource Center and WOLREC. These centers provide reading materials, consultations, and access to internet services. Given the number of CSOs in Malawi, the number of resource centers is not adequate.

Intermediary support organizations (ISOs) providing grants to Malawian CSOs in 2018 included the Tilitonse Foundation, YONECO, and Zathu. The Tilitonse Foundation is funded by a consortium of funders, including the Norwegian Embassy, United Kingdom's Department for International Development, and European Union, and it funds projects in areas such as gender, social inclusion, and rule of law. YONECO is funded by a number of international donors and provides small grants and other materials for youth-oriented projects. All three ISOs target CBOs, although the Tilitonse Foundation also funds CSOs.

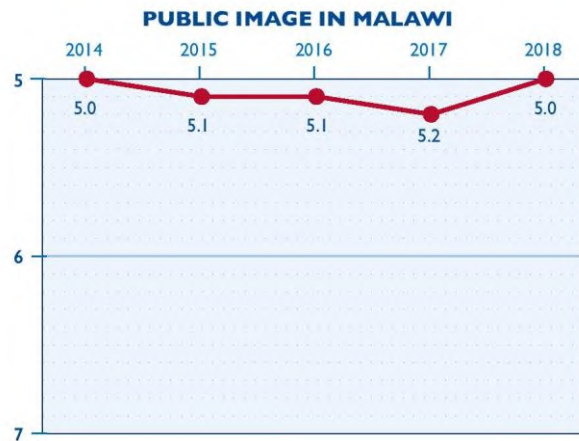
Organizations and consultancies offering specialized training to CSOs in 2018 included the Institute of Chartered Accountants in Malawi, Association of Chartered Certified Accountants, and universities. However, CSOs cannot usually afford the cost of such training. Foreign donors and international organizations often offer training workshops targeting their partners and grantees.

Increased collaboration among advocacy CSOs in 2018 helped them shape the public agenda, especially on issues of good governance, economic governance, and amendments to the constitution. Coalitions function in various functional and thematic areas and typically offer members services such as information sharing and mentoring. Prominent coalitions include GCN, HRDC, MEJN, MESN, PAC, Water and Environmental Sanitation Network, and Youth Coalition for the Consolidation of Democracy. Coalitions bringing together local and international CSOs are rare.

Intersectoral partnerships provided new opportunities for collaboration in 2018. WOLREC signed partnership agreements with statutory corporations, such as the Electricity Supply Commission of Malawi, Malawi Revenue Authority, and Electricity Generation Company, to help pay for lawyers that represent women in courts. Service-providing CSOs work closely with local governments in implementing their programs. For example, the Community Initiative for Rural Empowerment worked with the community and district executive committee in Salima on a reforestation program in the northwestern part of the district.



## PUBLIC IMAGE: 5.0



CSOs' public image improved moderately in 2018 as coverage by private and international media was increasingly positive and public support for CSOs' defense of human rights was strong.

The activities of advocacy organizations such as HRDC and PAC were favorite topics, and coverage of them helped raise public awareness of human rights. Print media sometimes carried stories about CSOs' activities, such as helping local constituencies construct school blocks, latrines, boreholes, and overnight shelters for the guardians of hospital patients. CSOs do not pay for coverage reported as news in broadcast media, but they must pay for advertisements and announcements about their public events. In 2018, unlike the previous year, there were no reports of bribes to journalists for covering CSOs.

Public perceptions of CSOs were generally positive in 2018. For example, the public responded well to news stories featuring CSOs' defense of human rights, and large numbers of people participated in their events. The public was also happy with CSOs' response to the armyworm infestation. However, public perceptions of CSOs were sometimes distorted by the activities of government-sponsored organizations, which sought to counter other CSOs' activities. For example, during APAM's protests on behalf of people with albinism, a parallel CSO called Poor and Concerned Persons with Albinism was formed in Blantyre and sought to demonize APAM's activities. In addition, some CSOs uninvolved in advocacy were perceived as pulling back and deliberately maintaining a low public profile so as not to undermine their good reputation with the government.

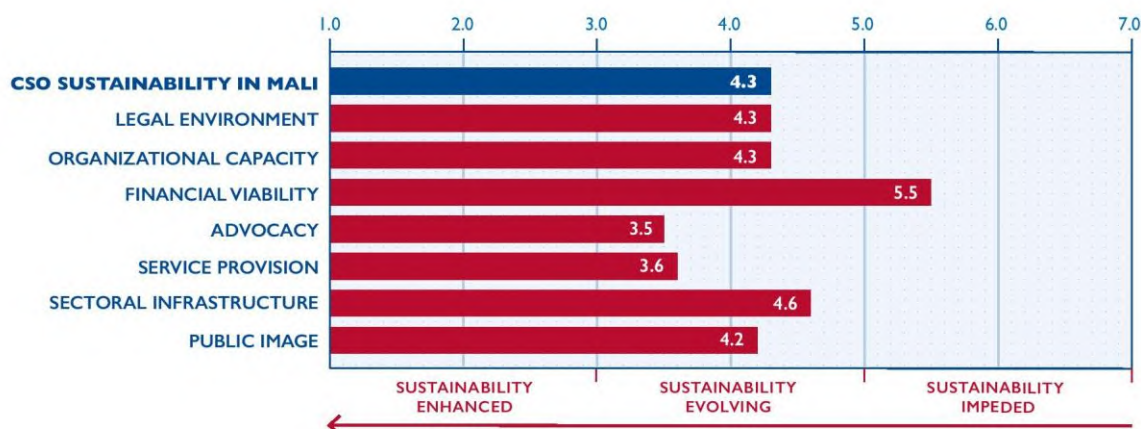
The government generally perceives CSOs as serving as voices of opposition parties in Malawi. The president sometimes refers to CSOs as organizations funded from the outside to overthrow his government. CSOs' use of social media in 2018 was a particular concern for the government because of its growing impact, although it did nothing to ban or interfere with social media platforms during the year.

The private sector was divided in their perceptions of CSOs in 2018. Businesses that support the government tended to perceive the CSOs as interfering with their operations when protests caused standstills in major towns.

CSOs used social media to their advantage in 2018. WhatsApp, Facebook, and Instagram were especially popular. Most CSOs do not have public relations officers, and executive directors are usually the public faces of their organizations.

Malawian CSOs sometimes have codes of conduct but do not enforce them. Unlike larger CSOs with stable funding, small CSOs do not publish annual reports. CSOs' annual reports are rarely published in print media.

## OVERALL CSO SUSTAINABILITY: 4.3



Mali has been in crisis since soldiers overthrew the country's democratically elected government in 2012. In 2018, non-jihadist armed groups and the restored government, elected in 2013, continued to implement the 2015 peace and reconciliation agreement. The agreement seeks to establish national unity by addressing the underlying causes of internal conflict, including the need for transparent governance, respect for human rights, and the economic development of northern Mali. Nevertheless, the security situation worsened in 2018 as terrorists repeatedly attacked civilians, humanitarian service providers, national security forces, and international peacekeeping forces under the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). In northern and central Mali, violent crime and targeted attacks were especially widespread, causing armed escorts to be needed on all major roads and impeding travel by civilians and CSOs.

Presidential elections took place on July 29, 2018, with a slate of twenty-four candidates, including one woman. In a second round of voting, President Ibrahim Boubacar Kéita was re-elected to a second five-year term. Peaceful protests erupted when the opposition declared electoral fraud. However, the Constitutional Court upheld the election results, and Kéita was sworn in on September 4, 2018.

Mali is one of the world's poorest countries, with nearly 50 percent of the population living below the poverty line. According to Mali's 2018 humanitarian response plan, 4.1 million people, or about 20 percent of the population, require humanitarian assistance. However, unsafe security conditions hinder the delivery of humanitarian aid and basic social services. Central government institutions remain missing or weak, and the government is widely viewed as failing to follow humanitarian principles of neutrality and impartiality in the delivery of aid.

The overall sustainability of Malian CSOs did not change in 2018. CSOs' advocacy improved as new CSO coalitions emerged to work on food security and nutrition, election monitoring, and other important issues. Service provision was also stronger as CSOs responded to community needs in all areas of development and humanitarian assistance, including in regions where the government was absent because of the dire security situation. CSOs' public image was boosted by positive media reports of CSOs' role in addressing the country's continuing crisis. CSOs' legal environment, organizational capacity, financial viability, and sectoral infrastructure were largely unchanged.

In 2018, the General Directorate of Territorial Administration, the government entity that oversees CSOs, reported that 1,355 domestic and 198 international organizations were active and had framework agreements with the central government. CSOs work throughout the country in all traditional sectors, including health, education, water, the environment, and humanitarian assistance.



## LEGAL ENVIRONMENT: 4.3



CSOs' legal environment was generally stable in 2018. Law No. 04-038 of 2004 governs associations. Under the law, associations may be formed and work freely without advance authorizations or declarations. To gain legal status, an association must submit a declaration to a district office of the central government and publish an announcement in the government's official journal. Law No. 2017-049 of 2017 governs foundations, which are defined as private nonprofit entities created by one or more donors to undertake community projects. The process for creating a foundation is decentralized, with no major obstacles to obtaining legal status.

An association may obtain status as a non-governmental organization (NGO) if it can prove three years of activity by submitting annual reports and certified financial

statements and signs a framework agreement with the central government. NGO status entitles an organization to some state support and advantages such as tax exemptions. NGOs must continue to submit activity and financial reports every year at the end of January, although few organizations comply with this deadline. They are also supposed to be audited annually by the national, regional, and local governments, but in practice this does not occur. Under Article 16 of Law No. 04-038, public benefit status may be decreed by the Council of Ministers following a decision by the Supreme Court and a probationary period of at least five years. NGOs require operating certificates, which indicate that they have submitted their annual activity reports and certified financial statements, to get tax exemptions on imports such as vehicles. In 2018, only 7 percent of registered NGOs obtained operating certificates.

Law No. 04-038 does not limit the scope, location, or manner of CSOs' activities, provided their purpose is not illegal, unlawful, offensive to public decency, or intended to harm national integrity. Framework agreements clearly define the types of work that NGOs may perform, while other CSOs' foundational documents define the scope of their operations. The law does not specify rules about CSOs' internal governance, and CSOs may define their internal structures and systems in their bylaws and internal regulations. All CSO directors must undergo background checks; these took longer in 2018 than previously because of security concerns and the lack of government personnel to perform the checks. CSO staff are subject to monitoring and must register with the National Institute of Social Welfare on assuming their positions.

CSOs work freely and without pressure. They are free to debate issues of the day and organize and participate in demonstrations. Law No. 04-038 states that the central government may not dissolve a CSO for political or arbitrary reasons. In January 2018, President Kéita signed the Law on Human Rights Defenders, which had been approved by Mali's parliament in December 2017 after sustained advocacy by Malian CSOs. Among other provisions, the law protects the inviolability of the homes and offices of human rights defenders and their right to receive funding for their activities. Mali is just the third country in Africa to adopt such a law.

CSOs may bid on contracts and accept foreign funding on a tax-free basis. In principle, NGOs are exempt from paying taxes on imported equipment, including vehicles used for their activities. But in 2016, the director general of customs interpreted Article 234 of the Customs Code concerning shipments to NGOs more narrowly to mean that they must obtain decrees before obtaining duty-free imports. The process of obtaining decrees is laborious, as organizations must submit certified financial statements as well as operating certificates, which were hard to obtain in 2018. There are no tax deductions for individual or corporate donors.

CSOs are entitled to receive funding from public and private donors provided they reinvest the funds into realizing their missions.

Except in the northern regions, Malian CSOs have access to skilled legal counsel. Associations such as the Demeso Legal Clinic and Association of Women Legal Experts in Mali, and human rights associations, including the Mali Human Rights Association, provide high-quality legal advice, usually free of charge. Most legal services are located in Bamako and second-tier cities. No lawyers specialize in CSO law, and CSOs rarely seek their services.



## ORGANIZATIONAL CAPACITY: 4.3

CSOs' organizational capacity did not change in 2018. As in previous years, CSOs grappled with the central challenge of insufficient funds to hire permanent staff.

Instead of assessing the public's needs and suggesting solutions, CSOs increasingly work as subcontractors on programs operated by international CSOs. This trend gives CSOs little control over their activities and has reduced the number of CSOs whose projects meet community needs, which in turn harms their credibility with local populations. In addition, donors' preference for consortiums directed by international CSOs does not promote the internal development of local CSOs. Community movements tend to work toward clearly defined goals but then fall apart after their goals have been reached. For example, the Ante Abana movement was founded in 2017 to block the constitutional referendum and then ceased operations in 2018.

Although framework agreements and foundational documents specify CSOs' areas of focus, in practice they serve as guidelines only. Most CSOs work in multiple areas determined by funding opportunities. Very few CSOs have strategic plans and most rely instead on program action plans, which are built around funding requirements.

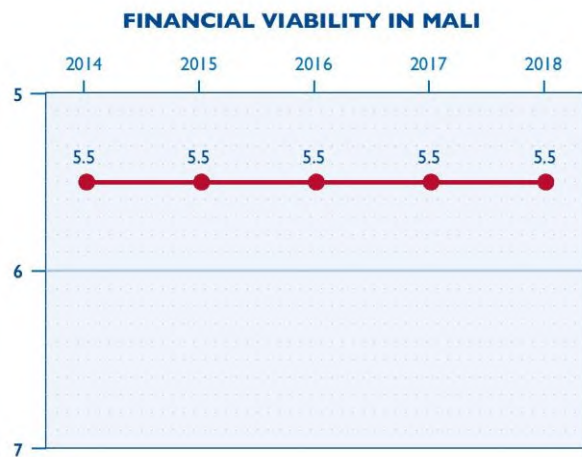
CSOs' management structures usually include management and coordinating groups and boards of directors. CSOs' bylaws, internal regulations, and procedural manuals identify their responsibilities. Boards have a clearly defined position in organizational structures and normally act as strategic and monitoring entities. CSO staff do not always follow their procedural manuals and internal regulations, as they are generally more concerned with following procedures required by their international partners. NGOs are typically better organized than other CSOs, both because they are required to complete external audits and submit activity reports and because they generally have more ample resources.

Malian CSOs hire staff when they receive subcontracts from international CSOs. Staff is usually hired for the duration of a project and then let go when the project is completed and funding ends, with only the founders and critical support staff staying on. On the national level, most CSOs are established to provide jobs for their founders, who often lack experience, management skills, and fundraising capacity. Most CSO managers change jobs frequently, and CSOs often find it difficult to hire staff with the qualifications required for specific projects. In general, CSOs sign fixed-term or part-time contracts with staff and do not have staff development plans. They hire volunteers as interns or to replace staff who resign. Community-based volunteers are common in the health and educational sectors. Most CSOs have professional accountants but rely on outside service providers for information and technology services.

CSOs' office equipment and internet access are more or less adequate. Internet World Stats reports that 63 percent of Malians had internet access in 2018. CSOs do their best to adopt new technologies so that they can respond to calls for bids. Grants from international partners usually cover only programmatic expenses, and CSOs are thus limited in their ability to purchase new supplies, materials, and equipment. As a result, CSOs cannot pay for services seen as luxuries, such as high-speed internet access, or upgrade their office equipment. Most donors reclaim equipment such as motorcycles, computers, tables, and desks after programs end.



## FINANCIAL VIABILITY: 5.5



CSOs' financial viability remained precarious in 2018. International donors continued to be Malian CSOs' primary funding source, but few domestic organizations accessed international funding directly. Except for some projects in remote areas, bilateral and multilateral donors, such as USAID, Global Affairs Canada, and the European Union (EU), usually award funding to international CSOs for projects in education, health, food security, nutritional services, and other basic services. Many of these international CSOs then subcontract with Malian CSOs to assist with implementation. For example, under the Partnership to Improve the Quality of Education (PAQE) II, funded by the Norwegian Agency for Development Cooperation, the international CSO Right to Play works with four Malian NGOs. The Education Development Center leads a consortium of

twelve domestic and international CSOs in the Access to Education for All Children in Mali project (PACETEM), which is funded by the Government of Qatar and Islamic Development Bank. Similarly, the Malian Jam Suka project is led by the International Institute for Child Rights and Development and Right to Play, with funding from Global Affairs Canada.

The prolonged political crisis and poor security situation have motivated some donors to provide funding directly to Malian CSOs for projects in unsafe or remote areas. For example, the Mali Association for Survival in the Sahel receives funding directly from the Global Community Engagement and Resilience Fund, a multilateral fund that supports community-level resistance to violent extremism.

In 2018, the EU continued to provide financial support to the National Indicative Program 2014–2020, the government plan to strengthen the rule of law, rural development, food security, education, and transportation. Under this program, the EU allocated EUR 10 million (approximately \$11.2 million) to civil society to promote citizen involvement in public affairs. In practice, however, it has been difficult for domestic CSOs to access this funding. In the first funding phase, EUR 5 million (approximately \$5.6 million) was allocated for the three-year Harmonization and Innovation to Benefit Civil Society Initiatives of Social Utility (HIBISCUS) program, which was launched in 2018. The program includes capacity building in internal governance and fundraising, facilitation of CSOs' involvement in local development and good governance, and alignment of national laws that govern CSOs.

Few domestic CSOs have multiple funding sources to support realization of their short- and long-term goals. They receive very little support from the central or local governments, and any support that is available normally goes to CSOs with public benefit status, such as the Malian Federation of Persons with Disabilities Associations. However, CSOs with public benefit status usually receive government support five to six months into the year, which hinders their ability to implement activities. Local foundations do not fund CSOs directly but instead operate their own programs. Some corporate funding is available. For example, the Orange Mali Foundation, which is operated by a mobile phone company, provided XOF 600 million (approximately \$1 million) in funding to local CSOs working on eight development projects in health, education, and other areas in 2018.

CSOs generally do not engage in public fundraising efforts, since they have very low fundraising capacities and local populations have minimal resources to support CSOs. Nearly all contributions from beneficiaries are in-kind. The small amounts of money that CSOs collect from fundraising do not cover their operating expenses.

A few CSOs generate income by providing services or renting facilities. For example, research firms such as the International Research Group for Development in Africa (GIRAD-Afrique) earns revenue through trainings, research, and evaluations. The Mali Children's Rights Action Research Group (GRADEM) and Mali Helping the Children of the Sahel (OMAES) rent training rooms and use the income to maintain the rooms and pay cleaning staff. The organization Environment and Development in Africa grows and sells vegetables to earn money.

All CSOs that receive funding have financial management systems and conduct annual account audits, which they must submit to the government and their donors. Donors usually require funded projects to be audited annually.

Although most CSOs have computers, they do not always have accounting software, because of its cost. CSOs funded by international CSOs often link their accounting systems to the accounting systems of funding organizations.

## ADVOCACY: 3.5

CSOs' advocacy work improved in 2018 as new coalitions emerged to work on food security, nutrition, election monitoring, and other important issues.

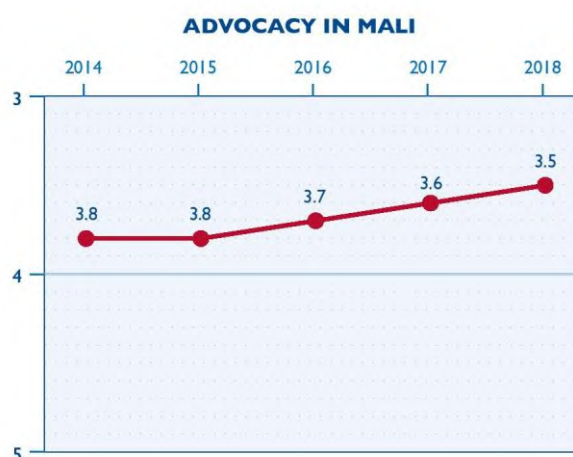
CSOs engage with the government in discussions and decision-making processes at the local and national levels. For example, CSOs participate in the National Assembly's annual public hearings and in various working groups that review government policies and programs, such as the Strategic Framework for Economic Recovery and Sustainable Development (CREDD). To increase their impact, CSOs have formed working partnerships with entities such as the General Auditor's Office and the Central Office for the Prevention of Corruption. Local CSOs, in contrast, do not usually attend public hearings by municipal councils because of poor organization and a lack of capacity.

CSO advocacy coalitions are increasing in number and impact. Food and Nutrition Rights is a national food rights advocacy coalition led by OMAES and comprising twelve domestic organizations, four international organizations, and eleven CSO networks. In 2018, the coalition campaigned to include food and nutritional security in the constitution and implement laws on agricultural land ownership. Working with UN agencies, the private sector, research organizations, the Donor Coordination Cell organized by the Embassy of Canada, and the Nutrition Coordination Cell in the Ministry of Health, the CSO network Scaling Up Nutrition (SUN), which is part of the global SUN movement, advocated with national-level decision-makers to improve institutional support for nutrition and promote nutrition-related health reforms.

National election-monitoring networks were active during the 2018 presidential election. Participating groups included the Coalition for Citizen Monitoring of Elections in Mali (COCEM), Mali Citizen Monitoring Pool (POCIM), Network of NGOs Supporting the Electoral Process in Mali, Caritas Mali, Human Rights Promotion Assistance Center (CAPDH), and West Africa Network for Peacebuilding (WANEP Mali). With improved access to technology, for example, COCEM was able to monitor pre- and post-election phases as well as the polling process.

CSO coalitions and individual organizations conduct awareness-raising campaigns to influence public opinion on topics such as humanitarian access. They also participate in discussions about the relationship between humanitarian assistance and development. On the other hand, the dangerous security situation and poor funding situation in 2018 forced CSOs to cut back on organizing intercommunity forums, which normally serve as discussion platforms and opportunities to re-establish connections across communities. CSOs also failed to react to several issues in 2018 related to, for example, school closures after repeated teacher strikes, deaths resulting from physicians' strikes, and delays in processing legal cases because of strikes by judges.

CSOs are generally aware that they must improve the legal framework for their work, and they advocate for beneficial legal reforms. The HIBISCUS program is seeking to reform national laws that govern CSOs but was still in an early phase during the year.



## SERVICE PROVISION: 3.6



CSOs' service provision improved in 2018 as CSOs responded to a variety of development and humanitarian needs, including in regions where the government was absent because of the dire security situation. CSOs provided services in health, education, energy, hygiene, food and nutrition, public safety and other areas. Despite grave security concerns, CSOs continued to work in conflict zones in 2018, particularly in central and northern Mali, where their work consisted mostly of distributing humanitarian aid in partnership with international CSOs.

Although CSOs' activities depend on funding, the needs that they respond to are drawn from municipalities' social, economic, and cultural development plans as well as baseline studies performed for new programs. CSOs

seek to save lives and alleviate suffering among vulnerable populations such as children, women, displaced persons, refugees, and the elderly. Most CSOs providing goods and services adhere to principles of humanity, neutrality, impartiality, and independence. In general, CSO services take target groups' and communities' needs into account without discrimination, even in very unsafe and uncontrolled regions, where the incidence of discrimination is high. CSOs generally do not take part in conflicts and do not get involved in political, military, or religious affairs.

Many CSOs offer training to individuals in such areas as agriculture, accounting, the development of management tools such as handbooks, and income generation and small-scale businesses, such as sewing, dyeing, and motorcycle repair. Training is generally requested by beneficiary populations. For example, in the municipalities of Pelengana and Sakoiba in Ségou region, OMAES trained and found jobs for twenty young people who wanted to learn to repair motorcycles or work as dyers.

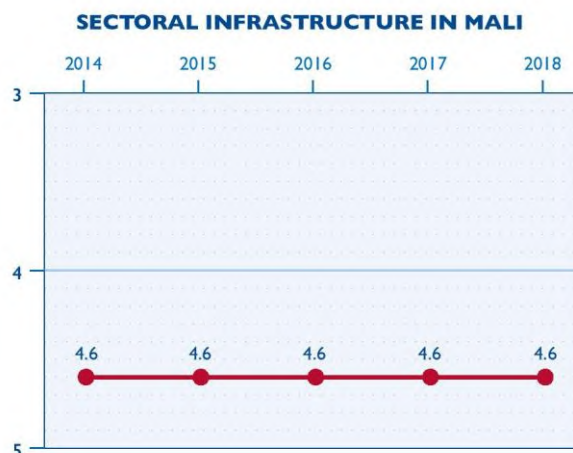
CSOs generally do not seek to recover their costs through paid services, especially in communities in which they are viewed as donors. However, associations of water users, vaccination center management associations, and health associations may charge fees for health care, drinking water, energy, or training.

The government acknowledges CSOs' services to displaced populations and issues certificates to show that services were properly provided. The government often requests CSOs' support in preparing and implementing public policies.

## SECTORAL INFRASTRUCTURE: 4.6

The infrastructure supporting the CSO sector was stable in 2018. CSO resource centers, including the National Civil Society Council and the CSO Forum, continued to use new technologies such as websites, internet portals, and social networks to offer information to CSOs and the public. Intermediary support organizations (ISOs) continued to provide CSOs with information and training on such topics as humanitarian standards, information management, advocacy, child protection, democratic governance, and natural disaster response. ISOs and resource centers are funded entirely by sources outside Mali, such as the EU and bilateral development agencies.

No national coalition or umbrella group represents the interests of the CSO sector as a whole. Organizations





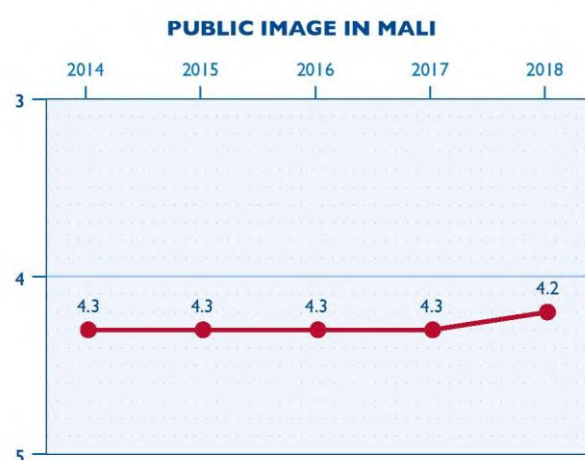
working in areas such as education, health, nutrition, food security, and children's rights have formed specialized coalitions for sharing information and working together towards common goals.

ISOs offer training on an as-needed basis, usually on topics determined by funders. Local trainers are available, but no training entities exist specifically to work with CSOs. Privately run, fee-based management training programs exist, but CSOs do not use them because of budgetary constraints. Most training is offered in French.

CSOs collaborated effectively with the government and businesses in 2018. For example, the SUN network partnered with the private sector, central government, donors, and international partners in an effort to eliminate malnutrition. Its benefits for CSOs included clarification of other actors' priorities and better understanding of relevant policies and programs. The SUN movement and SUN network acknowledge that the private sector is an essential partner in fighting all forms of malnutrition and helping low-income consumers access nutritional food.

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## PUBLIC IMAGE: 4.2



CSOs' public image improved in 2018 as the media conveyed a positive image of CSOs' role in addressing the crisis in Mali, especially in areas where the central government was absent.

CSOs have no trouble accessing media, and their activities are covered at the local and national levels in both public and private media and through traditional channels such as town criers. For example, the Network of Traditional Communicators, an organization of town criers, publicizes CSOs' advocacy campaigns. CSOs are the primary voices on local radio stations. In 2018, Mali's state-run and private television networks, radio stations, and private press outlets covered the launch of CSOs' national campaign on food and nutritional security.

However, the media are generally uninformed about

CSOs' work and usually cover their activities without analysis. CSOs must pay for media coverage and the costs are very high, so CSOs often cannot afford coverage of their activities.

The public has a positive perception of CSOs, since they generally involve communities in their service provision and advocacy work. CSOs also act as mediators in conflicts between national decision-makers and local communities, such as the 2018 teachers' strikes, when CSOs participated in the conflict-resolution commission. These contributions have increased public trust in the sector. However, the public does not always accurately understand the concept of CSOs and can confuse advocacy with political opposition.

Local governments and businesses appreciate CSOs' work and call on them for assistance if they have trouble getting their messages across or gaining community acceptance. They also trust CSOs as reliable sources of expertise and information. However, government perceptions can be negative if CSOs do not produce activity reports, fail to submit them in a timely manner, or work outside of government development plans. The government also sometimes perceives CSOs as donors. Businesses can see CSOs undertaking revenue-generating activities as competitors, largely because both often bid on the same contracts, but companies must pay taxes and CSOs are tax exempt, which creates the impression of unfair competition.

Nearly all CSOs have websites, but their use of social media is limited or nonexistent. CSOs organized few public debates on significant issues in 2018.

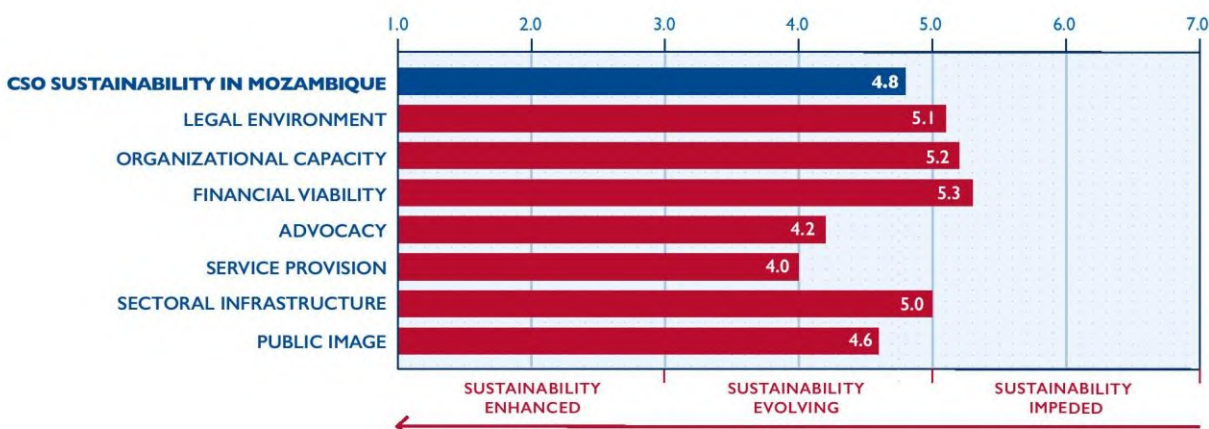
Only a small proportion of CSOs file annual reports with the government, as required by law. CSOs' annual reports are considered internal documents and are not published for public consumption. Some CSOs such as OMAES have codes of ethics and policies to combat fraud, bribery, corruption, prohibited transactions, and money laundering.



# MOZAMBIQUE

Capital: Maputo  
Population: 27,233,789  
GDP per capita (PPP): \$1,300  
Human Development Index: Low (0.437)  
Freedom in the World: Partly Free (52/100)

## OVERALL CSO SUSTAINABILITY: 4.8



The peace negotiations that began in 2017 between the two sides in Mozambique's long military conflict—the ruling party, the Mozambique Liberation Front (FRELIMO), and the main opposition party, the Mozambican National Resistance (RENAMO)—suffered a setback in May 2018 with the sudden death from illness of RENAMO head Afonso Dhlakama, who had led the negotiations. However, in August, the two parties finally signed a memorandum of understanding to demilitarize and integrate RENAMO into the country's armed forces and police. RENAMO made historic gains against FRELIMO in nationwide municipal elections in October. But the elections were not without problems, as violence broke out and RENAMO claimed electoral fraud in municipalities they believed they had won. Although the tribunals rejected all but one of the opposition's allegations on technical grounds, the Election Observation Platform, a group composed of leading Mozambican CSOs, presented evidence that appeared to back up many of RENAMO's claims.

Armed terrorist attacks, including brutal killings and the widespread destruction of property, escalated in the northern province of Cabo Delgado in 2018. The government seemed at a loss to deal with the problem and resorted to heavy-handed but ineffectual tactics, such as mass arrests and illegal detainments. In a chilling continuation of assaults on journalists and activists, a journalist and political commentator for the independent station Socio Television was abducted, beaten, and left unconscious by the side of the road after he openly criticized the behavior of one of the president's sons. No arrest was made in the case.

In the aftermath of the discovery in 2015 of the state's hidden debt of \$2.2 billion, the national economy finally began to show signs of recovery in 2018, according to the World Bank. However, income equality increased, and consumers' purchasing power remained low because of steady increases in the cost of living. The former finance minister, who had approved the fraudulent loans at the heart of the debt scandal, was arrested in South Africa in December 2018 for extradition to the United States, and further arrests were expected.

The overall sustainability of Mozambican CSOs did not change in 2018. CSOs' financial viability deteriorated slightly as many organizations temporarily closed their doors because of reductions in foreign and government funding. At the same time, advocacy was slightly stronger as many organizations campaigned effectively on the debt scandal and other issues. All other dimensions were stable.

No official up-to-date statistics about the number of CSOs in Mozambique are available. The estimate of the Civil Society Support Mechanism (MASC) Foundation, a major grantmaking and capacity-building organization, is that the country has approximately 10,000 formal and informal organizations.

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## LEGAL ENVIRONMENT: 5.1



CSOs' legal environment was unchanged in 2018. All CSOs continued to register under Associations Law 8/91, and little progress was made on revising the law during the year. CSOs may acquire legal status at the national level from the Ministry of Justice, at the provincial level from provincial governors, and at the district level from district administrators. Organizations are usually able to begin working before completing registration. The speed of registration often depends on the officials processing the applications, and the lack of consistency leaves CSOs frustrated. While service-providing CSOs reported few problems with their registrations in 2018, CSOs working on governance continued to experience delays. The Mozambican Association for the Defense of Sexual Minorities continued to wait for approval of its registration

application eleven years after its submission. The requirement that every organization report regularly to its line ministry is not rigorously enforced and therefore not overly burdensome.

As with registration, CSOs' freedom of operation seemed to depend on their area of focus. CSOs working on sensitive issues, such as corruption and governance, reported greater scrutiny and even harassment in 2018, while service-providing organizations experienced few problems. The abduction and beating in March of an outspoken journalist for the independent station Socio Television after he left the National Union of Journalists' office was a chilling warning to civil society activists. Thereafter, CSOs working on sensitive topics sometimes practiced self-censorship if they received information of such a sensitive nature that its release could jeopardize the safety of their staffs. In such cases, CSOs sometimes publicized their findings through local or international media. CSOs were able to exercise the right to assemble, although a heavy police presence, with blinds and dogs, contributed to low turnouts at many public marches in 2018.

CSOs are permitted to earn income from the provision of goods and services, but few organizations take advantage of this opportunity. Under the Associations Law, CSOs may engage in fundraising activities and receive funding from foreign donors. Organizations are legally allowed to bid on government contracts, but they rarely do so, on the assumption that they have no chance of winning the contracts.

CSOs receive tax exemptions and deductions on income from grants if they are registered as public utility institutions, which requires the approval of the Council of Ministers. It is estimated that fewer than 5 percent of CSOs have public utility status, since most organizations are not aware of the possibility or are daunted by the complexity of the application process.

While some local lawyers are knowledgeable about laws affecting CSOs, their services are out of the financial reach of most organizations. CSOs in the larger Maputo area have access to several legal resources, including the Mozambique Bar Association (OAM), which offers free legal assistance to needy CSOs but does not have nationwide coverage, and the Institute of Social Communication of Southern Africa and the Community Radio Forum (FORCOM), which offer legal assistance to community radio stations and journalists nationwide. In case of extreme need, smaller CSOs sometimes receive legal support from or through larger CSOs.

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## ORGANIZATIONAL CAPACITY: 5.2

CSOs' organizational capacity did not change in 2018. CSOs continued to work closely with their constituents and beneficiaries. For example, the Associação Muchefa in the Mandlakazi District of Gaza Province relied on its close community relationships to organize a series of public debates about priority areas for intervention. These debates, which were coordinated with the local municipalities, helped community members influence the planning process. Informal movements, especially at the grassroots level, have stronger day-to-day links with their constituents than organizations based in Maputo, which usually implement projects in districts in which they do not have offices or

close permanent relationships. For example, the Civil Society District Platform (PLASCIMAC) in Manica Province works closely with community development observatories (ODCs), which are informal voluntary groups formed by civil society, donor, and government representatives to monitor local implementation of the government's poverty reduction programs. In 2018, the ODC in Machaze was able to pressure district officials, the contractor, and the provincial government to resume construction of a district hospital that had stopped for more than three years. When completed, the hospital will serve more than 120,000 people.

The majority of registered CSOs have vision and mission statements, which are included in their constitutions and approved by the government during registration.

However, CSOs' projects are often determined by the availability of funding, and in the absence of sufficient core funding, CSOs must sometimes accept projects that do not align with their missions or are not key priorities for the communities that they serve. Only well-established and well-financed organizations, such as the Center for Learning and Capacity Building Civil Society (CESC), Mozambican Debt Group (GMD), and Parlamento Juvenil, have strategic plans that they follow. Organizations at the provincial and district levels usually do not have strategic plans because of the limited number of people capable of leading the planning process and the cost of their services, which is out of the reach of smaller CSOs. In the absence of strategic plans, most CSOs develop yearly work plans, which sometimes include indicators describing outputs but usually omit methods to evaluate program results.

Formal CSOs have clearly defined management structures, although they do not always function. For example, general assemblies may not meet regularly or fully involve or share information with members. The division of responsibilities between the board and the staff is not well understood, and without clear terms of reference, boards and their chairs may take on day-to-day executive roles. In small organizations that lack funds to hire staff, board members take on implementing roles, which can lead to a lack of transparency and checks and balances and result in the misuse of funds.

Mozambican CSOs have great difficulty maintaining permanent staff because of their lack of funding. The private sector is slowly growing in Mozambique, and its better employment conditions are luring away CSO staff. Government jobs offer low salaries but life-long employment and pensions and thus are also more attractive than well-paid but short-term positions with CSOs. Training for CSO staff usually consists of learning by doing, which deters potential employees who seek formal coursework ending in certificates that they can include on their resumés. The majority of staff at larger, well-established organizations have contracts and job descriptions. CSOs do not usually have sufficient resources to hire professional staff, such as lawyers or information technology managers, but they may outsource these services on a one-off basis. CSOs work with volunteers on a limited scale, in part because of their weak links to universities, which could offer a large pool of volunteers.

Many CSOs, particularly in Maputo and provincial capitals, have reasonable access to basic office equipment, including computers and up-to-date software, as well as internet services. They often use social media, such as Facebook, Twitter, and, especially, WhatsApp. Internet services continue to be limited at the district and local levels.

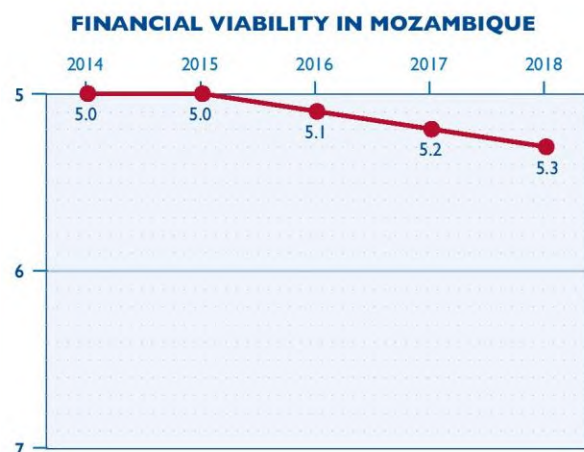
**ORGANIZATIONAL CAPACITY IN MOZAMBIQUE**



## FINANCIAL VIABILITY: 5.3

CSOs' financial viability deteriorated slightly in 2018, as many organizations temporarily closed their doors because of reductions in foreign and government funding. Most CSOs, especially at the provincial and local levels, do not have multiple or diverse sources of funding, which leaves them exceptionally vulnerable to any drop in traditional donor support.

As in previous years, CSOs relied nearly entirely on foreign funding, and organizations at the local and provincial levels complained about a drop in available funding during the year. Donors decreased their support to local



intermediary support organizations (ISOs). For example, the MASC Foundation, which is funded by the United Kingdom's Department for International Development, Irish Aid, Swiss Agency for Development and Cooperation, Danish International Development Agency, and Norwegian Embassy, experienced a decline in funding in 2018, as did the Action Program for Inclusive and Responsible Governance (AGIR) and thematic forums such as FORCOM. These ISOs therefore had fewer funds to pass on to local CSOs. Several donors downsized their operations in 2018, which reduced their capacity to reach out directly to organizations at provincial and local levels. Longer-term funding was a problem even for CSOs based in the capital, as donors also continued to reduce the duration of their support. Most CSOs, especially at the provincial and local levels,

do not have multiple or diverse sources of funding.

Some local foundations, including the Foundation for Community Development (FDC), MASC Foundation, Manhiça Foundation, Lourdes Matola Foundation, and Joaquim Chissano Foundation, offered grants to CSOs in 2018. Taken together, local foundations support fewer than 10 percent of CSOs nationwide.

Funding from government and private-sector sources remains negligible. Government funding is rare, as the government considers CSOs sufficiently recompensed by donors. CSOs may compete for government contracts at both the central and local levels but rarely do so. CSOs may also compete for district funds, which are meant to stimulate employment, income generation, and food production. However, such funds were largely on hold in 2018 because of the debt crisis. The National Aids Council has suffered huge cuts in funding from the Global Fund to Fight AIDS, Malaria, and Tuberculosis in the last two years and has decreased its support to CSOs. Local private-sector sources of funding are fighting for their own survival in the current economic climate and therefore have cut back on their support to CSOs. The corporate social responsibility programs of larger multinational companies tend to be available only in the limited geographical areas directly affected by their enterprises.

A few larger institutions, such as FDC, which works in health care, education, and advocacy, and N'weti, which focuses on health care, earn income from the sale of services and products or rentals. Professional bodies such as the OAM obtain healthy revenues from the contributions of members, who must belong for professional reasons. However, most CSOs obtain limited funding from individuals or communities, especially as they show little creativity or confidence in generating local income through fundraising activities such as crowdsourcing. Most individuals do not understand the role of CSOs, and they often believe that CSOs already receive external funding or their money does not reach intended target groups. The little funding that individuals give is usually directed to churches or family members, although they may donate food and clothing during emergencies or devote time to working with CSOs to resolve local issues. CSOs sometimes organize concerts and other activities to raise funds for emergency assistance but not for their own operations. Social enterprises are still in their infancy, but CSOs are beginning to realize their potential. For example, the Citizens Platform in Quelimane, Zambezia Province, operates a small bicycle taxi service.

The majority of CSOs manage their finances using simple Excel spreadsheets. Larger, well-established organizations, such as Social and Economic Studies (IESE), Rural Development Observatory (OMR), and CESC, usually have defined financial systems and procedures approved by external auditors, use accounting software such as Primavera, and have qualified or experienced financial managers and other financial management staff. Professional financial services and external audits are generally out of the reach of smaller provincial and local CSOs. Smaller organizations show limited understanding of the need for checks and balances in financial transactions, do not have financial manuals, and usually operate on a cash basis.



## ADVOCACY: 4.2

Advocacy by Mozambican CSOs strengthened slightly in 2018 as many organizations continued to focus on the debt issue. The scandal was unusual in that it involved individuals at the highest levels of government and would normally have been brushed under the carpet. In coordination with the donor community, CSOs, which tend to drop such cases for fear of reprisal, managed to maintain pressure and hold previously untouchables elites to account. Also strengthening CSO advocacy was the shift of the focus of a number of organizations from monitoring to advocacy at the provincial and district levels.

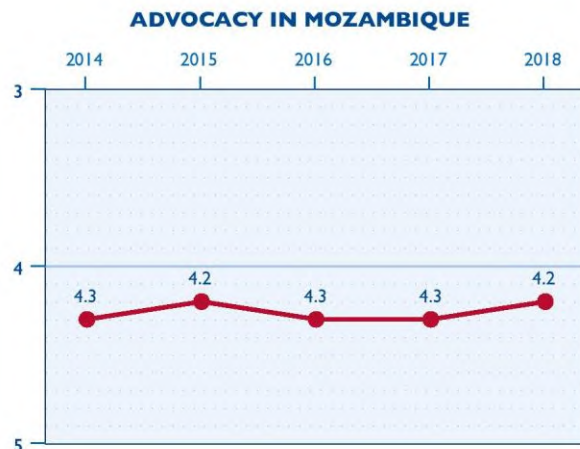
Laws and policies do not require the government to consult with civil society. Official mechanisms to hold the government to account, such as the Administrative Tribunal, are not widely used by CSOs. The administration, the parliament, and CSOs themselves make little effort to ensure that CSOs receive advance notification of issues under consideration by national and provincial governments. Direct lines of communication between CSOs and policy makers function on the local level but are mostly ad hoc. Formal groups such as development observatories operate in all provinces but are advisory rather than decision-making bodies, and the government is not obliged to follow up on their concerns and recommendations. Moreover, many key decisions on issues such as mineral resource licences and decentralization are made outside of formal processes.

CSOs seek to use issue-based coalitions to influence the government and public opinion. One of the most effective coalitions is an informal consortium focused on the illegal debt, which is composed of the MASC Foundation, IESE, OMR, and the Center for Public Integrity (CIP). In 2018, the consortium's efforts were strengthened by the work of the Budget Monitoring Forum (FMO), which published several position papers on the topic. Pressure from CSOs and international partners in 2018 kept the debt issue on top of the national and international agenda and led to the arrest of the former minister of finance, who allegedly approved the illegal loans.

Other coalitions that advocated successfully in 2018 included the Network for the Defense of Sexual and Reproductive Rights, which expanded its work to Gaza, Inhambane, Zambezia, Nampula, and Cabo Delgado provinces and introduced the issue of sexual and reproductive rights to public debate and local health institutions. The Coalition for the Elimination and Fight against Premature Marriages in Mozambique worked in various provinces through public debates and roundtable discussions to have underage marriage classified as a criminal offence. When the Mozambican government was invited to make a formal declaration of its goals at the Global Disability Summit in 2018, the Mozambican Forum of Associations of the Disabled (FAMOD) brought together CSOs working on disabilities to draft recommendations. More than 70 percent of FAMOD's recommendations were adopted by the government and subsequently approved at the summit.

In other advocacy efforts in 2018, the environmental association Livaningo advocated for the closure of the Hulene rubbish dump, where a landslide of accumulated debris destroyed houses and killed several families. Livaningo took the municipality to court to secure financial compensation for the affected families. If the case is successful, it will be the first victory of its kind in Mozambique.

The use of social media and mobile platforms to foster civic engagement has had varying success in Mozambique. The Citizens' Platform in Zambezia established an online mechanism that the public could use to pressure the district government to replace a recently collapsed bridge. But the cost and lack of access to internet services often restricts public participation in social media. In addition, people are often not aware of the existence of online platforms or may mistrust them if they fear that their comments will be traced. Informal avenues for influencing decision making, such as meetings with members of political parties and retired public servants, are often more effective tools for advocacy, but they require networking and public relations skills that many CSOs do not possess.

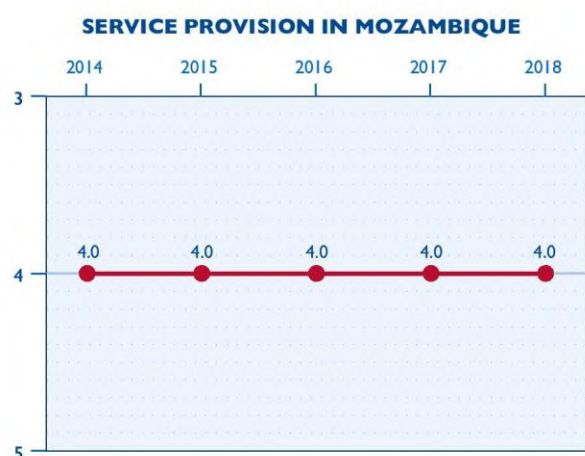




Mozambican CSOs are not yet comfortable with the idea of lobbying, mainly because of their fears of reprisal. Unusually, the Citizens Observatory of Mozambique has begun to submit proposals for laws to the parliament, including, in 2018, a draft law to create a single national identification document. FMO comments regularly on government budgets and interacts with the relevant parliamentary committee.

Work on revising the Associations Law was largely stagnant in 2018. At a national meeting in September 2018, CSOs discussed the process of revising the law, but the government made no steps in that direction during the year. The government is revising the Foundations Law 41/2018, but Mozambican foundations have only limited involvement in the process. While CSOs are aware that revised laws could improve their effectiveness and sustainability, they do not seem as aware of the risk that revisions could have the opposite effect if the government chooses to adopt a hardline approach.

## SERVICE PROVISION: 4.0



CSO service provision did not change in 2018. CSOs continued to provide services in all areas, with a particular focus on education, health, water and sanitation, agriculture, and mineral resources. However, the decrease in funding from the National AIDS Council caused a number of organizations (for example, in Inhambane Province) to close their doors in 2018, which resulted in a reduction in the intensity of public awareness of HIV/AIDS.

CSOs' interventions generally respond to community needs. Once a need has been identified, medium-sized and larger CSOs, such as the Associação Sucesso, which works on corruption in Manica District, carry out baseline exercises to gauge the extent of the need and define targets to measure the progress of their

interventions. At the same time, CSOs' services are also driven by donor funding, which may not accurately reflect community needs.

CSOs do not discriminate in their service provision. When funding permits, their services cover entire communities and do not support only their own members or specific political or religious groups.

Very few CSOs recover the costs of service provision, since they lack a business orientation or are unaware of their right to generate income. For example, Women and Law in Southern Africa (WLSA) Mozambique is often invited to make presentations to CSO workshops, conferences, and so forth but rarely charges for this service. In addition, the lack of allocations for CSOs' services in government and other budgets means that few stakeholders have extra funds to pay for CSOs' work.

In some areas, CSOs monitor the quality of basic service provision in unison with local governments, some of which are very open to and accepting of the results of monitoring. For example, in 2018, the Association Environmental Development Program worked with local and district governments in Mocuba District, Zambezia Province, to map non-functioning water holes and repair a large portion of pumps, so that 20,000 families could have access to clean drinking water. At the national level, the government is similarly open to criticism resulting from monitoring, especially if it receives feedback prior to its public release, and CSOs present solutions in addition to describing problems that the government already recognizes. The high quality of WLSA Mozambique's work induced the government to hire the organization to offer capacity building to workers in the judicial sector at the Center for Legal and Judicial Training.

## SECTORAL INFRASTRUCTURE: 5.0

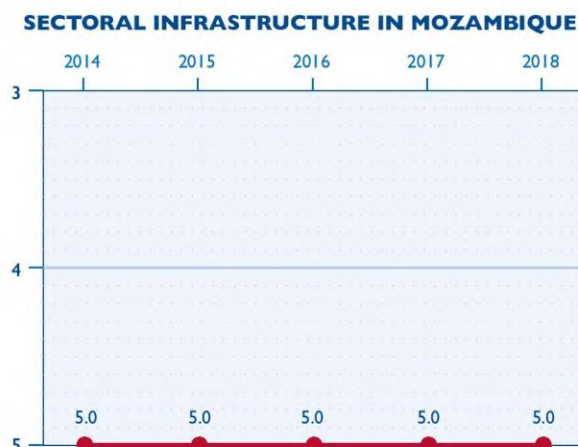
The sectoral infrastructure did not change in 2018. No dedicated CSO resource centers exist in Mozambique. Several ISOs, including FDC, FORCOM, CESC, the MASC Foundation, and Child Rights Network, offer capacity building and technical assistance in project and financial management as part of their support to grantee organizations. Donor programs such as AGIR and international CSOs such as Counterpart International, Medicus Mundi, and World Vision also offer capacity building and technical assistance. Because of the lack of CSO resource centers and the limited number of ISOs, CSOs' need for training and technical assistance in project design and management is well short of being fulfilled, especially at the provincial and local levels. ISOs do not charge for their services, as their costs are covered by grants from donors and their target groups do not have the ability to pay.

Local foundations such as MASC and FDC re-grant international funds to Mozambican CSOs working in areas such as governance and health monitoring. They usually issue calls for proposals that are open to organizations nationwide, and they also identify strategic partners for direct support. The level of funding available through ISOs decreased in 2018.

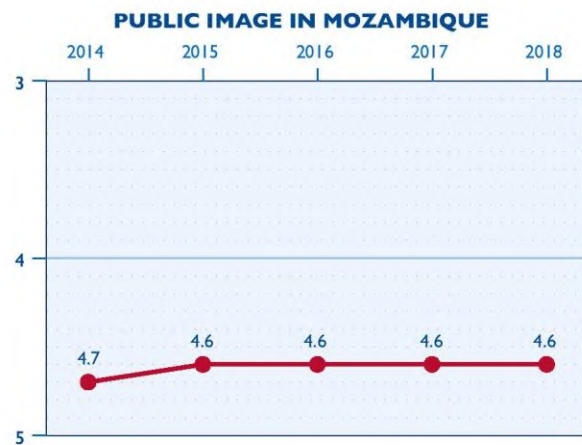
Formal and informal coalitions continue to develop in Mozambique, although they are sometimes undermined by disputes over which organization will take the lead or manage the funding. Although normally resolved, the disputes can result in delays in program implementation and ineffective coordination of activities. In 2018, consortiums such as Sala de Paz and Votar Mozambique monitored the quality of the election process and reported cases of electoral violence and fraud, as well as success stories. More than fifty registered thematic and provincial and district forums and networks promote collaboration among their members. Many of these forums are driven by the chief executives rather than CSO members, and they sometimes suffer from weak participation, limited financial contributions, non-functioning governing bodies, and a lack of creativity. Informal consortiums created not just for funding purposes but to resolve specific short- to medium-term problems enjoy a higher level of participation and impact. For example, an informal group composed of CIP, IESE, FMO, and the MASC Foundation produced valuable research and analysis on the impact of the debt crisis.

Available training does not meet the needs of local CSOs. Capable CSO trainers are based mostly in Maputo and work for either local CSOs or cooperating partners and thus are not usually available to be hired independently. Independent consultants charge fees that are out of the reach of local and provincial CSOs. Basic training is usually offered by donors to their grantees. Advanced training is not available within the CSO sector but is sometime offered by private companies and universities, which makes it unaffordable for most CSOs. Training materials are mostly in Portuguese, the official language, mainly because many people speak but do not read the large number of local languages.

There are few examples of CSOs working in partnership with the private sector outside of the extractive industries. Many CSOs are reluctant to work even with extractive industries because of a fear that business interests will conflict with community needs. CSOs work more often with the media, with radio and television particularly open to cooperation and joint partnerships. For example, the Mozambican Economic and Social Forum sponsored a youth leadership initiative in which young CSO leaders presented their work on prime-time television. The government and CSOs sometimes engage in joint data collection about local problems, such as access to drinking water, or raise public awareness to mobilize community participation in meeting basic needs, such as the maintenance of water holes.



## PUBLIC IMAGE: 4.6



CSOs' public image was stable in 2018. Coverage of CSOs in the media is limited and focuses mostly on current hot topics rather than social issues or marginalized groups. The media generally provide positive analysis of CSOs' role in society, although journalists' understanding of that role can be limited and individual journalists sometimes attack specific organizations or their leaders on social media. In 2018, for example, CIP and Votar Mocambique were accused on social media of being manipulated by donors. Journalists tend to interview CSO leaders as individual experts rather than as representatives of their organizations. Coverage in the government-controlled media, such as TVM and Jornal Notícias, is difficult to obtain if it involves issues that are politically sensitive. Local independent media consist mostly of community

radio stations, which are closely linked to CSOs and understand their role. CSOs must usually pay the same fees as other entities for media coverage, except at community radio stations, which may offer them lower rates.

The public does not understand the concept of CSOs or value CSOs' contributions, aside from, to some extent, their provision of services. The public often gives moral support to national causes pursued by CSOs, such as their work on the debt issue, but remains apprehensive about participating in activities such as marches for fear of reprisal or marginalization. Communities are more open to supporting religious institutions than CSOs, and they often assume that CSOs have sufficient resources to carry out their work without community financial support.

The government's perception of CSOs is generally positive, especially of organizations working on issues that support the government's agenda, such as community mobilization, public education, and service provision. The government perceives organizations working on monitoring and good governance less positively. The government usually sees data and other information provided by CSOs as credible only if generated in cooperation with local governments. The private sector recognizes the importance of CSOs' role and the differences in their mandates, capacities, and degrees of transparency.

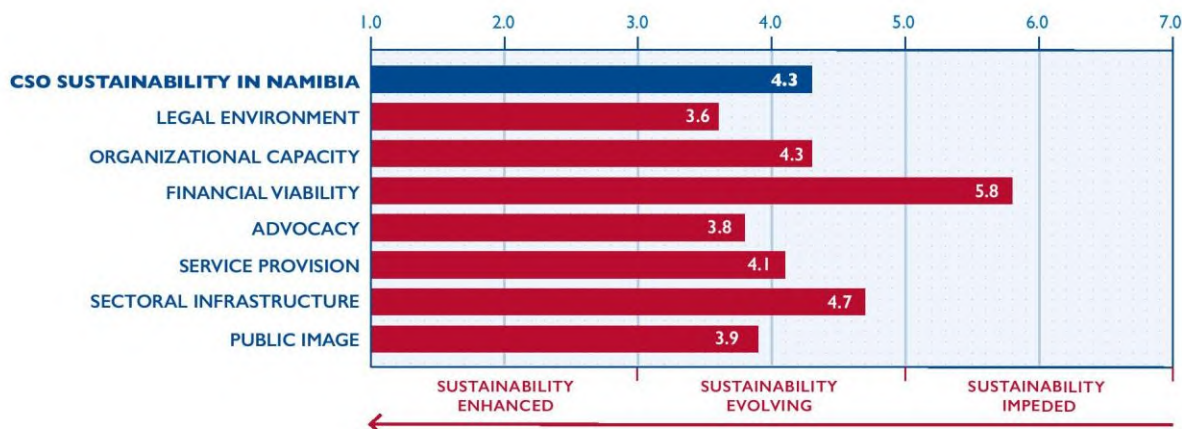
CSOs still put little emphasis on public relations and do not dedicate resources or partnerships to this purpose. Few organizations have extensive experience working with the media, and they mainly invite journalists to individual events rather than seeking to form long-term relationships. CSOs that understand how to work with journalists can achieve good coverage of their work in the independent media. For example, Associação Sucesso, a small local organization, produces many articles on social media, which are then picked up by newspapers. CIP generates good coverage on issues of corruption, and N'weti is sometimes highlighted in news outlets' coverage of health issues.

CSOs regularly produce progress reports and annual reports for their funders and members. They rarely publish their reports in the media, although they sometimes post them on their websites. CSOs have a sector-wide code of ethics that is slowly being disseminated. Cooperating partners such as the MASC Foundation include the code in their agreements with grantees and encourage other cooperating partners to do the same. It is hoped that by the end of 2019, more than 20 percent of organizations receiving funds nationwide will have signed on to the code, although there is no evidence to demonstrate that the code has actually improved behavior. The MASC Foundation has also created a transparency index, which aims to bring the code of conduct to life through measurable indicators. The index was tested with more than thirty CSOs in three provinces in 2018 and will be finalized in 2019.

# NAMIBIA

Capital: Windhoek  
Population: 2,533,224  
GDP per capita (PPP): \$11,200  
Human Development Index: Medium (0.647)  
Freedom in the World: Free (77/100)

## OVERALL CSO SUSTAINABILITY: 4.3



For most Namibian citizens, 2018 was a challenging year. Namibia's economy continued to contract, and by the end of the year had been in recession for thirty consecutive months. The government was unable to boost the economy by increasing spending because of the high level of public debt, which reached 50 percent of GDP in 2018. Meanwhile, the media reported that the formal economy continued to shed jobs, particularly in the mining and construction industries. The 2018 Labor Force Survey by the Namibia Statistics Agency found that 34 percent of the workforce was unemployed and, most concerning, 46 percent of people under the age of thirty-five did not have jobs.

The economic crisis led to public tensions and disputes, with housing, unemployment, access to land, and poor governance particularly sensitive points of friction. The Shack Dwellers Federation of Namibia reported that in 2018, there were 228,000 shacks in urban areas, accommodating about 995,000 people or approximately 40 percent of the population. Land reform in both urban and rural areas was the subject of a major consultative conference called by the government in October 2018.

The overall sustainability of Namibia's civil society was unchanged in 2018. The legal environment deteriorated slightly because of increased government harassment and the lack of progress on reforming the restrictive research law and introducing access to information legislation. CSOs' ability to secure funds was weaker, causing their organizational capacity and financial viability also to deteriorate. The public image of Namibian CSOs worsened slightly as the government expressed more negative views. However, public protests, concerted lobbying, and social media activism were evidence of moderately improved CSO advocacy during the year. CSOs' service provision and sectoral infrastructure did not change.

Data on the size of the civil society sector in Namibia is very limited. Neither the government nor other entities regularly collect comprehensive information about CSOs. The Namibia Institute for Democracy (NID)'s 2018 "Guide to Civil Society" lists more than 130 active organizations countrywide, with the majority working in education, health, and human rights. This figure is about the same as the number of CSOs listed in the previous edition of the Guide to Civil Society issued in 2012. Previously cited reports of 568 active CSOs in Namibia are now considered unsubstantiated, although, given the deteriorating funding environment for CSOs in recent years, it is assumed that the sector contracted in 2018.



## LEGAL ENVIRONMENT: 3.6



The legal environment for Namibian CSOs continued to deteriorate slightly in 2018, as government harassment increased and little progress was made on reforming restrictive laws.

Namibian CSOs may register as trusts with the Master of the High Court or as companies not for gain with the Business and Intellectual Property Authority. CSOs offering certain public education or health services must also register either as welfare organizations with the Ministry of Health and Social Services or as educational institutions with the Ministry of Education. In general, CSO registration and de-registration are overly burdensome and time-consuming processes. For this reason, most CSOs operate as voluntary associations, which must have written constitutions but do not need

to be registered with the government and are otherwise subject to fewer regulatory requirements. In practice, many CSOs find it difficult to comply with national regulations because of the bureaucratic processes involved and a lack of capacity in the civil service. For example, updating registration details is a necessary but often tedious task that can obstruct CSOs' operations.

The government has pursued a piecemeal approach to repealing outdated and often discriminatory apartheid-era laws. A worrying precedent was set in April 2018 when, for the first time since Namibia's independence in 1990, the Namibian Central Intelligence Service (NCIS) used the Protection of Information Act of 1982 to stop The Patriot newspaper from publishing information about the service's questionable acquisition of properties. A subsequent court hearing found in favor of the newspaper, which proceeded to publish the report. However, the Protection of Information Act remains on the statute books, and efforts by the Access to Information in Namibia (ACTION) coalition, an umbrella group of governance and human rights organizations, to lobby the government for an access to information law made very slow progress in 2018, with the government holding no public consultations on the issue. The controversial Research, Science, and Technology Act of 2004, which requires all organizations and individuals to apply for permits for research projects, remained in force in 2018, although the government had yet to fully implement the law and made only limited efforts to reform its most contentious parts. A High Court challenge over the law's constitutionality, brought by the Legal Assistance Center (LAC), Institute for Public Policy Research (IPPR), and The Namibian newspaper, made little progress during the year.

Government harassment of CSOs increased in 2018. In June 2018, the police broke up a press conference organized by the Caprivi Concerned Group (CCG), which seeks to end the long incarceration of individuals who had violently pursued the secession of the north-eastern Zambezi region (previously known as the Caprivi region) from the rest of Namibia in the late 1990s and early 2000s and promotes dialogue on the issue. In July, security officers arrested six of CCG's leaders during an attempted public meeting and charged them with obstructing the police, sedition, and incitement to commit public violence. The CCG leaders were initially denied bail, but a few days later the police dropped all charges and released them, citing a lack of evidence. The police said the case could be reintroduced at a later stage.

CSOs face no legal limitations on accepting funding from international sources. CSOs may compete for government contracts and earn income through the provision of goods and services.

By law, charitable, religious, and welfare organizations are exempt from paying taxes on their incomes. However, concerns about churches undertaking profit-making activities prompted the Minister of Finance to propose in March a tax on any income that charities derive from commercial activities. CSOs were concerned about the intent of this proposal, but the government undertook no follow-up action on the proposed tax during the year.

CSOs can access private legal services, although they are prohibitively expensive and difficult to find in remote areas. Only LAC provides legal advice on a pro bono basis.



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## ORGANIZATIONAL CAPACITY: 4.3

CSOs' organizational capacity continued to decline moderately in 2018, mainly because of funding constraints, which caused a decline in CSO staffing, especially in the health-care sector. Even long-established organizations, such as the IPPR and LAC, were unable to afford to build the capacity of their staffs or strengthen their operations.

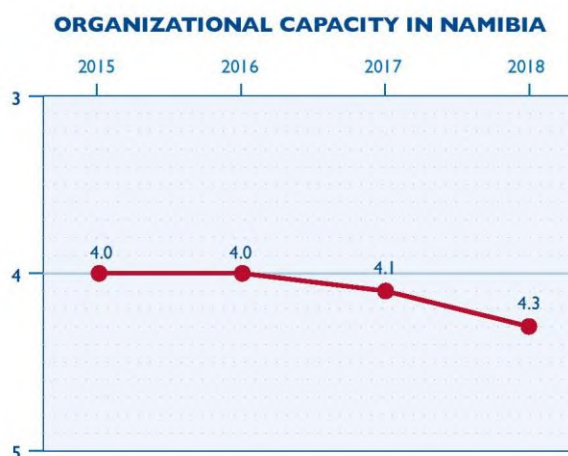
Most national CSOs do not engage with local or grassroots constituencies, in part because of funding constraints. Some CSOs occasionally seek to form stronger ties with communities in areas such as health education and democracy promotion, but their success is limited, since their activities are generally program-based and cease with the completion of projects. For example, NID provides civic education to promote

democracy and prevent corruption but is unable to do so on a continuing basis because of funding constraints. Some larger CSOs such as the Society for Family Health are able to maintain regional offices. Although some CSOs engage at the local level, information about the organizations and details of their work is scarce.

Limited organizational strength and scant core funding have allowed donors increasingly to set the agenda for CSO activities. Most organizations struggle to conduct medium- and long-term strategic planning because of their lack of staff capacity, the need to focus on meeting immediate funding needs, and donors' preference for shorter-term projects.

The challenge of inadequate staffing grew more acute in 2018. CSOs in the health sector experienced a particularly steep decline in both funding and capacity, and, as a consequence, their staff members often sought more secure employment elsewhere. For example, after the Global Fund to Fight AIDS, Tuberculosis, and Malaria announced in February 2018 that it was drastically reducing funding for CSOs' community-based health outreach programs, eight organizations had to cut staff positions significantly. There was a growing interest in voluntary work in 2018, often by unemployed people seeking work experience, even if unpaid. Most CSOs, however, do not have adequate administrative and supervisory capacity to utilize volunteers effectively.

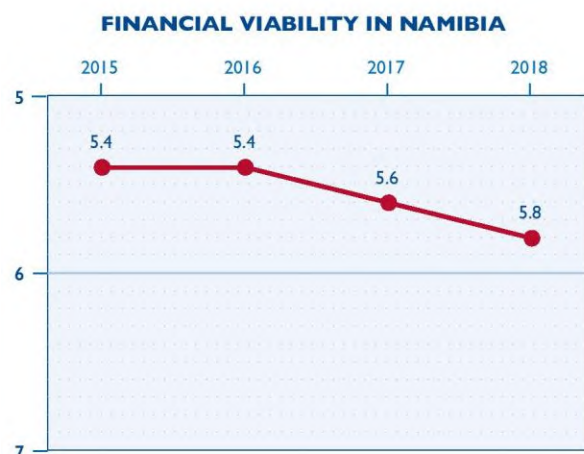
Few CSOs have access to modern office equipment, including computers, printers, and furniture. Project staff at IPPR, for example, use private laptops at work. In general, CSOs' first priority in using their limited resources is to secure office space and cover utility costs.



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## FINANCIAL VIABILITY: 5.8

CSOs' ability to secure funds continued to deteriorate moderately in 2018, and many organizations became financially unstable. Most organizations depend on external donors. While there are no exact figures on levels of donor support, much of it is directed towards governmental entities rather than CSOs. For example, the German government allocates most of its annual aid budget for Namibia to government infrastructure development and vocational training. Namibia is usually not seen as a priority for global or regional funding calls, because of its classification by the World Bank as an upper-middle-income and its reputation as a politically stable country. The Namibian Internet Society, for example, finds it hard to attract donor funding, since the country's internet access is not considered impeded. In addition, a number of once highly engaged donors have stopped or significantly curtailed their financial support or have gradually shifted their focus away from civil society. In February 2018, the Global Fund to Fight AIDS, Tuberculosis, and Malaria announced a steep reduction in funding for CSOs' community-based health outreach programs in Namibia from 2018 to 2020 and will fund only two of ten previously funded organizations during this period. The Embassy of Finland, a long-standing partner of CSOs working on governance and human rights, signaled in 2018 that it would significantly curtail its support for CSOs and focus instead on promoting trade and commercial ties.



Also undermining CSOs' financial stability is donors' preference for funding short-term projects with minimal allowances for administrative costs. This trend puts pressure on CSOs to find other sources to finance rent, staff, and utilities. In addition, donors often require that CSOs applying for funding be registered on international online accreditation systems, submit audit reports, and compile detailed budgets and program documents within a short period of time. Many CSOs lack the technical and administrative capacity to realize these complex application and administrative processes.

There were positive signs in 2018 that the United States President's Emergency Plan for AIDS Relief intended to shift funding from large organizations based in the capital city to locally based CSOs. But local CSOs' lack of

capacity to manage large multi-year projects makes them concerned that international organizations will displace them in implementing projects under this program.

Opportunities for CSOs to obtain funds from Namibian sources remained severely constrained in 2018. Namibian philanthropy is underdeveloped, and there are few local grantmaking institutions. The private sector provides some financial support to individual CSOs or organizations working in specific sectors, such as environmental protection or social welfare. For example, the First Rand Namibia Foundation, which is linked to one of Namibia's largest banks, reported in 2018 that in the past year it had spent NAD 10.6 million (approximately \$763,000) on corporate social responsibility projects, with an emphasis on health, community development, and education. But companies generally steer clear of involvement in areas that are considered politically sensitive. For example, large corporate sponsors such as the telecommunications company MTC dedicate most of their corporate social responsibility funding to sports and the arts. The government has historically provided little funding to CSOs, especially since the 2015 financial crisis.

In general, Namibian CSOs have neither the dedicated staff nor the capacity to engage in systematic fundraising. In the past, a few CSOs have sought to sell services and products to supplement their income, but such activities have largely ceased, since poor communities cannot afford their services, and private-sector entities prefer to hire commercial outfits.

More established CSOs that still receive funding from the few donors left in Namibia usually have effective financial management systems. However, the inability of many organizations to afford permanent and full-time staff has undermined sound financial management practices. Very few CSOs publish annual reports or detailed financial statements.

## ADVOCACY: 3.8

A growing number of public protests, concerted lobbying efforts, and social media activism were evidence of moderately improved CSO advocacy in 2018.

CSOs continued to find it difficult to engage meaningfully with government officials during the year. Government ministries usually insist that CSOs make use of overly formalistic, bureaucratic communications channels, and government representatives are often reluctant to participate in CSOs' events. There are no active mechanisms that facilitate regular consultations on policy issues between the government and CSOs. Any consultations that take place are ad hoc.

The regional summit of the intergovernmental Southern African Development Community (SADC) took place in Windhoek in August 2018. During the summit, Namibian CSOs, organized by Namibian Non-Governmental Organizations Forum (NANGOF) Trust, cooperated with other southern African CSOs to submit a petition to the incoming SADC chairperson, Namibian president Hage Geingob. The petition called on regional governments to address high youth unemployment, child marriage, social protection, and other concerns. Under the auspices of IPPR, Namibian CSOs met several times during the year to draft a report on governance as part of the country's

participation in the African Peer Review Mechanism, a self-monitoring exercise aimed at promoting good governance among members of the African Union. The report focused on twelve key issues, including poverty, youth unemployment, corruption, land reform, and gender-based violence (GBV). CSOs expect to submit the report to the government once the review process starts in 2019.

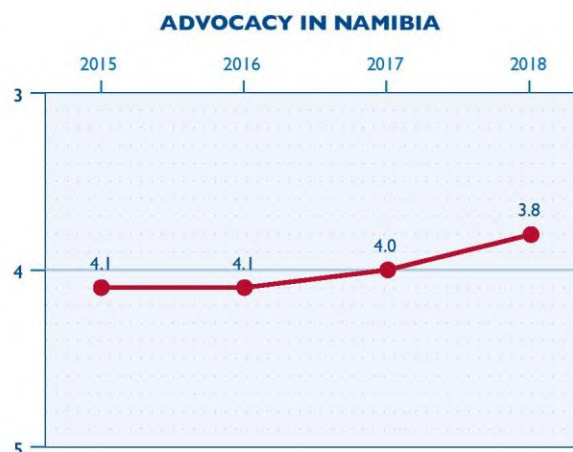
CSO activists and journalists were key participants in a campaign to prevent rapid deforestation in northern Namibia in 2018. After citizens monitored and disseminated information via social media about the movement of trucks carrying timber to Walvis Bay, Namibia's main port, the government banned the transport of timber at the end of November 2018. In a rare success for consumer activism, a previously unknown group called the Center for People's Resistance organized a consumer protest outside of the main branch of a supermarket chain in Windhoek in August. The protesters called for a boycott of the South African-owned Shoprite chain until it abandoned its legal case against ninety-three workers who in 2015 had conducted an unofficial strike over salaries, benefits, and working conditions. The company had charged the workers with disciplinary offences and sued them but dropped all charges in reaction to the boycott.

In August, hundreds of Namibians marched against GBV as part of coordinated regional protests also held in South Africa, Botswana, and Lesotho. The marchers, who mobilized under the banner of the Women's Coalition Against GBV, called on the authorities to resolve outstanding cases of rape and femicide and take other measures to reduce the high rate of GBV in Namibia. Environmental and labor activists, led by the Economic and Social Justice Trust, called on the government to permanently set aside an environmental clearance certificate granted to a company that intended to mine phosphate deposits off Namibia's coast. Several environmental organizations submitted petitions to the Ministry of Environment against phosphate mining, which they fear will have damaging consequences for Namibia's fishing industry. A number of community groups protested severe housing shortfalls in Windhoek, Otjiwarongo, Okahandja, and other towns.

At times in 2018, CSOs were unable to speak with one voice on important issues. For example, civil society was split over whether to participate in the government's second national land conference in October. The conference sought to address mounting frustration over the land reform process in urban and rural areas. Some groups, including the Affirmative Repositioning Movement, Landless Peoples' Movement, part of the NANGOF leadership, and several traditional authorities, boycotted the gathering, labeling it a sham process that would produce little change. Other CSOs, such as LAC and the Shack Dwellers Federation, took part in the conference. In the end, although civil society failed to present a united front, conference participants from the government, civil society, local communities, and business agreed on some groundbreaking resolutions, including the establishment of a commission to address ancestral land claims.

In lobbying activity, the ACTION coalition and other CSOs successfully pressured the government to withdraw a combined electronic transaction and cyber security bill. The government agreed to separate the draft law into two parts and move ahead with the bill on electronic transactions while consulting further on the cybercrime issue. ACTION also lobbied the government to view cyber security as a human rights issue rather than as a matter of imposing controls.

Efforts by CSOs to press for legal reforms in 2018 focused mostly on issues of information technology and telecommunications. Led by the ACTION coalition, CSOs provided comment on the country's broadband policy. CSOs did not advocate for changes involving their legal framework during the year.



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## SERVICE PROVISION: 4.1



CSO service provision was stable in 2018. Although the services they provided were limited, CSOs' willingness, especially at the local level, to innovate in using what little resources they helped to offset protracted reductions in funding. For example, the White Ribbon Campaign, which works to address harmful male cultural norms, relied largely on volunteers to run its activities, and Young Africa, which provides training for young people in Walvis Bay and Otjiwarongo, used successful entrepreneurs as trainers in place of permanent staff. Nevertheless, CSOs' service provision faced an uncertain future because of the lack of funding and limited coordination with the government.

CSOs continued to provide crucial assistance by filling gaps not met by the government in 2018. CSOs provide

services ranging from basic health care to legal advice and information on democracy, human rights, and voting rights. Some organizations active in environmental matters maintained their services at previous levels in 2018, thanks to foreign donors' interest in climate change, anti-poaching measures, and natural resource management. These organizations focused largely on improving the management of range lands and conservancies, environmental monitoring, and educational services.

Smaller regional organizations have benefitted from capacity building by formalizing their engagement with local and regional authorities to benefit local communities. Some organizations sought to explore low-cost projects to meet communities' needs in 2018. LAC provided pro bono legal services to the public, particularly underserved and marginalized communities.

Larger national CSOs often provide extensive information and expert advice on various topics to government departments, visiting academics and researchers, students, businesses, and the public. For example, IPPR provides analysis and policy recommendations to the National Planning Commission to help improve the country's business environment. The Economic Association of Namibia (EAN) advises the Ministry of Finance on the national budget.

CSOs do not generate meaningful income from their services, since they primarily serve poor constituencies.

Although the government acknowledges CSOs to be valuable stakeholders, it does not have an overarching vision of how to involve civil society in the country's development. Consequently, the government does not recognize that CSOs are offering or could offer services with greater cost-effectiveness and practical efficiency, thereby benefiting local communities.

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## SECTORAL INFRASTRUCTURE: 4.7

The rudimentary infrastructure serving CSOs in Namibia did not change in 2018.

There are no resource centers or intermediary support organizations serving Namibian CSOs. Only a handful of donors make provisions for training or resources such as meeting rooms. The Hanns Seidel Foundation, a German political foundation, continued to offer dedicated office space and meeting rooms to its partner CSOs, including NID, IPPR, and EAN.

Coordination among CSOs is limited and usually takes place at a sub-sectoral level. The main national CSO umbrella organization, NANGOF, which had been dormant in 2017, reemerged partially in 2018 to engage in several activities with funding from the United Nations Development Program and the German Agency for International Cooperation. For example, NANGOF arranged consultations among CSOs on the United Nations Sustainable Development Goals and spoke on behalf of civil society at the national land conference. However, because of a lack of core funding, NANGOF still did not have a formal secretariat or office, and its role remained limited. On the sub-sectoral level, health CSOs continued to coordinate their activities through the Namibia



Network of AIDS Service Organizations, while the Namibian Chamber of Environment brought together organizations focused on environmental issues. The Namibian Association of Community-Based Natural Resource Management Support Organizations provided a successful example of sectoral cooperation in offering capacity building and training to a number of community-run conservation areas. The ACTION coalition continued to bring together human rights and governance-focused CSOs to campaign for an access to information law. Discussions started in 2018 among a number of Windhoek-based CSOs about establishing an information-sharing network for civil society, which could in turn promote the image of CSOs. They expected to establish the network in 2019.

#### SECTORAL INFRASTRUCTURE IN NAMIBIA



Few opportunities exist for CSOs to build their internal capacities. In the past, some organizations offered capacity-building activities for smaller CSOs, but these activities mostly ceased in 2018. For example, LAC no longer had funding to offer training to other CSOs during the year. Most capacity building is offered by donors, is project based, and targets selected grantees. One of the few successful capacity-building initiatives is a program funded by the European Union that began in 2015 and is co-implemented by NID and the Konrad Adenauer Foundation. The program continued to build the organizational capacity of smaller, regionally based CSOs in 2018. Capacity-building activities by Deutsche Welle and the ACTION coalition helped to strengthen CSOs' communications skills, information literacy, and cooperation with the media.

The government maintains a point-of-contact for CSOs in the National Planning Commission. However, in practice this office shows little interest in supporting or engaging CSOs. The government provides no training to CSOs.

## PUBLIC IMAGE: 3.9

#### PUBLIC IMAGE IN NAMIBIA



The public image of Namibian CSOs worsened slightly in 2018 as the government expressed more negative views.

Most coverage of CSOs' activities is positive, and CSOs' events and workshops usually receive adequate coverage in newspapers and on radio and television. While the state-owned broadcaster, the Namibian Broadcasting Corporation, tends to ignore or downplay CSOs' critical commentary on government policies, the country's state and independent press makes extensive use of information provided by CSOs and regularly publishes their analyses on a variety of issues, especially housing and land reform. However, inexperienced journalists misreport information or misquote civil society activists on occasion. In general, few journalists have the knowledge to analyze information provided by CSOs, and

this sometimes acts as a barrier to more in-depth public discourse.

Negative views of CSOs originate primarily from government circles. During the September 2018 visit of the delegation for the African Peer Review Mechanism, whose members emphasized the benefits of working with civil society, the president publicly criticized CSO leaders as "failed politicians" seeking to exert influence through irregular means. The president has repeated this criticism of civil society on several occasions since coming into office in 2015, but his remarks seem to gain little traction. In addition, the government organized two press conferences to attack reports by IPPR on access to information and private-sector corruption, and the minister of poverty eradication and social welfare alleged that the Afrobarometer survey, which is conducted by IPPR, has a hidden agenda of turning "the people of this country against the government." IPPR strongly rebutted the



government's criticism of its research. Private-sector representatives generally avoid publicly supporting or engaging with CSOs on controversial topics, as they do not want to be seen as “anti-government.”

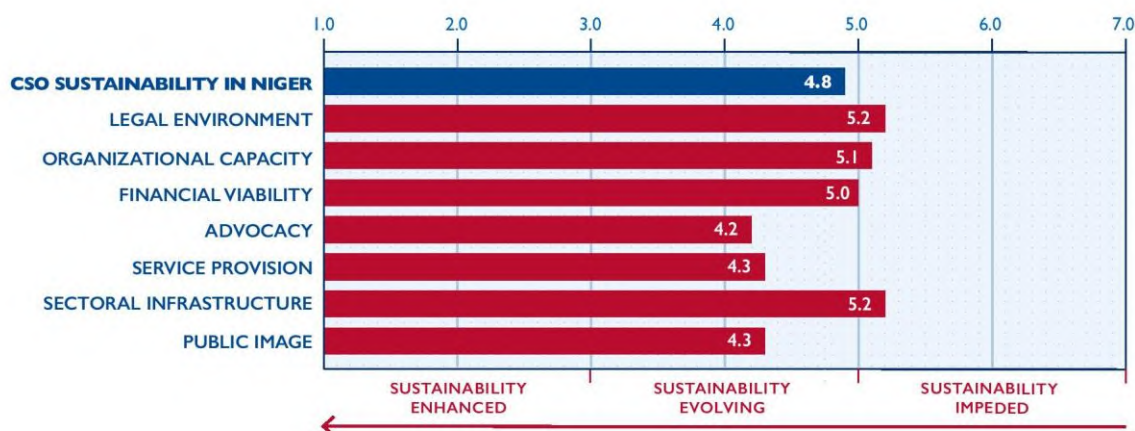
CSOs' overall lack of organizational capacity affects their public image, as many organizations do not have staff members specifically responsible for public relations or stable office staffs able to answer queries from the public. As a result, only a handful of CSOs, such as IPPR, LAC, and the Namibia Media Trust, have media profiles or clear strategies for developing relations with the public. CSOs make little use of information and communication technologies to promote their work or engage constituencies and donors. Only a few CSOs, such as ACTION and IPPR, make concerted efforts to use internet platforms to raise awareness and lobby constituencies.

There was no attempt by CSOs to self-regulate in 2018.

# NIGER

Capital: Niamey  
Population: 19,866,231  
GDP per capita (PPP): \$1,200  
Human Development Index: Low (0.354)  
Freedom in the World: Partly Free (49/100)

## OVERALL CSO SUSTAINABILITY: 4.8



Niger experienced high levels of social and political tension in 2018. The year saw rolling waves of strikes organized by unions of laborers, research professors, specialized physicians, contract teachers, and students. The trial of soldiers accused of attempting a coup in December 2015 was a significant event. After three days of hearings, on January 27, the military court delivered its verdict, sentencing the leaders of the coup to fifteen years in prison.

The security situation remained tenuous, especially in the Tillabéri region, where a state of emergency was declared in June and later extended to the Tahoua, Agadez, and Diffa regions. Nearly 300,000 people were displaced throughout the country by terrorist attacks and other conflicts, according to the International Rescue Committee. The central government, various United Nations (UN) organizations, multilateral organizations such as the European Union (EU), and bilateral missions from Japan, Denmark, the United States, and elsewhere responded to the crisis with humanitarian assistance and funding for the Nigerien armed forces. Some CSOs also provided humanitarian assistance to those affected by the attacks. The G5 Sahel, a sub-regional group comprising Burkina Faso, Chad, Mali, Mauritania, and Niger that focuses on development and security issues, introduced a terrorism-prevention policy and launched several operations in 2018 in an attempt to curb the violence besetting the region.

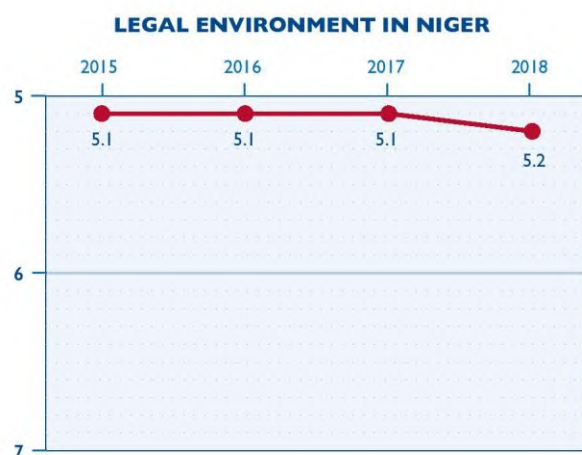
Although Niger remains one of the poorest countries in the world, the economic outlook was good in 2018, with real gross domestic product (GDP) growing at an estimated 5.2 percent, up from 4.9 percent in 2017, according to the African Development Bank (ADB). In recent years, Niger has diversified its exports and made progress in adjusting trade imbalances. More than 40 percent of the country lived in poverty and more than 80 percent of the population relied on agriculture for its livelihood in 2018, according to the ADB. Niger was ranked last out of the 189 countries covered by the UN Development Programme's Human Development Index for 2018.

During the first months of the year, CSOs, the opposition, teachers' unions, and other groups continued to demand repeal of the 2018 Law on Finance (Law 2017-82 of November 28, 2017), which they termed "antisocial" as it increased taxes on lower income groups while offering tax breaks to large telephone and mining companies. CSOs' opposition to the law impacted several dimensions of CSO sustainability during the year. The legal environment governing CSOs worsened slightly as the government arrested twenty-six CSO representatives taking part in peaceful protests against the law and closed press outlets covering the demonstration. At the same time, CSOs' activism on this and other issues contributed to an improvement in CSO advocacy. CSOs' public image also improved slightly, as CSOs were seen as responding to public concerns by demonstrating against the

law. In addition, CSOs' service provision and the infrastructure supporting the CSO sector improved in 2018. Overall CSO sustainability did not change in 2018.

According to the 2018 annual report of the Ministry of Community Development and Territorial Administration (MDC/AT), as of December 31, 2018, 2,895 non-governmental organizations (NGOs) and development associations were recognized under Law No. 84-49 of 1984 in Niger. In 2018, 160 new NGOs and development associations were approved. In addition, 12 union organizations and 26,000 farmers' organizations were recognized under other legislation.

## LEGAL ENVIRONMENT: 5.2



The legal environment governing CSOs worsened slightly in 2018 as civil society actors taking part in a “prohibited” demonstration against the 2018 Law on Finance were arrested and press outlets covering the demonstration were closed.

Law No. 84-49 of 1984 continued to govern CSOs in 2018. Although Niger’s legal framework should comply with the requirements of regional organizations in which it is a member, such as the Economic Community of West African States, Organization for the Harmonization of Corporate Law in Africa, West African Economic and Monetary Union, and the African Union, CSOs believe that the law is insufficient. For example, it does not recognize CSO coalitions or networks, and does not apply to foundations or fadas, youth groups with a

common social purpose that often work at the neighborhood level. Without legal status, such groups cannot obtain bank accounts, and if they are audited by the central government, they risk being prohibited from operating.

To register, a CSO must submit an application along with minutes of the first meeting of its general assembly, a list of board members and their contact information, draft bylaws and internal regulations, and an action plan. A CSO intending to work on the national level submits its application to the authorities in the city of Niamey, which then send it to MDC/AT for discussion with the Ministry of the Interior. International organizations must also obtain accreditation from the Ministry of Foreign Affairs. Upon submission of the applications, the CSO receives a receipt from the city. If the government does not respond within three months, the CSO can begin to operate with the receipt while waiting for its final authorization.

Some technical ministries are slow to process applications, and CSOs may wait months for final approval unless they actively track their applications. Religious associations sometimes experience difficulty registering because of the central government’s secular nature and desire not to be perceived as favoring one religious group over another. Authorities may deny registration requests when the stated activities are not authorized. For example, fadas may experience problems when they seek to engage in citizen oversight. This happened, for example, to the Fada Garbado in Tillabéri in 2018.

A CSO intending to work at the regional level signs a master agreement with the technical ministries and implementation agreements with the regions, departments, or municipalities in which it will work. In 2018, only 423 national NGOs and development associations and 129 international NGOs and development associations signed master agreements.

The law allows each CSO to define its internal structure. Law No. 91-006 and the master agreements that CSOs sign with technical ministries require CSOs to file annual activity reports, financial reports, and action plans. In 2018, CSOs were provided with a template for annual reports to allow the authorities to more easily evaluate their contributions to the country’s development. However, CSOs find the template difficult to use. Although the template is not provided for in the law, the MDC/AT considers failure to use it the same as not filing a report. Under the law, CSOs that do not file activity reports with the appropriate ministry during a two-year period will have their approvals suspended. However, this rarely happens in practice.

The law clearly establishes the government's authority to oversee CSOs through the MDC/AT and the Ministries of the Interior and Foreign Affairs. In 2018, the MDC/AT worked on creating a database to track CSOs and their activities and establishing a committee that would organize meetings with CSOs to encourage compliance with laws governing the sector. However, no meetings occurred in 2018, and by the end of the year the meetings were on hold because of a lack of funds.

Niger's constitution guarantees the freedoms of assembly, expression, and demonstration. However, CSOs are still harassed by national, regional, and municipal authorities with threats of suspension, delays in their registrations, and arbitrary and harmful actions against their members. While CSOs enjoy open debate, particularly on social networks, in 2018 the government ordered the arrest of several CSO actors holding press conferences on the Law on Finance based on minor infractions. The central government accused Oxfam International of funding Nigerien CSOs categorized by the government as "activist." The government issued written requests to Oxfam for reports on its activities in Niger in fiscal years 2017 and 2018, so that it could assess Oxfam's work in the country. CSOs may seek legal, administrative, and other forms of redress if they experience abuses by the state, but they rarely do so.

During the demonstration against the Law on Finance on March 25, twenty-six civil society and opposition actors were arrested by the local authorities and detained for months. They were accused of "organizing and participation in a prohibited demonstration," "being complicit in violence," "aggression," and "destruction of property." Three civil society leaders were sentenced to three months in prison. As they had already spent four months in prison, they were immediately freed. Fourteen other activists were freed without any accusations. In addition, the government dissolved the Association for the Rights of Consumers of Information and Communication Technology and Energy (ACTICE-Niger) and closed Radio-TV Labari following media coverage of the demonstration.

In general, Niger's tax policy does not favor CSOs. The law treats all types of entities equally. The government is reluctant to grant CSOs tax-exempt status, claiming that some CSOs sell tax-exempt products on the open market. The master agreements signed by many CSOs allow CSOs to apply for tax waivers on equipment and materials and in-kind donations imported for projects that benefit the local population, but some CSOs, including Dounibon, the Network of Organizations and Associations for the Health Sector in Niger (ROASSN), Karkara, and School Sponsorship and Development Actions (EPAD-Niger), continued to have difficulty obtaining waivers in 2018. Individuals and corporations do not receive tax exemptions for donations to CSOs, which discourages such donations.

CSOs may charge fees to recover their costs, provided they reinvest any income into their nonprofit activities or operational costs. CSOs must have government authorization to stage fundraising campaigns and collect funds. CSOs may accept funds from foreign donors. However, the law on counterterrorism allows the government to block funds that CSOs receive from foreign donors through the central bank, where funds first arrive from outside Niger. This policy did not have a negative impact on CSOs in 2018, but CSOs fear that the government may block funding to CSOs that contest government policies. The national contract policy allows local NGOs to receive central government funding to carry out activities that benefit the population.

Attorneys in Niger are familiar with the laws governing CSOs, even if they do not have specific diplomas related to civil society. In Niamey and secondary cities, CSOs may receive legal advice from attorneys and resource people on institutional, contractual, and other legal and organizational matters. The Nigerien Association for the Defense of Human Rights (ANDDH), Niger Association of Women Legal Experts (AFJN), and Niger Young Lawyers Association (AJAN) provide legal assistance at a reduced cost to CSOs and the public.

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## ORGANIZATIONAL CAPACITY: 5.1

CSOs' organizational capacity remained stable in 2018. NGOs and development associations that receive donor funding continue to have higher organizational capacities than other organizations.

In a partnership with Counterpart International, four CSOs—the Local Initiative Support Network (RAIL) in the Agadez region, Alternative Citizen Spaces (AEC) in the Diffa region, DIKO in the Zinder region, and the Nigerien Coalition for Quality Education for All (ASO-EPT Niger) in the Niamey region—encouraged local governments to include citizens' priorities in their planning.

Most CSOs lack written missions and objectives. With technical and financial support from donors, many CSOs have improved their capacity to write strategic plans and other planning documents. However, few CSOs, even among the well-established ones, have current strategic plans, as they often require additional external financial support to renew those documents when they expire.

Some CSOs try to improve their internal governance by meeting donor and government requirements related to legal compliance, financial management systems, and internal management. Others seek to improve their governance by holding regular meetings such as annual general meetings, board meetings, and orientations. In some small CSOs, board members implement activities. More structured CSOs have secretariats or executive committees that are distinct from the boards of directors and periodically report to the boards on their activities. Boards also conduct site visits to compare the secretariats' reports to circumstances in the field and evaluate the impact of their work. Some CSOs have their own procedural and management manuals, while others follow donors' policies and procedures.

Most CSOs depend on donor-funded projects to staff their operations. Few CSOs can maintain minimum staff levels when these projects end. Most donors and external auditors hired by donors require CSOs to use human-resource management tools, such as employment contracts, salary policies, and pay stubs. Few CSOs without external funding have the means to hire staff, and their board or executive committee members may help perform tasks. While there is little volunteerism in Niger, community-based organizations (CBOs) increasingly use volunteers. In addition, communities sometimes make in-kind or cash contributions for activities such as building classrooms and wells or for the provision of public health services, and organizations providing basic services, such as school management committee, can mobilize their members to volunteer. The Charities Aid Foundation's World Giving Index 2018 includes Niger as one of twenty countries where giving in time, money, and helping a stranger improved the most in 2017.

Donors increasingly exclude the cost of new computers in the projects they fund. Instead, they encourage CSOs to rent equipment for project periods, leaving CSOs without computers over the long term. While information and communications technologies are steadily improving in Niger, CSOs still grapple with low bandwidth and the high price of software. However, the use of social media such as WhatsApp, Facebook, and Twitter exploded in 2018, in part because they do not require high-speed internet connections, and CSOs increasingly use them to obtain information, communicate, and distribute documents, photos, and videos in real time. The Geoanalytics Center (GeoA) facilitates this by helping CSOs use technology productively, including by creating websites, activity management tools, data collection tools, and blogs.



## FINANCIAL VIABILITY: 5.0

The financial viability of CSOs was stable in 2018. Most foreign funding came from bilateral missions such as USAID, the French Development Agency (AFD), and some Arab states such as Qatar and Saudi Arabia; multilateral institutions such as the EU, UN Children's Fund, UN Development Programme, and International Organization for Migration; and foundations such as Fondation Yara LNC and the Bill & Melinda Gates Foundation. During the year, most funding was directly or indirectly channeled to meet security and humanitarian needs in the Diffa and Tillabéri regions, thereby diverting funding for development work and causing an unequal distribution of resources across the regions and sectors in which many CSOs work. Donors tend to fund CSOs based in Niamey. Most CSOs, especially new and recently formed organizations, struggle to meet donors' funding requirements. Some domestic CSOs create consortiums with international CSOs to access funding, but resources tend to be divided unequally, since local CSOs have lower operational expenses than international CSOs.

There are few domestic sources of funding in Niger. Philanthropy is undeveloped, and it is unusual for individuals to donate funds to CSOs. Corporate sponsorships and corporate social responsibility (CSR) programs are rare.





Some CSOs have small contracts with mayors' offices or government centers to provide hygiene, sanitation, and other services. For example, RAIL set up a system to manage sewage sludge in the rural municipality of Chétimari and continued implementing a hygiene and sanitation project for the city of Zinder in 2018. NGOs and development associations working in health, education, agriculture, and environment receive some funding through the national government. Over the last three years, for example, RAIL received AFD co-financing from the central government for a farming project. Some NGOs earn income by helping municipalities and regions prepare their regional and municipal development plans; they generally charge less for their services than research firms. In 2018, CSOs again did not receive funding from the NGO Aid Fund (FAONG), a government entity.

CSOs also earn revenue by collecting dues from members and renting out rooms and vehicles. For example, in 2018, RAIL, with support from a court process server, sold refurbished equipment following the closure of one of its projects. The funds from that sale allowed RAIL to cover some of its headquarters' operating expenses. The Association for the Revitalization of Livestock in Niger (AREN) and Karkara rented their vehicles during agriculture support projects in Maradi and Zinder.

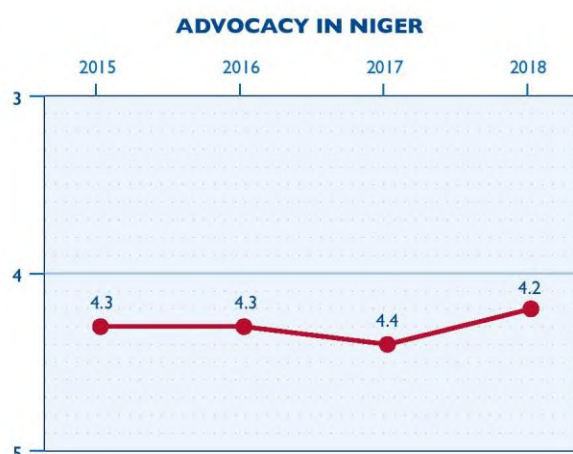
CSOs' financial management systems vary. Well-organized CSOs have accounting software and procedural manuals and conduct financial audits. Newly formed CSOs lack the means to establish financial management systems or pay for relatively expensive professional financial management services.

## ADVOCACY: 4.2

CSOs' advocacy efforts improved in 2018, in particular because of their work calling for the repeal of the 2018 Law on Finance. CSOs argued that the law requires the public to pay too many taxes, and that instead, tax exemptions for multi-nationals such as mining companies and phone companies should be eliminated. CSOs used advocacy techniques such as meetings, press releases, television and radio debates, text messages, and WhatsApp messages. CSOs see the reintroduction of the tax on incoming international calls (TATTIE) in 2019 as a victory for this campaign.

CSOs are involved in some government decision-making processes, mostly at the central level and generally at the instigation of donors. For example, in cooperation with international CSOs such as Counterpart International and the United States Institute of Peace (USIP), local organizations such as RAIL, AEC, DIKO, ASO-EPT Niger, SOS Civics Niger, and Karkara worked with government institutions such as the High Commission for the Consolidation of Peace (HACP) and the police to promote collaboration between defense and security forces and citizens. CSOs such as SOS Civics Niger, AEC, and RAIL promote citizen monitoring of public actions and social and societal accountability. Other CSOs participate in writing public policies and monitoring and evaluating implementation of development projects and programs at the local, national, and sub-regional levels. For example, ROASSN chairs the African Platform for Social Protection and the regional platform for health systems strengthening and the promotion of vaccination equity.

However, local governments still struggled to include CSOs in their decision-making processes in 2018. While the Municipal Code provides opportunities for CSOs to influence the decisions of municipal and regional councils, the



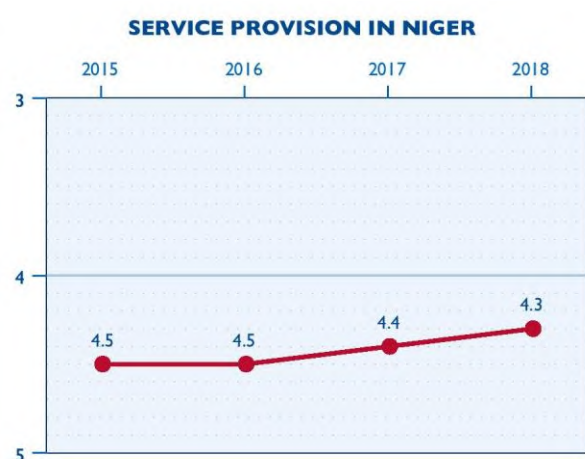
law limits CSOs to observer status in these sessions, meaning that they can neither speak nor vote. However, nearly all municipalities have a cooperation framework for municipal donors. In addition, many municipalities have citizen oversight committees supported by Counterpart International, although the law limits their role to an advisory capacity.

CSOs achieved several successes regarding national policies and laws in 2018. The Nigerien Confederation of NGOs and Women's Organizations (CONGAFEN) and the NGO Women for Action and Development (FAD) raised awareness of Application Decree No. 2017-935, which was issued in December 2017 to protect and support schooling of girls. The Youth Movement for Citizen Development and Education (MOJEDEC), a CSO that supports youth education, advocated for the promotion and protection of freedom of assembly in Niger. The Network for Transparency and Budget Analysis (ROTAB) was instrumental in achieving Niger's return to the Extractive Industries Transparency Initiative, a global mechanism for the sustainable management of natural resources, after it left in 2017. CSOs are more likely to use information and communication technologies rather than direct lobbying to influence legislative action. The Civil Society Platform for Social Protection (ProtecSo) conducted an advocacy campaign aimed at the National Assembly to promote a law on social protection. To mobilize its members, ProtecSo used social networks such as WhatsApp, Facebook, and e-mail. Their efforts led to the passage in April 2018 of Law No. 22-2018, which states the basic principles of a national policy on social protection.

NGOs are also involved issues related to the security crisis in the country. They work to strengthen social cohesion, and to improve collaboration between the public and the defense and security forces. NGOs such as RAIL, SOS Civics, and Karkara organized dialogues between the defense and security forces and communities to improve collaboration on security issues. NGOs such as AEC and RAIL held educational sessions in the Diffa region to oppose young people's recruitment into terrorist groups.

Some CSOs are aware of the need to reform the laws that govern and protect the sector. However, these efforts did not make any notable progress in 2018, in part because CSOs cannot initiate laws.

## SERVICE PROVISION: 4.3



CSOs' service provision improved slightly in 2018 as their range of services diversified.

CSOs work in all key development sectors, and organizations offering humanitarian assistance provided critical services in the country's most unsafe regions in 2018. CSOs also provided services in new areas in 2018. For example, CSOs including RAIL, AEC, ASO/EPT, DIKO, Karkara, SOS Civics, and the Africa Obota Center led multi-actor dialogues on security, an area previously dominated by state security services and donors. They highlighted personal and property security in education, health, and food at the municipal, regional, and national levels. In these dialogues, RAIL helped improve relations among the Nigerien security forces. RAIL also expanded into development and emergency services with its water

and sanitation work at the Chétimari refugee site in the Diffa region and served communities in Niamey's district 5, west of the Niger River, where it organized dialogues between the defense and security forces and communities. Karkara ran emergency and security projects in the Diffa and Agadez regions.

Funding opportunities generally steer CSO services toward specific target groups. The identification of target groups and their needs is also facilitated by public policies and central and local government planning documents. CSOs work under an "integrated municipalization" system, whereby nearly all municipalities and regions have development plans that reflect broad consensus among communities and organizations. The needs of individual villages are clustered, prioritized, and then synthesized into the development plans. CSOs working in the few municipalities without development plans conduct participatory analyses or multi-actor dialogues to identify residents' priorities.

Most CSOs serve people and entities beyond their members and target groups, and generally provide services without discrimination with regard to race, gender, ethnicity, sex, religion, or any other basis.

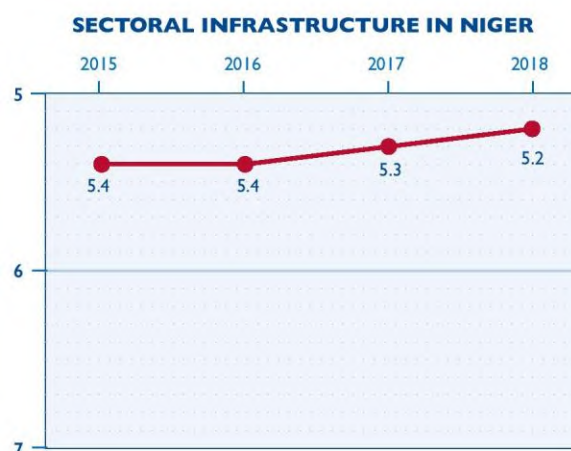
CSOs sometimes charge for their services at prices that reflect their nonprofit status and are often more reasonable than those charged by research firms and independent consultants. For example, the Association for Family Well-Being (ANBF) covers some of its costs by offering maternal and child health services at token prices that low-income families can afford. Some CSOs earn income by helping municipalities and regions prepare their development plans. To understand market demand, CSOs increasingly use the website Niger-emploi and the government-published newspaper Le Sahel. Some partners directly contact CSOs in their databases to suggest income-generating opportunities, which also gives CSOs insight into the kinds of goods and services they may be able to provide.

The government recognizes CSOs' value. For example, the annual report published by MDC/AT in 2018 identified CSOs' activities as contributing to the country's development. Regional and departmental directorates of community development collect the results of CSOs' work, and some municipalities mention these results in their annual reports.

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## SECTORAL INFRASTRUCTURE: 5.2

The infrastructure supporting the CSO sector improved slightly in 2018. A number of resource centers and intermediary support organizations provide training and technical support. For example, the Private Support Group (GAP) offers organizational, institutional, and technical support to NGOs and development associations to increase their capabilities and efficiency. In addition, GAP continues to rent offices to new CSOs for reasonable prices. The resource center in Tillabéri provides services to farmers' organizations; ANDDH offers legal advice to CSOs and citizens; the Press House offers work space to media actors; ROTAB and AEC have libraries that are open to CSOs; and RAIL's sanitation training center helps strengthen the capacity of organizations in sanitation. The four resource centers founded by the EU-funded Program to Support Civil Society (PASOC) in 2017 continue to support CSOs' technological needs and build their capacity.



The few local foundations in Niger seek funds from international and in-country donors to respond to local needs through their own programs. Most of these are Nigerien first ladies' foundations, such as Guri Vie Meilleure Foundation and Tattali-lyali Foundation, and they usually work on humanitarian and emergency issues. No Nigerien foundations re-grant funds to local CSOs.

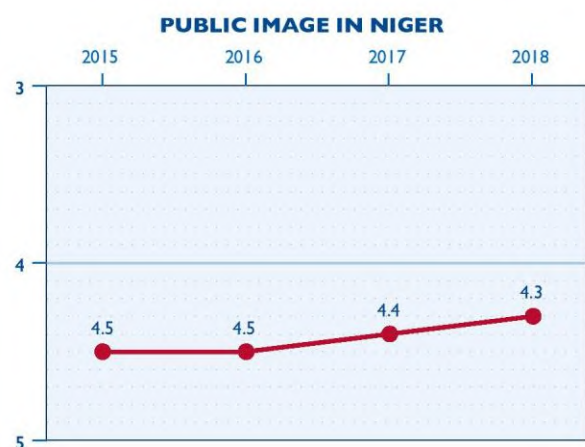
In 2018, CSOs worked together to assert and demand respect for their rights from the government. They also formed consortiums to respond to calls for bids. CSOs shared information as they mobilized together against the 2018 Law on Finance and other common issues. In other sectors, CSOs worked to defend their members' material and non-material interests. For example, unions organized to promote their members' material interests, such as salaries and lodging, as well as intangible interests such as the right to strike and the right to free expression.

CSOs enjoyed several training opportunities in 2018. GAP provides trainings to CSOs on topics such as project management; these are normally free for network members. GeoA and PeaceTech Lab trained more than 124 CSOs to use popular social media platforms; other platforms such as ODK, Trello, KoBoCollect, and Orange Messenger Pro; and audio and video editing software. Simple and less costly training on operations and account management for small umbrella organizations is also available, including in local languages. Donors sometimes bring in trainers from elsewhere in the region, including Morocco, Senegal, and Burkina Faso, to build CSOs' capacities in specific areas, for example, hygiene and sanitation, project development, advocacy, violent extremism, organizational management, and information technology. For example, the representative of the National

Democratic Institute in Guinea trained partner NGOs in social responsibility, and a Senegalese expert trained moderators from RAIL on how to lead dialogues between security forces and communities. Local CSOs can provide customized trainings, though generally only with donor support. Sometimes the trainings that donors offer do not respond to the expressed needs of CSOs.

CSOs work in partnership with the government to implement sectoral policies in health, water, livestock raising, social promotion, education, environment, capacity building, human rights, gender-related issues, and security. CSOs also partner with the media. For example, ROTAB has a partnership with the Bonférey press group, through which ROTAB's activities are covered for free or at a reduced cost. A similar partnership exists between AEC and the Alternative press group.

## PUBLIC IMAGE: 4.3



CSOs' public image improved slightly in 2018, as CSOs were seen as responding to public concerns by demonstrating against the 2018 Law on Finance. In addition, more CSOs began publishing activity reports.

Relations between CSOs and the media continued to improve in 2018. CSOs' activities received more coverage from private media than from government media in 2018, because of public media's relatively unaffordable rates and refusal to cover antigovernment demonstrations. Government media are more inclined to cover CSOs that are not demonstrating against government decisions or demanding improvements in social welfare. Many rural community radio stations helped raise the visibility of CSOs' activities in 2018. All private media provide paid services to CSOs upon

request.

The public's views of CSOs depend on the topics in which they engage. The public increasingly sees CSOs as a counterweight to government power while also contributing to government development efforts. For example, in 2018 the public particularly appreciated the translation of legal texts into graphic form, which allowed the illiterate to understand them. For deep-seated religious and cultural reasons, the public is less responsive to CSOs' awareness-raising campaigns about birth control, birth spacing, and keeping girls in school.

Central and local governments have a positive perception of CSOs that provide development services. For example, MDC/AT's annual report in 2018 clearly acknowledged CSOs' contribution to improving Niger's development indicators. Governments are less supportive when CSOs challenge or make difficult demands of them. Companies have a positive perception of CSOs, and they sometimes work together. For example, in Dogondoutchi, RAIL used donor funds to subcontract with local businesses on contracts for cleaning produce markets, and other organizations have been contracted to dig deep wells or install irrigation systems in gardens.

To raise their visibility, CSOs call on the media to cover launches of their flagship projects. CSOs frequently published advertorials at the end of projects to help convince donors that funded projects have been properly executed and to allow other donors to assess their capacities. When CSOs advocate or organize demonstrations against unpopular laws, they involve the media so they can inform public opinion inside and outside of Niger. This outreach also allows CSOs to develop relationships with journalists to improve media coverage of their activities. CSOs effectively use social media to educate the public and their target groups, especially women and children, who are highly receptive to messages on Facebook and WhatsApp. CSOs that exemplify this approach include CONGAFEN, ROTAB, PROTECSO, and MOJEDEC.

Many CSOs understand that only good governance will convince the central government, the public, and donors of the importance of their contributions, and CSOs therefore work to increase their transparency. Some CSOs have adopted codes of ethics, and the largest donor-funded CSOs prepare annual activity reports that they file with appropriate ministries and present to members during their annual general meetings. A growing number of CSOs

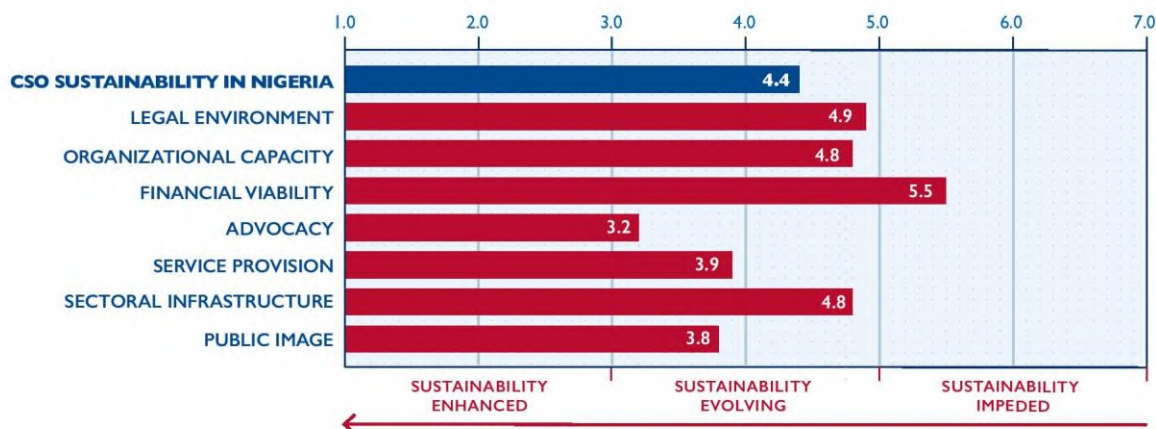
began to publish activity reports in 2018 following the issuance of a government requirement for the reports to help the public understand CSOs' contribution to national development.



# NIGERIA

Capital: Abuja  
Population: 203,452,505  
GDP per capita (PPP): \$5,900  
Human Development Index: Low (0.532)  
Freedom in the World: Partly Free (50/100)

## OVERALL CSO SUSTAINABILITY: 4.4



Nigeria's economy continued to struggle in 2018 following a recession in the previous year. With an average GDP growth rate of 1.9 percent and an unemployment rate rising to above 23 percent, nearly half of Nigerians lived in extreme poverty, according to the World Poverty Clock. Security challenges persisted as insurgents with Boko Haram and the Islamic State of Iraq and the Levant–West Africa continued to kill scores of soldiers and civilians in the Northeast. In addition, armed bandits displaced many people in the Northwest, and conflicts between farmers and herdsmen disrupted communities in the North-Central region.

CSOs continued to work with the government to provide humanitarian relief in the Northeast and North-Central regions, while advocating for increased funding for the Nigerian military to pursue the war against the insurgency. CSOs also provided services to complement government efforts in economic development. Ahead of the 2019 general elections, CSOs engaged in election-related activities, including voter education and the observation of party primaries, campaigns, rallies, and other events. In addition, CSOs observed governorship elections in Osun and Ekiti States in the Southwest and denounced vote buying by politicians.

Overall CSO sustainability improved in 2018 as five dimensions of sustainability showed gains. The CSO sector's financial viability was stronger as more CSOs used crowdfunding to raise funds locally. Advocacy strengthened as CSOs successfully lobbied the Senate to pass the Digital Rights and Freedom Bill and pushed the president to sign the #NotTooYongToRun Bill, which reduces the age of eligibility for political office. Service provision expanded as CSOs filled the gap left by the government's gradual withdrawal from providing social services, and the sectoral infrastructure improved with new training opportunities and increased collaboration between CSOs and other sectors. CSOs' public image was boosted by positive media coverage, facilitated by proliferating community radio stations and the newly established Human Rights Radio. The legal environment was stable despite continued state harassment of CSO staff, and CSOs' organizational capacity was also unchanged.

The CSO sector in Nigeria is diverse and includes more than 500,000 organizations, ranging from community-based groups to professional and national organizations. In 2018, more than 92,000 CSOs (an increase from 90,000 in 2017) were registered at the national level with the Corporate Affairs Commission (CAC). It is difficult to estimate the total number of CSOs at the state and local levels, because CSOs register with various agencies or not at all.

## LEGAL ENVIRONMENT: 4.9



CSOs' legal environment was stable in 2018, despite continued state harassment of CSO staff and the government's efforts to introduce new regulations to govern the sector.

National-level CSOs register with the CAC, which is constituted under the Companies and Allied Matters Act (CAMA) of 1990. Part C of CAMA clearly specifies the registration and dissolution procedures for incorporated trustees, the organizational form that most CSOs adopt. CSOs continued to register easily with the CAC in 2018 thanks to its online registration platform. Depending on their areas of work, some national CSOs also register with the Ministry of Women Affairs, Ministry of Environment, or another ministry. Although all national CSOs are required also to register with the Special

Control Unit Against Money Laundering, which monitors for financing of terrorism and money laundering, most CSOs fail to do so because of poor enforcement and difficulty dealing with the unit. State and local CSOs must register with various government agencies to operate legally at those levels. However, most state and local CSOs, especially community-based self-help organizations, operate informally without registration, although they are not able to access donor funds as a result. Foreign CSOs operating in Nigeria register with the CAC in the same manner as national CSOs and must also register with the National Planning Commission (NPC). CSOs with bilateral agreements with line ministries may operate without CAC registration but still need NPC registration.

New CSOs perceived to be critical of the government or with names containing such words as "governance" or "democracy" continued to face registration difficulties in 2018. Associations considered to pose security risks were also denied registration during the year. For example, because of security concerns, the CAC denied registration to the Lake Chad Coalition of CSOs, a regional grouping of CSOs from Niger, Chad, Cameroon, and Nigeria, which was formed to address the needs of victims of the Boko Haram insurgency. In January, the Federal High Court in Abuja upheld an earlier decision to proscribe the Indigenous People of Biafra (IPOB) as a terrorist organization.

In April 2018, the Nigerian Financial Intelligence Unit announced that the government planned to introduce new regulations governing CSOs in Nigeria. The new regulations, which the government said would curb money laundering and financing of terrorism, would require CSOs to renew their registrations periodically and declare details of their finances. The government introduced the new regulations to the Senate in January 2019.

The operating environment for CSOs did not change significantly in 2018. CSOs are allowed by law to operate freely within certain constraints and may generally express criticism of the government and participate in public protests. However, Section 45 of the 1999 Constitution of Nigeria as amended restricts the right to peaceful assembly and association in the interest of defense, public safety, and public order. The government harassed CSO staff on several occasions in 2018. In January, the police arrested and detained journalists of *elombah.com*, an online media platform, after the site published an article critical of a former inspector general of police. In March, the police arrested and prosecuted 112 women protesting the disappearance of the IPOB leader in Owerri, according to Human Rights Watch. Also in March, security operatives forcefully dispersed a protest led by the Islamic Movement of Nigeria to commemorate the killing of one of its leaders. In December, the government arrested a human rights activist after he voiced criticism of the government, even though the charges against him concerned an earlier offense for which he had already been acquitted.

Section 23(c) of the Company Income Tax Act (CITA) of 2004 and provisions in the Personal Income Tax Act exempt CSOs from paying income taxes except on income earned through businesses. However, CSOs must pay pay-as-you-earn and withholding taxes. Section 25(3) of CITA provides that companies may benefit from tax deductions for donations to organizations listed in CITA's fifth schedule (that is, non-profit-making organizations established to render assistance in areas such as human rights, women's empowerment, and agricultural development), provided the deductions do not exceed 10 percent of a company's total profits for the year.

Although social enterprises are not common in Nigeria, there are no legal restrictions on establishing them. CSOs are not subject to restrictions on earning income through fundraising campaigns or business transactions or on receiving foreign donor support.

Legal advice for CSOs is available in major cities. Lawyers continue to develop expertise in CSO-related law. The Legal Aid Council provides legal services to CSOs, and in 2018 the International Federation of Women Lawyers provided legal advice to the Feminist Group, a loose coalition of CSOs. Legal services are largely insufficient at the local level.

## ORGANIZATIONAL CAPACITY: 4.8

CSOs' organizational capacity was stable in 2018. Local CSOs continued to build community trust through their activities. In Benue State, for example, the Women Environmental Program (WEP) made tremendous progress in building trust by providing relief materials and cash donations to victims of conflicts between farmers and herdsmen. However, relations between international CSOs and local communities in the Northeast deteriorated after some youth and women's groups alleged that international CSOs operating in the region were uninterested in their plight. The Borno State government advised international CSOs to hire more local employees to gain community acceptance. Most organizations heeded this advice and also incorporated welfare services such as food and clothing provision into their programming.



Only large CSOs in major cities develop strategic plans, but they usually do not implement the plans fully because of capacity and funding constraints. Although most local CSOs continue to have a positive impact on their communities, they rarely develop mechanisms to measure their success. The few national CSOs that review their programs regularly and engage independent evaluators to assess their impact do so at donors' behest.

Board engagement at all levels continued to be limited in 2018, largely because of the lack of donor funding for institutional support, which is needed to develop effective internal management systems. Only a few national CSOs, such as WEP and the Center for Democracy and Development (CDD), maintain active boards. Otherwise, most CSOs operate without properly constituted boards or formalized procedures.

In 2018, the number of people interested in working in the CSO sector as full-time employees or volunteers continued to increase as a result of rising unemployment. Many unemployed people established CSOs as a means of earning a living, although such organizations usually do not exist for long because of their lack of funding. While a few national CSOs are able to maintain paid permanent staff with a balanced mix of competencies, most CSOs rely heavily on part-time employees, many of whom come from universities. For example, university lecturers often serve as short-term consultants to CSOs in areas such as training, research, and monitoring and evaluation. CSOs in the North-Central and Southeast regions found it difficult to maintain permanent paid staff after donor funding was diverted to meet humanitarian needs in the Northeast. The fluid nature of CSO staffing caused donors to worry that CSOs lack the capacity needed to operate effectively. This tension was exacerbated by the tendency of most international CSOs to engage expatriates and big national CSOs to implement their programs, which hinders most CSOs operating at the state and local level from building their organizational capacity. However, international CSOs operating in the Northeast are gradually reversing this trend by including state and local CSOs in their project implementation. CSOs are usually able to engage volunteers from their communities, particularly in the Northeast, where volunteers provide hands-on support in distributing relief materials to internally displaced persons (IDPs).

During the year, national CSOs continued to use modern office equipment, including laptops, desktop computers, updated software, and cell phones. WEP provided accounting software to CSOs in ten states, including Benue,

Delta, and Kaduna, and trained their staff on its use. CSOs are active on social media, including Facebook, Twitter, and WhatsApp. However, the use of social media is impeded by connectivity challenges, especially in rural areas.

## FINANCIAL VIABILITY: 5.5



The financial viability of the CSO sector improved slightly in 2018 as an increasing number of organizations used crowdfunding to raise funds locally.

Foreign support is the main and sometimes the only source of funding available to CSOs. The major long-term donors in Nigeria include USAID, the United Kingdom (UK)'s Department For International Development (DFID), European Union, and MacArthur Foundation. The United States mostly supports programs in humanitarian relief, health and population, and infrastructure, while the UK supports CSOs focused on health, government and civil society, and education. Aid inflows into Nigeria from DFID declined in 2018, according to a report from the UK government. The Carnegie Endowment for International Peace reports

that Nigeria's international partners provided less funding for election-related activities ahead of the 2019 elections compared to the period before the 2015 elections. In 2018, a significant amount of aid was channeled to the Northeast for humanitarian relief and post-conflict resettlement, decreasing the aid available for other regions and sectors.

Throughout the country, CSOs' funding sources are not sufficiently diversified. Local foundations offer some support. For example, TY Danjuma Foundation supports CSO programs in primary health care, education, and skills training; Dangote Foundation funds poverty-alleviation programs; and Elumelu Foundation, which has a \$100 million endowment, supports programs to train and mentor African entrepreneurs and improve the business environment. However, most CSOs do not seek local sources of funding, because they are used to relying on foreign donors. In the Southeast, for example, despite a plethora of local foundations, CSOs continue to depend largely on foreign support. The government has yet to institute a grant-making program to support CSOs' activities. In 2018, the government continued to provide counterpart funding to donor-funded interventions in education, health, agriculture, and other areas.

CSOs' ability to raise funds improved in 2018 with the increased use of crowdfunding and special events to raise funds locally and internationally. In collaboration with the government, CSOs from the Northeast organized an event in Lagos to raise funds for IDPs. They also took part in a fundraising event for IDPs in Berlin, Germany, which, according to Human Rights Watch, raised more than \$2 billion in support and \$467 million in concessional loans for humanitarian, peace-building, and development activities in Cameroon, Chad, Niger, and Nigeria. The Student Affairs Unit of Bayero University in Kano used crowdfunding to raise more than NGN 8 million (approximately \$22,000) to support indigent students, and Berekete FM in Abuja and Freedom Radio in Kaduna, Kano, and Jigawa used crowdfunding to support less-privileged community members. Rather than using international or Nigeria-specific crowdfunding platforms, CSOs usually use radio or television to publicly announce details of bank accounts to which individuals may make donations. Professional associations, such as the Academic Staff Union of Nigerian Universities, Nigeria Labor Congress, and Nigerian Bar Association, continued to collect dues from members.

The Federation of Muslim Women's Associations in Nigeria, National Union of Road Transport Workers, Daughters of Abraham Foundation, and other organizations have established hotels, schools, and business enterprises to generate revenues. In the South-South and Southeast, a few CSOs operate business ventures, but this is not a usual practice in most northern states. In previous years, CSOs sold their publications to earn income, but this opportunity is now very limited, because most people seek information online. In Borno State, some CSOs sell crafts produced by IDPs and use the income for programs to help the craft makers. Government bodies and



local business organizations sometimes engage CSOs for services, but the practice is still very limited. Government contracts to CSOs for services such as training and monitoring and evaluation are usually not transparent.

CSO financial management systems did not change in 2018. Large CSOs in major cities continued to have effective financial management systems. Only the largest CSOs can afford professional management services. Large CSOs conduct independent financial audits and publish their annual reports. CSOs at state and local levels often do not have sound financial management systems and rarely publish annual reports.

## ADVOCACY: 3.2

Advocacy improved moderately in 2018 as CSOs conducted robust advocacy campaigns and scored a number of advocacy successes.

CSOs continued to work with the government at all levels in 2018, and the space for collaboration expanded. For example, the Independent National Electoral Commission (INEC) worked closely with CSOs on voter education ahead of the 2019 elections, and national CSOs worked with the government in the Monitoring Recovered Assets in Nigeria through Transparency and Accountability project, which aims to ensure that recovered funds are disbursed effectively for development purposes. The Civil Resource Development and Documentation Center (CIRDDOC) collaborated with the state government in Anambra to plan implementation of the National Cash Transfer Program, a social investment program designed to alleviate poverty.

At the national level, the president signed the #NotTooYoungToRun Bill in May. The law, which was supported by CSOs, reduces the age of eligibility of persons seeking political office, thereby allowing more young people to take part in the 2019 elections. CSO advocacy led to Senate passage of the Digital Rights and Freedom Bill, which is meant to protect human rights online. Following CSOs' and public complaints about extra-judicial killings, harassment, and extortion by the police, the police reformed the Special Anti-Robbery Squad in 2018 to prevent such abuses. CLEEN Foundation (formerly known as the Center for Law Enforcement Education) and Partners West Africa Nigeria (PWAN) called for passage of the 2018 Police Act (Repeal and Re-enactment) Bill, which would create a policing system in line with global standards, and urged the government to disburse NGN 1 billion (approximately \$2.8 million) to procure weapons for the military. The Socio-Economic Rights and Accountability Project (SERAP), Enough is Enough, BudgIT, and other CSOs called on the government to probe the chief of army staff over alleged corruption. A former minister of education led CSOs in the so-called Red Card Movement to end poor leadership and increase citizens' political involvement. CSOs also urged the government to facilitate the release of 110 schoolgirls kidnapped by Boko Haram in February 2018. The insurgents eventually released 104 of the girls after negotiating with the government.

On the state level, CSOs in the Northeast worked closely with the government to develop a resettlement strategy for IDPs. In Kano, a coalition of CSOs collaborated with the state government to identify and prioritize issues requiring urgent state attention, such as health and education. In the Southeast, CSOs under the leadership of CIRDDOC worked with state governments to improve budget transparency. CIRDDOC and other organizations promoted the Open Government Partnership (OGP) to encourage transparency in government budgeting, leading four states in the Southeast region to sign onto the OGP in 2018. CSOs convinced the Adamawa State government to establish a peace-building agency, and CSOs influenced the adoption of the Administration of Criminal Justice Act in Plateau State. WEP initiated an advocacy campaign in Zamfara State supporting the Affirmative Action Bill, which promotes women's participation in public leadership positions, and promoted the Violence Against Persons Prohibition Bill in Benue State.

There were a number of stalled advocacy campaigns in 2018. For example, the president refused to sign a number of bills that CSOs supported and the National Assembly had passed, such as the 2018 Electoral Act Amendment





Bill and Petroleum Industry Bill. CSOs were also unable to get the government to legislate against vote buying ahead of the 2019 elections. These advocacy efforts stalled largely because of politicians' vested interests and tainted relationships between the leaderships of the legislative and executive branches. Although CSOs determine their advocacy issues, the implementation of advocacy campaigns and the possibility of success still depend largely on donor support.

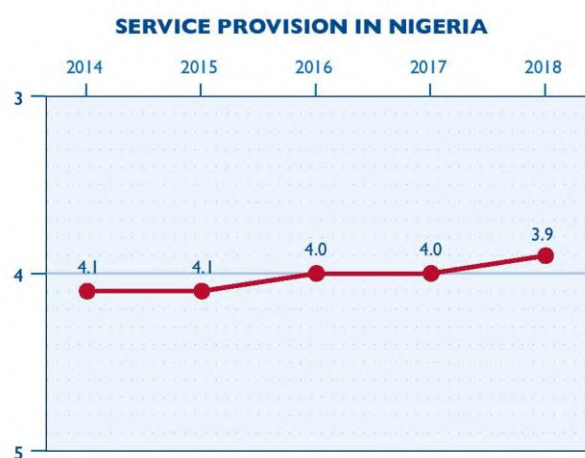
Throughout their advocacy campaigns, CSOs effectively used social media platforms such as Facebook, Twitter, and WhatsApp to create awareness and mobilize the public. For example, a CSO social media campaign led to the release in August 2018 of a journalist detained by the government since 2016.

In lobbying activity, CSOs collaborated with the National Assembly to draft the 2018 Electoral Act Amendment Bill, particularly provisions related to the use of card readers and other technology to make elections more credible, and urged the president to sign the bill into law. CSOs also took part in public hearings by the National Assembly on legislative matters, including the 2018 national budget and the Petroleum Industry Administration Bill, 2018.

CSOs made little effort to seek legal reforms to benefit the sector in 2018, even after the government attempted to introduce new regulations to govern the sector.

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## SERVICE PROVISION: 3.9



CSO service provision increased slightly in 2018. As the government continues to withdraw from the provision of social services because of budget constraints, CSOs helped fill the gap both by drawing on funding from foreign donors and raising funds locally through crowdfunding. CSO service provision also expanded as organizations began to offer services in new fields such as filmmaking.

CSOs continued to complement government efforts in humanitarian relief, education, environmental protection, economic development, and other areas. In Benue State, WEP donated computers and solar panels to twenty secondary schools, built four pilot ranches, and trained 600 youth in vocational skills. The Initiative for Social Change in Africa provided more than 6,000 people in

Benue State with services ranging from household economic support to education and child protection. In the Northeast, Neem Foundation established schools for IDPs, and Future Prowess built schools for the unaccompanied children of Boko Haram. In Kaduna State, Global Peace Initiative built and furnished a three-classroom school and collaborated with the United Nations Development Program to help resolve conflicts between farmers and herders. Co-Creation Hub in Lagos and Center for Information Technology and Development (CITAD) in Kano provided computer training to students, young people, and women. In the Southeast, CIRDDOC facilitated legal services for women affected by domestic violence and discriminatory practices against widows. In the Southwest, Women Advocates Research and Documentation Center (WARDC) provided pro bono legal services to a student who was sexually assaulted by a lecturer. CSOs such as Girls Voices and Mumushi Peoples Development Foundation provided training to other CSOs and the public in the new area of documentary production and filmmaking and their use as advocacy tools. For example, Girls Voices trained girls in secondary schools and universities to generate quality media and film production services. Despite a deficit of more than 17 million housing units in Nigeria, CSOs are still not involved in social housing, because it is so capital intensive.

CSO services continued to reflect the needs of their communities in 2018. For example, after Northeast communities demanded welfare programs as a condition for participating in rehabilitation and reconstruction programs, international CSOs incorporated social welfare services in their programming. Nigerian CSOs working in the Northeast responded to the needs of IDPs by providing education, food, and relief materials. In Benue State, WEP provided food and other relief materials to IDPs affected by conflicts between farmers and herders. The

Center for Gender Economics based in Lagos provided business management training to market women in Ogun, Osun, and Oyo states. Domestic CSOs determine the needs of their communities through their observations as members of the communities. They also receive information via social media and, sometimes, direct demands for services. Most local CSOs do not collect data to measure the impact of their services. However, international and donor-funded local CSOs collect such data as part of their reporting requirements.

Professional associations and other CSOs continue to provide services to beneficiaries beyond their membership. For example, the Nigerian Medical Association provides free medical services in local communities. CSOs across all levels provide services in non-discriminatory ways. For example, Future Prowess and Neem Foundation provide education to orphaned children from various ethnic and religious backgrounds in the Northeast. CSOs generally make their publications available to the public, including the government and academia.

As in previous years, most services provided by CSOs are donor-funded. A culture of social entrepreneurship is still emerging.

CSOs received slightly less recognition from the federal government in 2018. Government representatives showed dissatisfaction with CSOs at the vanguard of criticism of government policies and actions in areas such as security and human rights, and an environment of distrust emerged during the year. However, state governments continued to recognize CSOs' activities, especially in the Northeast and Southeast, where the authorities' appreciation of CSOs was evident in various collaborative efforts, including the joint distribution of relief materials to victims of the Boko Haram insurgency in Borno State, the development of a resettlement strategy for IDPs, and planning for the implementation of the National Cash Transfer Program in Anambra State.

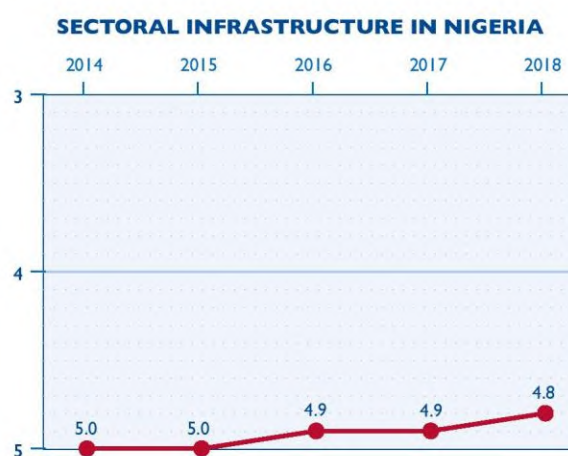
## SECTORAL INFRASTRUCTURE: 4.8

The infrastructure supporting the CSO sector in Nigeria improved slightly in 2018 as CSOs enjoyed more training opportunities and increasingly collaborated with each other and other sectors.

Several organizations, including CITAD, African Center for Leadership, Strategy, and Development (Center-LSD), and the British Council, operate resource centers and provide training in computer skills, strategic planning, project management, and other areas. Intermediary support organizations (ISOs), including CDD, CLEEN Foundation, Civil Society Legislative Advocacy Center (CISLAC), and Nigeria Institute of Social and Economic Research, continue to provide information and training to the CSO sector. The income generated from services rendered by ISOs and CSO resource centers is minor compared to the amounts received from foreign funders.

National-level CSOs such as CIRDDOC, WEP, and CLEEN Foundation continued to sub-grant international donor funds to smaller CSOs for programs in health care, education, research, entrepreneurship, and other areas in 2018. A few local foundations also engaged in grantmaking during the year. For example, the TY Danjuma, Dangote, and Elumelu foundations provided grants, although they implement most of their projects directly, thereby limiting CSOs' access to their funding.

Several CSO networks facilitated information sharing in the CSO sector in 2018. For example, a network of local CSOs supported information sharing among stakeholders working with the Nigeria Policing Program, a project to improve policing service delivery, which is funded by the UK. However, because of leadership frictions, it is still difficult for CSOs to build formal coalitions. As a result, CSOs often adopt a loose approach to collaboration, in which strong CSOs lead other organizations working in the same thematic area to achieve common goals. In addition to enhancing capacity building, loose networks tend to avoid the sorts of frictions that exist in formalized coalitions, thereby allowing stronger CSOs to more effectively coordinate coalition activities and mentor smaller CSOs. An example of a loose network is the Situation Room, convened by the Policy and Legal Advocacy Center



(PLAC), which advocates for the reform of Nigeria's electoral processes. Another loose alliance is the Freedom of Information Act coalition, which is coordinated by Media Right Agenda and promotes access to government information in line with the Freedom of Information Act.

CSOs enjoyed several new training opportunities in 2018. For example, Mumushi Peoples Development Foundation and Girls Voices provided training in documentary production and filmmaking to CSOs in the Northeast and Abuja, so that they could more effectively convey their messages. WEP offered new training on accounting software to CSOs in several states, including Benue and Delta. Center-LSD and the Lagos Business School provided specialized training in fundraising and strategic management, and CDD, development Research and Projects Center (dRPC), and CLEEN Foundation organized workshops on strategic planning. The Nigeria Policing Program provided capacity-building training for CSOs working to stem corruption. Because of declining resources, CSOs are beginning to more aggressively seek free access to public sites for workshops, and a few venues, such as the Shehu Musa Yar'adua Center in Abuja, have agreed to provide free space to CSOs upon request. Trainings are designed to meet the needs of CSOs. CSO training services are usually based in major cities, and training materials are available largely in English.

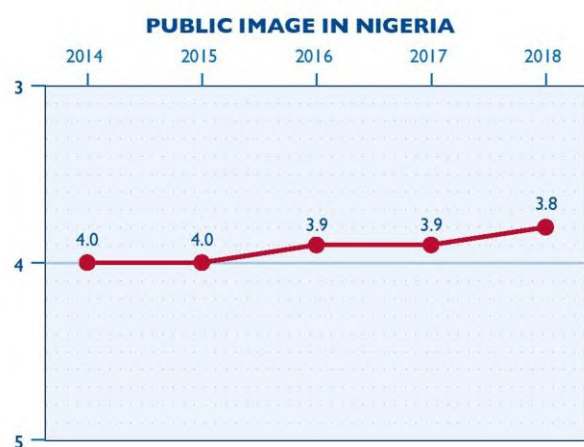
Collaboration between CSOs and other sectors improved slightly in 2018. The MacArthur Foundation continued to provide substantial grants to encourage cooperation between CSOs and government agencies fighting corruption. On the state level, CIRDDOC worked with governments in the Southeast on the OGP platform, and CSOs in the Northeast worked with the government and private-sector organizations to distribute relief materials and develop a resettlement strategy. Although there was less collaboration between CSOs and the federal government than in the previous year, the Nigeria Economic Summit Group worked with the government to develop the Medium-Term Expenditure Framework, a fiscal plan that defines the government's economic, social, and development priorities.

CSOs continued to collaborate with the media in 2018. For example, YIAGA worked with Channels TV to sensitize the public ahead of the 2019 elections; WEP worked with Channels TV on environmental issues; and CISLAC and Transparency International collaborated with journalists to report on corruption and money laundering in Nigeria.

CSOs increasingly recognize the need to collaborate with businesses to achieve common goals. In 2018, Fidelity Bank worked with the Coalition of Sickle Cell NGOs to commemorate World Sickle Cell Day. CSOs also continued to work with corporate foundations such as the Dangote Foundation on health care and disaster relief and the MTN Foundation on an anti-substance-abuse program.

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## PUBLIC IMAGE: 3.8



CSOs had a slightly more positive public image in 2018. National-level CSOs, including WEP, CDD, CISLAC, CLEEN Foundation, and PWAN, continued to enjoy considerable media coverage. Proliferating community radio stations, such as Bereket FM and the newly established Human Rights Radio in Abuja, provided positive media coverage of CSOs' activities in human rights, security, the environment, and voter education. In the Northeast, a three-way partnership between CSOs, the media, and the government instituted by the Partnership, Engage, and Learn project provided positive media coverage of CSOs' work in the region. The MacArthur Foundation supported cooperation between CSOs and the media on themes related to corruption. Outside of these programs, most CSOs pay for media coverage of their activities, especially at the state level.

Although the public usually perceives CSOs in a positive light, some communities believe that CSOs are avenues for their staffs to make quick money. For example, while communities in the Southeast commended CSOs such as CIRDDOC for their positive contributions, communities in the Northeast accused international CSOs of taking

advantage of their plights to enrich themselves. In an emerging trend in Benue State, government retirees see CSOs as business enterprises and establish organizations, which are usually short-lived, in the hopes of earning income. This trend is rooted largely in weak regulation of the CSO sector and the public's imperfect understanding of the concept of CSOs.

Government recognition of CSOs varied from region to region in 2018. In the Southeast, state governments perceived CSOs positively because of their involvement in the OGP. As a result, CSOs such as CIRDDOC were invited to participate in state budgetary processes. In the Northeast, the government's perception of CSOs was also positive. However, the Borno State government had a mixed opinion of international CSOs and believed that some of them were not sincerely committed to helping re-settle IDPs because they benefitted financially from their plight. Similarly, the Nigerian Army had a negative view of international CSOs in Borno State, and it accused UNICEF of undermining government efforts to deal with the insurgency and Amnesty International of trying to destabilize the country. The federal government also had mixed perceptions of CSOs in 2018 and generally saw service-providing CSOs positively and organizations advocating for accountability and transparency negatively.

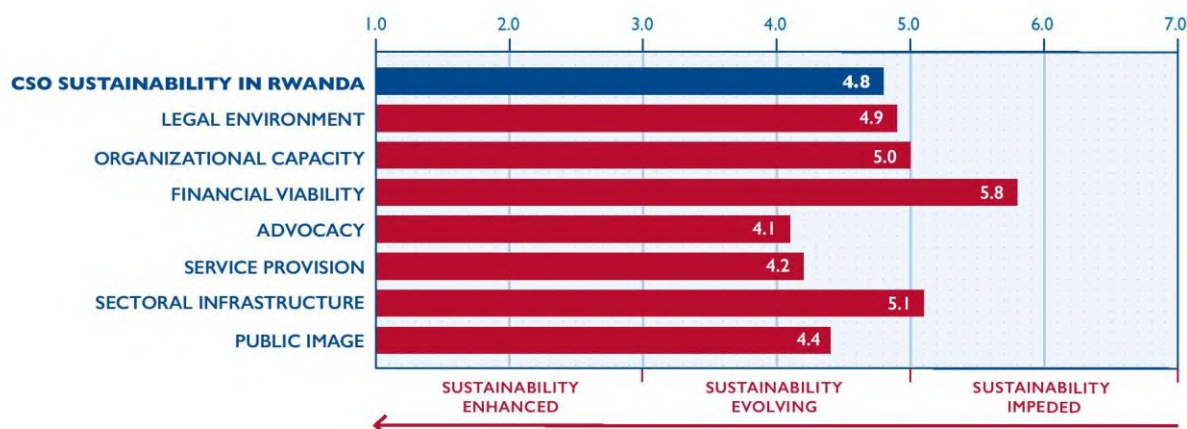
In 2018, many CSOs continued to use mainstream and social media to raise awareness of their activities and promote their public images. For example, through its Voice of the Voiceless project, Girls Voices created an effective social media platform for vulnerable girls to express their thoughts about the kind of help that the government could provide. Youth Initiative for Advocacy Growth and Advancement, SERAP, WEP, CISLAC, and PLAC provided state-owned and private media with analyses of emerging issues leading up to the 2019 general elections. The NLC engaged the media to mobilize the public on issues that affect workers and cover its demand that the national minimum wage be raised.

CSOs have yet to adopt a code of ethics. They previously rejected government attempts to introduce new regulations to increase transparency and accountability in their financial transactions, since they strongly believe that the government would use such regulations to stifle their operations and deny registration renewals to CSOs that are critical of government activities. However, loose networks offer informal regulatory mechanisms, since the CSOs that lead the networks are able to coordinate the activities of other members. Large national CSOs comply with donors' requirements to maintain transparency and accountability in their operations. Leading CSOs continued to publish their annual reports in 2018, but it is not a common practice among CSOs at the state and local levels because of a paucity of funds. a

# RWANDA

Capital: Kigali  
Population: 12,187,400  
GDP per capita (PPP): \$2,100  
Human Development Index: Low (0.524)  
Freedom in the World: Not Free (23/100)

## OVERALL CSO SUSTAINABILITY: 4.8<sup>1</sup>



Rwanda experienced a number of positive political developments in 2018. For example, parliamentary elections in September resulted in women gaining more than 60 percent of the seats. In a move welcomed by the international community, the government released more than 2,000 prisoners, including key opposition leaders.

Rwanda's economy continued to grow at a robust 7.2 percent in 2018, according to World Bank estimates. Inflation was low, and living standards continued to improve. Transparency International's Corruption Perceptions Index for 2018 rated Rwanda as the fourth least corrupt country in Africa.

Overall CSO sustainability in Rwanda did not change in 2018. Three dimensions of CSO sustainability improved slightly. Advocacy was stronger as CSOs took advantage of opportunities to work more closely with the government in several policy areas, including providing comments on a new CSO policy and a new law on non-governmental organizations (NGOs). Service provision was enhanced by the government's effort to collaborate more openly with CSOs. Formal partnership agreements between CSOs and Pax Press, a network of journalists reporting on issues of policy and civic engagement, boosted CSOs' public image. On the other hand, CSOs' legal environment deteriorated slightly as a result of denials of registration and the introduction of restrictive new laws governing faith-based organizations (FBOs) and taxes. CSOs' organizational capacity, financial viability, and sectoral infrastructure did not change. The scores for organizational capacity and advocacy were recalibrated in 2018.

In 2017, there were 1,429 registered organizations and 556 organizations with temporary licenses, according to the Rwanda Governance Board (RGB), the main oversight agency for CSOs. The government did not release updated figures for 2018, but it is assumed that the size of the sector did not change significantly during the year.

## LEGAL ENVIRONMENT: 4.9

The legal environment deteriorated slightly in 2018 as several organizations were denied registration and restrictive new laws on FBOs and taxes were introduced.

<sup>1</sup> The scores for organizational capacity and advocacy were recalibrated in 2018 to better reflect the situation in the country and align them with other scores in the region. The 2018 score for organizational capacity reflects a recalibration only, whereas the 2018 score for advocacy reflects a recalibration as well as a slight improvement. The recalibrations in score did not affect the overall score for CSO sustainability in Rwanda in 2018.





Rwandan CSOs are regulated under Law 04/2012 (the NGO Law), which governs domestic CSOs; Law 05/2012, which governs international CSOs; and Law No. 72/2018, which governs FBOs and replaced Law 06/2012 as of August 31, 2018. The NGO Law stipulates the rights and responsibilities of domestic CSOs and designates the RGB as the authority in charge of their registration and monitoring.

Registration remained an area of concern for CSOs in 2018. The registration process is bureaucratic, and although the NGO Law presents clear guidance on registering CSOs, the RGB sometimes imposes additional requirements that are not mentioned in the law or guidelines. For example, the law requires only that CSOs introduce themselves to local administrative offices in

their geographic areas of operation during the pre-registration period (Article 15), but the RGB will not accredit organizations unless they also obtain letters of collaboration from these offices. Since most local officials are not familiar with the laws governing CSOs, they may require organizations to submit action plans and obtain office space before issuing the required letters. In 2018, five CSOs were denied registration because they were not granted letters of collaboration by local governmental authorities, and they were still negotiating with the authorities to secure the letters at the end of the year. The law obliges the RGB to state its reasons in writing for denying registration and allows CSOs to contest any refusals of registration in court. No case has been brought concerning the refusal of local authorities to grant letters of collaboration. Article 15 of the law allows CSOs to begin operations during a two-year pre-registration period.

Another legal barrier to CSOs' operations is the requirement that the RGB pre-approve any research that a CSO wishes to conduct in areas that the government designates as "home-grown initiatives," such as governance, service delivery, and justice (Article 5[4] of Law 41/2011, which established the RGB). This restriction prevents CSOs from freely conducting research, a key aspect of their engagement with policy makers.

In July 2018, the parliament passed new legislation regulating FBOs, which was signed by the president and came into force on August 31. Under the new law, FBOs must declare any grants to the RGB and channel all financial support through accounts in banks or other financial institutions located in Rwanda. The purpose of the new law is to increase transparency and accountability, but the effect of its implementation remains to be seen.

In 2018, the RGB drafted a new NGO Law and the Ministry of Local Government drafted a new policy concerning CSOs. Both the draft law and draft policy have ambiguous provisions that would limit CSOs' freedom to operate. The policy calls for "strong and coordinated" monitoring and evaluation of CSOs and the development of a new legal framework to guide CSOs. One of the most retrogressive aspects of the draft law is its omission of two crucial rights provided by the current law—the right to advocate, protect, and promote human rights and other national values, and the right to express opinions of government policies and legislation. The draft law also removes the current two-step registration process, whereby domestic CSOs applying for legal personality may operate with temporary certificates. Instead, the draft law requires organizations to obtain legal personality before commencing activities, a provision that contravenes Article 39 of the constitution, which stipulates that "the right to freedom of association is guaranteed and does not require prior authorization." The draft law also imposes burdensome reporting requirements on CSOs. Within the first three months of each fiscal year, organizations will be required to obtain approvals of their financial reports from the previous year and action plans for the coming year from district authorities, other relevant public institutions, and the RGB. At the end of 2018, the law and policy remained in draft form pending government approval. The Law Reform Commission requested consultations with CSOs before it would further consider the draft law.

In 2018, the government also prepared a new law to replace Law 05/2012 governing international CSOs. The law was still in draft form at the end of the year and little information about it was available.

In a significant change from the previous year, in 2018, there was no publicly documented case of state harassment of CSOs.

The government revised the law on income tax in 2018. The new legislation, Law 016/2018, poses severe threats to CSOs' independence and operations by requiring them to file corporate tax returns every March and assessing a 30 percent levy tax on staff benefits, such as transportation and communications. The law also requires CSOs to harmonize their accounting practices but does not provide time for this expensive transition. Finally, the Rwanda Revenue Authority (RRA) interprets taxable income in the new law as meaning any revenue that exceeds expenses in the financial year. CSOs are concerned that this interpretation is inconsistent with their typical practice of carrying balances forward or returning surpluses to donors. Although the law has been in force since April 2018, the lack of clear written guidelines means that most organizations are not in compliance with the law or even fully aware of its provisions. The RRA has stated that CSOs will not receive registration renewal certificates without providing tax clearance certificates, which the RRA issues. According to a civil society expert, the new law "will severely restrict the ability of CSOs to operate . . . [especially] newborn organizations and organizations with lower financial capacity."

The NGO Law allows a CSO to pursue income-generating activities "only when it is authorized to do so and the profit from such activities is meant to be used in activities related to its objectives" (Article 4). CSOs have not exploited this opportunity, both because they lack the capacity to develop competitive, innovative business proposals, and Rwanda's private sector is small and underdeveloped. CSOs may bid on government contracts but lack the capacity to do so. A new provision in the draft NGO Law specifically stipulates that CSOs may enter into partnerships with the government to undertake social and economic activities aimed at improving the welfare of citizens (Article 18).

Only a few lawyers provide legal advice or develop position papers on the laws governing CSOs. Otherwise, CSOs may procure legal services from private legal practitioners, but their services are costly, and organizations usually choose to operate without legal counsel. A few lawyers working for CSOs as senior managers or technical staff focus mainly on policy and human rights issues.

## ORGANIZATIONAL CAPACITY: 5.0<sup>2</sup>

CSOs' organizational capacity did not change in 2018. Because of weak human and financial resources, CSOs continued to exhibit significant gaps in capacity for project design and evaluation, leadership and management, strategic planning, and knowledge management, according to a May 2018 study issued by the Rwanda Civil Society Platform (RCSP) in partnership with the United Nations (UN) Development Program and the Ministry of Finance and Economic Planning.

CSOs' capacity to connect with local citizens is still very low. A number of CSOs admit that, although inspired by good intentions, they conduct few consultations with their constituents, mainly because of financial constraints and a lack of skilled personnel. Beneficiaries are usually uninvolved in project design and planning.

Most CSOs have visions and mission statements but do not implement them consistently. According to the 2018 RCSP study, few organizations have either strategic plans with clear approaches to sustainability or the needed institutional capacities to deliver on their mandates. The strategic plans that do exist usually align with CSOs' missions and visions, but the scarcity of funds causes many CSOs to shift their focus and project design. For example, a human rights CSO may begin to deliver health or educational services to attract international funding and obtain the resources needed to retain staff and grow as an organization.



<sup>2</sup> The score for organizational capacity score was recalibrated in 2018 to better reflect the situation on the ground and align it with other scores in the region. The score does not reflect a change in organizational capacity, which in 2018 remained largely the same as in 2017.

Poor documentation procedures and a general lack of understanding of the importance of monitoring and evaluation contribute to operational inefficiencies.

Only a few national CSOs with access to donor funding are able to hire competent staff. Most organizations lack sufficient resources to retain highly qualified, specialized employees, who instead often work in senior positions with the government or international CSOs. As a result, CSOs have tended to lack the human resources needed to engage meaningfully with government authorities on public policy issues.

Urban CSOs easily access the internet at affordable rates, but rural CSOs have little or no access because of insufficient infrastructure and limited funding. Some CSOs use the internet to apply for funding from donors and submit monthly reports to them. Most CSOs prefer not to use online services hosted by the government. CSOs often use social media to facilitate their operations. For example, the Health Development Initiative (HDI) utilized social media platforms such as Twitter and Facebook to promote debates on removing barriers to safe abortion and other public policy issues in 2018.

Only a few organizations with donor funding, such as the RCSP, Never Again Rwanda, Rwanda Women Network, Collaborative Council of Organizations for Basic Initiative Support (CCOAIB), and Profemmes Twese Hamwe, have fully equipped offices. Other CSOs often opt for low-cost systems and technology to analyze data. For data collection, CSOs still commonly use hand-written forms and Excel spreadsheets rather than sophisticated data analysis and monitoring and evaluation software.

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## FINANCIAL VIABILITY: 5.8



CSOs' financial viability did not change in 2018. Most CSOs do not have diversified sources of income and remain heavily dependent on foreign donors for funding. In 2018, the major donors included USAID, the United Kingdom's Department for International Development, European Union, Swedish International Development Cooperation Agency, and international CSOs such as Norwegian People's Aid and CARE International. Donors continued to work mainly with well-established CSOs, such as CCOAIB, HDI, Transparency International Rwanda, Profemme Twese Hamwe, Never Again Rwanda, and Great Lakes Initiative for Human Rights and Development (GLIHD). These organizations have strong accountability systems and reasonably lengthy records of acceptable performance. Only a few organizations, mostly in urban areas, have skilled personnel able to

develop proposals for donor agencies. Newer and smaller CSOs, especially community-based organizations (CBOs), find it difficult to access donor funding, because they cannot meet donors' requirements for accounting software, clear audits, highly qualified financial staff, and financial management and control systems. For this reason, some smaller CBOs with long histories still do not have the capacity to mobilize donor funds.

The current NGO Law stipulates that the government must allocate funds to domestic CSOs in its annual budget (Article 12). The 2017–18 budget earmarked RWF 483,776,638 (approximately \$560,000) for “strengthening CSOs for responsive and accountable governance,” but it is not certain whether or to whom this money was disbursed. CSOs report that the funds were supposed to be channeled through the Rwanda Development Board (RDB), but this did not happen because of the lack of a productive working relationship between CSOs and the RDB. The government is proposing to remove this provision in the new NGO Law despite civil society recommendations that it be retained. The 2018–19 budget did not allocate funds for CSOs.

Rwanda does not have local philanthropic organizations. The country's private sector does not play a significant role in supporting CSOs.

CSOs' members do not contribute financially to their organizations in a significant way. CSOs' constituents are unable to make substantial contributions because of their limited means. CSOs lack the capacity to fundraise locally. Although the NGO Law permits CSOs to pursue income-generating activities, most organizations do not do so because they lack the human resources and capital needed to start up businesses. Poor organizational capacity also inhibits CSOs from competing for government service contracts. In 2018, CSOs were further constrained by concerns about the new tax law, which would impose taxes on their surplus income.

CSOs with access to donor funding generally have adequate financial management systems, including procedural manuals and financial management software such as Sage Pastel or Quickbooks. These systems are usually provided by international CSOs as part of their efforts to strengthen local CSOs' accountability systems. Newer and smaller CBOs tend to have only basic financial management systems.

## ADVOCACY: 4.1<sup>3</sup>

CSO advocacy improved slightly in 2018 as CSOs took advantage of opportunities to work more closely with the government in several policy areas. CSOs provided comments on a new CSO policy and a new law on non-governmental organizations (NGOs), although it was not clear that their comments would be incorporated into the final documents.

In the past, CSO advocacy has been hampered by weak research skills, ineffective citizen outreach, and limited engagement with the government on policy and budget formulation and evaluation, according to the 2018 RCSP report. In 2018, CSOs made some headway in these areas as they worked closely with the government on several policy issues. For example, in a new advocacy initiative, CSOs helped revise the torture convention with the Ministry of Justice and the National Commission for Human Rights (NCHR), a government-funded entity, and their suggestions led to the introduction of measures to eliminate the use of torture in prisons. Children's rights organizations, such as the Coalition for Children's Rights and Children's Voice Today, worked closely with the Ministry of Justice and NCHR to draft the mid-term review for the UN Committee on the Rights of the Child and a report to the African Charter on the Rights and Welfare of the Child.

In 2018, Never Again Rwanda undertook the first locally initiated research into human trafficking in Rwanda, which led to a high-level dialogue and the development of an action plan by the Ministry of Justice. Several CSOs participated in government policy forums during the year, including sector working groups, ministerial technical working groups, and district-level joint action development forums. There is a clear understanding among CSOs that participation in these platforms is important, as they allow for regular interaction with government and development partners.

In 2018, after lengthy advocacy by CSOs, the penal code was revised to decriminalize sex work. Organizations of persons with disabilities, such as the National Union of Disability Organizations in Rwanda, persuaded the government to review its public transport policy and reserve seats on some public buses for persons with disabilities. Other CSOs and FBOs continued to advocate to improve the socio-economic livelihoods of historically marginalized groups such as the Batwa community. For example, the Community of Potters of Rwanda conducted a study of the social and economic conditions of historically marginalized people, and the findings were used to advocate on behalf of these groups through the media and engagement with the Senate and Prime Minister's Office. Some CSOs were also successful in using social media to engage government officials in debates on issues such as the rising cost of transportation, electricity, and mobile phone services.



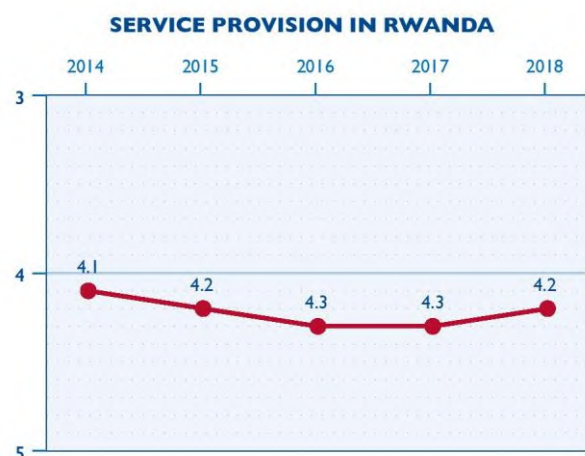
<sup>3</sup> The score for advocacy was recalibrated in 2018 to better reflect the situation on the ground and align it with other scores in the region. The 2018 score also reflects a slight improvement in advocacy over 2017.



Despite their progress in advocacy in 2018, CSOs' engagement with high-level decision makers is still generally very low, and their contributions mostly take the form of attendance at policy forums rather than the submission of well-reasoned policy recommendations. Because of the absence or delayed receipt of information about policy issues, CSOs often submit comments after meetings have already taken place or policies have been adopted. CSOs are also constrained by the lack of skilled and specialized staff, insufficient resources for generating data, poor coordination and coalition building, and a failure to develop a framework for tracking government policy commitments and implementation. These deficiencies particularly affect CSOs' ability to engage in research to inform policy analysis and formulation. CSOs tend to be reactive rather than proactive on policy issues and sometimes self-censor out of a fear of engaging on topics that are considered sensitive and could trigger governmental retribution. For example, in early 2018, when district regulatory authorities closed more than 6,000 church buildings throughout Rwanda for reasons including a lack of basic infrastructure, poor safety standards, and operating without licenses, CSOs were reluctant to comment on possible violations of the right to assemble or to engage the government in negotiations regarding the closures. CSOs also failed to raise concerns when poor populations living in the upper-class neighborhood of Nyarutarama in Kigali were asked to relocate against their will in 2018.

Organizations such as CCOAIB, GLIHD, Legal Aid Forum, and Center for Rule of Law Rwanda worked with the RGB and Ministry of Local Government on the draft NGO law and policy in 2018. In a milestone achievement, domestic and international CSOs worked together to contribute recommendations to the draft documents based on national and international law, norms, and standards. The degree to which their comments were taken into consideration was still unknown at the end of the year. CSOs also advocated with the RRA and Ministry of Finance and Economic Planning about the new tax law, which they fear will severely restrict their ability to operate. CSOs did not follow up with the government about the omission of funding for CSOs in the 2018–19 national budget. The citizens' alternative budget that CSOs presented to the parliament and the Ministry of Finance and Economic Planning did not mention the lack of support for CSOs in the government's budget.

## SERVICE PROVISION: 4.2



CSO service provision improved slightly in 2018 as service-providing CSOs worked more closely with the government, especially at the local level, through the Joint Action Development Forum (JADF).

Most CSOs in Rwanda are involved in service delivery, which is easier to pursue in the current operating environment than sensitive human rights work. CSO services cover a wide range of areas, including the construction of schools, health centers, early childhood development centers, and safe shelters for victims of gender-based violence; agriculture inputs; support services for children, young people, and people living with disabilities; economic development; and environmental protection.

CSOs' service delivery seeks to meet the immediate needs of local citizens through a multi-stakeholder accountability mechanism known as the JADF, which was established to encourage citizen participation in decentralized and participatory governance and improve service delivery by involving the public, private, and civil society sectors. The JADF serves as the main channel for implementing joint plans and evaluations. In 2018, some CSOs were embedded in the communities that they serve, and their work was institutionalized through JADF structures, which increased their legitimacy with their constituencies and local authorities.

CSOs provide stigma-free sexual reproductive health and rights services to lesbian, gay, bisexual, transgender, and intersex populations in Rwanda. The national health care system does not discriminate based on gender orientation, and CSOs are expected to do the same.



Most CSOs rely on funding from partners to carry out specific project activities. It is not known whether any CSO sought to engage in cost recovery in 2018.

The government encourages CSOs to engage in service delivery, especially on the local level. As a sign of their strong emphasis on CSO service delivery, local governments in most districts included almost all of CSOs' planned service inputs in the commitments they made in their *imihigo*, or district performance contracts, which are signed by the president. This cooperation has earned CSOs the credibility they need to engage effectively with the government on other issues, such as governance and accountability.

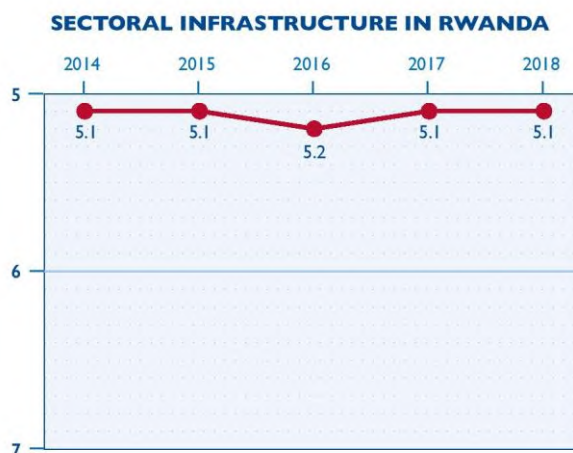
## SECTORAL INFRASTRUCTURE: 5.1

The sectoral infrastructure for CSOs did not change in 2018. There are no CSO resource centers or other sources of services for Rwandan CSOs. The government, international CSOs, and some domestic CSOs sometimes organize trainings. In 2018, training was offered on topics such as monitoring and evaluation, financial management, procurement, and leadership and organizational governance. However, training is usually sporadic and temporary and therefore difficult to document. There are no domestic grant-making organizations in Rwanda.

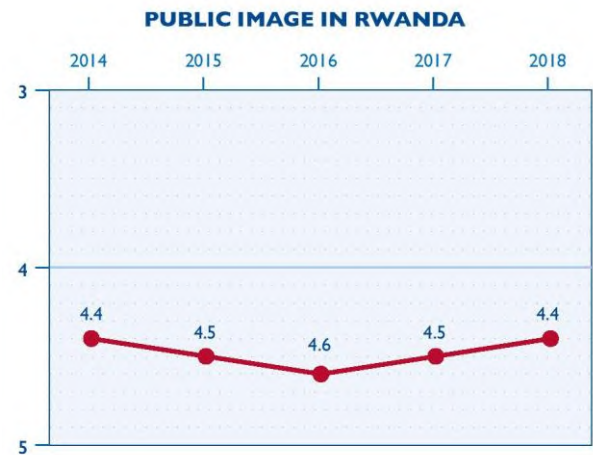
CSOs lacked a clear coordinating framework to effectively hold the government accountable in 2018. The RCSP is the de-facto interlocutor with the government on behalf of CSOs. However, the RCSP lacks the institutional and human capacity to coordinate member CSOs so that it can speak with a strong and unified voice. Moreover, many CSOs are not officially members of RCSP. By virtue of their mandates, other umbrella organizations could serve as CSO resource centers and help develop the sectoral infrastructure, but they lack the skills and financial resources required to carry out this role. For example, while most umbrella organizations have websites that could provide information to CSOs, the websites are rarely updated. Despite these challenges, CSOs started to collaborate with each other in 2018. HDI, GLIHD, Ihorere Munyarwanda Organization, and Rwanda NGO Forum for HIV and Health Promotion developed a joint proposal for a program to strengthen CSOs' capacity to influence policy through umbrella organizations, and the Joint UN Program on HIV/AIDS awarded a grant for the project in 2018.

The government made some effort to partner with CSOs in policy and capacity development in 2018. For example, in cooperation with the RGB, RCSP, and Never Again Rwanda, the Ministry of Justice hosted a peace-building breakfast meeting to discuss CSOs' role in governance and self-regulation. The meeting confirmed the national government's intention to work with CSOs openly and recognize their contribution to Rwanda's development. However, the government has yet to trust CSOs with projects in areas in which they have a competitive edge, such as development. CSO-business partnerships do not exist, and CSOs do not take a strategic approach to nurturing partnerships with the private sector.

CSOs have begun to explore formal partnerships with the media, and in 2018, several CSOs signed partnership agreements with Pax Press, a network of journalists reporting on issues of policy and civic engagement. The partnership agreements focused on improving media coverage of CSOs' interventions and strengthening journalists' capacity to collect information.



**PUBLIC IMAGE: 4.4**



CSOs' public image improved in 2018, as CSOs made deliberate efforts to strengthen their relationships with media. While previous media coverage had been spontaneous, selective, and sometimes negative, after several CSOs signed partnership agreements with Pax Press, they were able to obtain regular positive coverage in public and private media outlets of such activities as policy dialogues with government officials, district meetings with local leaders, and the Sixteen Days of Activism Against Gender-Based Violence. In the Rwandan context, this kind of formal strategic collaboration between CSOs and the media was a significant milestone and positively influenced CSOs' public image.

Public perceptions of CSOs have often been negative, as CSOs struggle to mobilize communities to participate in their activities and build public confidence in their legitimacy. However, in 2018, service-providing CSOs increased the visibility of their contributions to improving the quality of life in communities by working closely with the government through their district performance contracts. Government officials' relatively frequent engagement with CSOs on social media is indicative of the government's progressive view of CSOs' role.

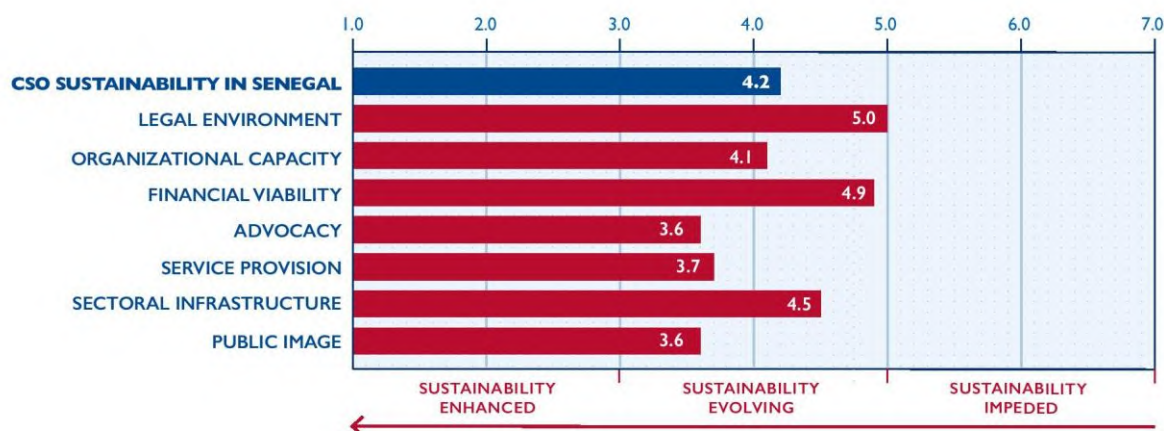
Most CSOs do not invest in building their public image and, in particular, have not embraced innovative technologies effectively. For example, a handful of CSOs have websites but fail to use them to advertise their missions or develop appealing messages, and the websites can remain out of date for years. In 2018, some CSOs used social media such as Twitter and Facebook to promote debate on public policy issues, including youth unemployment, abortion, the penal code, and peace building.

The current legal framework does not provide for CSO self-regulation, since the regulation of CSOs is part of the RGB's mandate. The draft CSO policy recognizes the need for CSOs to self-regulate, but the revised NGO Law omits the concept of self-regulation, despite pleas from CSOs to include it. CSOs provide annual reports to donors but usually do not publish them on their websites.

# SENEGAL

Capital: Dakar  
Population: 15,020,945  
GDP per capita (PPP): \$3,500  
Human Development Index: Low (0.505)  
Freedom in the World: Free (75/100)

## OVERALL CSO SUSTAINABILITY: 4.2



The 2019 presidential election dominated attention in Senegal's political arena in 2018. The year was marked by partisan debates on changes to the electoral code and government actions to inhibit the activities of opposition leaders and CSOs. In April, the opposition and some civil society groups denounced the passage of a revision to the electoral law that would require anyone running to present the signatures of at least 0.8 percent of registered voters in at least seven of Senegal's fourteen regions. The police used tear gas to disperse violent protests in Dakar against the proposed revision.

The eighth consultative group roundtable on the Emerging Senegal Plan (PSE) took place in December 2018 in Paris, with representatives of the government, World Bank, United Nations (UN) agencies, CSOs, and private sector. The PSE aims to strengthen Senegal's economy, reduce poverty and social inequality, and improve governance and the rule of law. A main conclusion of the Paris meeting was that industrial development would be a priority of the second phase of the PSE, which runs from 2019 to 2023. A total of \$14.3 billion was pledged at the meeting. The government announced plans to organize Senegal into viable regional units and decentralize public policies and services to the regional level by 2022. The government also committed to "measured and virtuous government" and an "inclusive, effective, and sustainable social protection policy" in 2018. CSOs welcomed the measures and asked for a bigger role in realizing PSE goals.

Senegal's economy was stable in 2018. Growth remained above 6 percent, led by agriculture and government investment in major infrastructure projects, such as a regional express train and highways. However, these debt-funded investments did not improve living conditions, and instead placed pressures on the national budget and curtailed resources for expected social protection programs. Thirty-eight percent of the country lived below the poverty line in 2018. The country's educational system remained poor, and many young people continued to cross to Europe by boat, sometimes losing their lives in their quest for better living and working conditions. Strikes by health care unions demanding better wages and benefits blocked access to medical care by disadvantaged populations and sometimes hindered the work of CSOs such as Sightsavers.

CSOs' overall sustainability improved slightly in 2018. Advocacy improved as CSOs engaged in such areas as election-related activities, the petroleum code, and the legal framework affecting the CSO sector. Service provision was moderately stronger as CSOs worked closely with local communities to address their needs and reach a broad range of beneficiaries. CSOs' legal environment, organizational capacity, financial viability, sectoral infrastructure, and public image were stable.

The Senegalese CSO sector includes associations, non-governmental organizations (NGOs), workers' organizations, community-based organizations (CBOs), and citizen movements. The Ministry of the Interior did not

make data available about the number of CSOs in 2018. Previous estimates cite more than 10,000 registered associations and 589 NGOs.

## LEGAL ENVIRONMENT: 5.0



The legal environment for CSOs in Senegal did not change significantly in 2018. Two primary texts continued to govern CSOs. Decree No. 76-040 of 1976 applies to associations in general and includes specific requirements for unions and sports, educational, and cultural associations. NGOs, defined as “private, non-profit associations or organizations whose goal is to provide development aid,” comprise a separate legal type of organization and are governed by Decree No. 2015-145.

The Ministry of the Interior approves CSO registrations and oversees CSOs. The ministry issues receipts and within three months must publish notification of new registrations in the official journal. After two years of operations, CSOs may apply for NGO status, which confers eligibility for certain tax and customs waivers. An

inter-ministerial advisory commission, which includes representatives of the Ministry of the Interior and the Ministry of Finance, approves requests for NGO status, but it rarely meets and thus applications are processed slowly, which can create problems if a CSO applying for NGO status has already agreed on project timelines with donors. Decree No. 2015-145 specifies reporting requirements for NGOs and allows the central government to conduct periodic evaluation visits and use other means to access an organization’s financial and accounting documents. Evaluation teams include representatives of the government and CSOs, including the Council of Non-Governmental Development Support Organizations in Senegal (CONGAD). The teams look at the results of approved spending programs, the impact of activities, and relationships with stakeholders, including local authorities and beneficiary communities. They may request any information that they deem useful for assessing the organization’s work and after their visits issue recommendations for improvement. By law, the government may impose punitive measures such as suspension if it discovers any mismanagement of funds, but CSOs have the right to appeal such decisions.

Frictions between the government and CSOs were apparent in 2018, as is typically the case in pre-election periods. After accusing the international CSO Lead Francophone Africa of illegally funding the Senegalese citizen movement Y’en a marre (“Fed Up”), which works to improve governance and increase youth voter registration, the Ministry of the Interior withdrew approval for Lead’s operations in Senegal. The police also interrogated representatives of Enda Third World, Oxfam, and the Open Society Initiative for West Africa (OSIWA) about funding for Y’en a marre. The incident made CSOs wary of the government’s intentions, and in November, a group of advocacy organizations, including Amnesty International, Assembly for the Defense of Human Rights (RADDHO), June 23 Movement (M23), and Senegal Social Forum (FSS), issued a statement condemning Lead’s suspension and formed a coalition to defend the right of association in Senegal. In December, inconclusive discussions took place between the coalition, CONGAD, and the Ministry of Justice.

In 2018, the government put forward a draft law on the internet, which it claimed intended to regulate telecom operators and halt the spread of fake news. However, critics view the law as a move to censor online content and constrict freedom of expression. During the year, CSOs continued to wait for regulations to be issued under the restrictive press code adopted by the National Assembly in 2017, which increases punishments for defamation and allows the government to ban foreign news sources, shut down media outlets without judicial approval, and block internet content that is “contrary to morality.” CSOs fear that the vaguely worded code will open the door to new constraints on freedom of expression.

NGOs are entitled to exemptions from certain taxes and customs fees, which the government views as its contribution to their projects. The exemptions apply only to supplies and equipment used for activities included in spending plans approved by the government. The process for obtaining exemptions is slow.



CSOs may bid on government contracts, but even after signing agreements they often do not get paid or are paid late. In 2018, for example, the NGO Green signed a contract with the Ministry of Agriculture, which did not comply with the payment schedule and, at the end of 2018, had yet to make any payments. CSOs are allowed to earn income by selling goods and services and social enterprises, provided the profits are used to support their missions.

Legal experts or consulting firms are available in all major cities, but their fees are generally not within CSOs' budgets. Most organizations prefer to obtain legal counsel from CSOs that work in human rights, because their services are usually free.

## ORGANIZATIONAL CAPACITY: 4.1

CSOs' organizational capacity did not change in 2018. CSOs' capacities continued to be limited by their dependence on foreign donors, which usually determine the focus of their work.

CSOs that work on women's issues, health care, and informal education are generally successful at building constituencies. Human rights CSOs are highly visible and becoming skilled at developing social networks. Government-funded projects often lack community ownership and can even fail to meet their objectives because of a lack of information and community support. When they are not involved in tailoring programs to suit their environments and needs, communities feel marginalized, and CSOs lose the opportunity to strengthen their contributions to development projects.

CSOs working for programs and projects implemented by the government often feel that their government-appointed managers misunderstand their missions, goals, and operating methods. In 2018, this was particularly true of government-funded community health, literacy, and youth job training programs, including the Rapid Entrepreneurship Delegation (DER), which funds programs targeting youth and women's entrepreneurship.

CSOs' missions are clearly defined, and most organizations have strategic plans. Organizations often measure the success of their activities by using various monitoring and evaluation approaches, including internal and external reviews. The situation is more complicated for NGOs, whose spending programs must be approved by the central government. While NGOs are usually required to use planning and management tools provided by donors when creating strategic plans, they must also align their plans with the government's development program and provide details about their program funding. Generating and following strategic plans in collaboration with donors while taking into account government-approved spending programs is a very laborious, if not impossible, task. The process is complicated by the government's evaluation visits to NGOs, which may include requests to review an organization's strategic plan.

CSOs' internal structures increasingly fail to function in a satisfactory manner. CSO boards are mostly composed of volunteers from various professional sectors. The lack of resources and the fragility of their organizations often undermine board members' motivation and can lead to inactivity and non-participation.

Inadequate funding has led to an ongoing loss of qualified personnel at many CSOs, ranging from the staff managing consortiums to employees providing services such as training, equipment maintenance, driving, and fieldwork. To meet staffing shortfalls, some CSOs pursue alternative strategies such as short-term pooling of staff. Training and capacity-building for CSO staff are often inappropriately targeted and sometimes seem unrelated to the needs of participating organizations, resulting in newly gained knowledge that is not productively applied.

Because of a lack of resources, CSOs continued to have difficulty obtaining or retaining the infrastructure and equipment that they needed in 2018. In general, CSOs find that every year their needs increase more than their resources. A growing number of CSOs are losing their offices or having their land lines cut because of their





inability to pay their bills. In 2018, well over half of the people in Senegal had access to the internet, mostly through their cell phones.

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## FINANCIAL VIABILITY: 4.9



CSOs' financial viability did not change in 2018. Most funding for CSOs continued to come from foreign donors such as USAID, the European Union (EU), and the French Development Agency. Common project areas in 2018 included education, health care, agriculture, and election-related activities. International CSOs compete directly with domestic CSOs for funding, and Senegalese CSOs are increasingly obliged to seek support through international organizations. This arrangement is generally not beneficial for local CSOs, since they serve in a supporting role to highly visible lead international organizations and do not have the chance to improve their own organizational capacities or increase their visibility with the public or potential donors.

In 2018, some donors, such as the EU, sought to continue their partnerships with CSOs through new projects. However, donor funding covers only project activities and salaries and no longer includes the institutional support that would allow local CSOs to stabilize and strengthen their operations. Working together in consortiums has improved CSOs' ability to reduce indirect costs and raise significant amounts of funding for projects in areas such as the prevention of tropical diseases. CSOs easily transition from service provision to advocacy, which their action plans regularly reflect.

The government, through the Ministry of Finance, provides CSOs with short-term funding to support implementation of approved projects, using resources from donors such as the EU. In 2018, one such project included the continuation of CONGAD's work to improve CSOs' support for citizen initiatives. The government also provides service contracts to CSOs for activities in governance, education, clean water and sanitation, and health.

CSOs engage in few efforts to fundraise, since they typically work in impoverished environments in which such strategies would be difficult to implement.

Most CSOs have project management skills and apply them successfully. If they do not have in-house staff with financial management skills, they usually hire service providers for fixed periods. Some donors require annual audits of larger amounts of funding, which can be difficult for CSOs to obtain if donors do not provide funds for this purpose.

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## ADVOCACY: 3.6

CSOs' advocacy improved slightly in 2018 as CSOs contributed to Senegal's implementation of the UN's Sustainable Development Goals (SDGs), election-related activities, the petroleum code, and the legal framework affecting the CSO sector.

CSOs and government officials are in touch daily to share information through informal and ad hoc channels. More formal communications take place through joint working groups and other bodies in which CSOs participate, such as the Economic, Social and Environmental Council, National Anti-Fraud and -Corruption Office, and the Agency for the Standardization of Government Contracts. CSOs also took part in meetings to review the government's Program to Improve the Quality, Equity, and Transparency of Education and Training (PAQUET-EF) and National Health Development Plan (NHDP). A network of twenty-two democracy and human rights organizations, including FSS, M23, Transparency International-Senegal, and the Platform for Civil Society Actors for Election Transparency

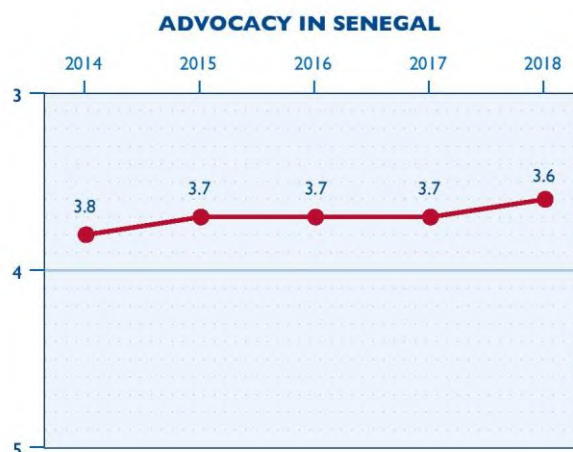
(PACTE), helped mediate a resolution to the crisis of confidence between political actors that was related to the election law.

In 2018, the government and CSOs collaborated in processes involving the UN's 2030 Agenda to implement the SDGs. Working through initiatives such as the CSO Working Group to Monitor Progress towards the SDGs (GT/CONGAD) and the Platform for CSOs to Monitor the SDGs (POSCO), CSOs participated in sectoral reviews of policy and program implementation in health, education, and water and sanitation. They also offered recommendations to improve national accountability mechanisms and helped launch a stakeholder platform to monitor SDG implementation in the environmental sector. CSOs participated in a regional preparatory meeting for the national voluntary reviews and produced a report on the SDG process that fed into Senegal's voluntary national review during the UN's High-Level Political Forum on Sustainable Development in July.

In other advocacy in 2018, CSOs worked during the pre-election phase on challenges related to biometric cards and provided election-related services such as information and education about citizens' roles, responsibilities, and rights in the voting process, especially targeting youth and women. Organizations of disabled persons, such as the Collective to Defend the Rights of the Handicapped, called for the publication of regulations pertaining to the law on social orientation, which was approved in 2010. CSOs pushed for the creation of a fund to support the disabled and of a high council to ensure that disabled people enjoy equal opportunities. As part of this discussion, disabled people submitted a report on these issues to the UN.

Lobbying efforts in 2018 included the Civil Forum's contribution to revisions of the petroleum code to ensure that the law states clearly that natural resources belong to the Senegalese people, in accordance with the constitution, and to encourage best practices in the oil and gas industries. Through Civil Forum, CSOs contributed to a draft law on the petroleum industry's financial contributions to local employees, procurement services for small and medium-sized businesses, health and rural electricity social projects, and hydrocarbon development industries.

CSOs acknowledge that current legislation needs to be amended to be made more flexible. CSOs and the government agreed on a revision to Decree No. 2015-145, but this revision has yet to become effective. The revision addresses such issues as the lengthy procedures for approving and evaluating investment programs; monitoring mechanisms, which relate almost exclusively to NGOs' funding sources and expenditures; the government's desire for NGOs to co-finance their monitoring and evaluation processes; and the cumbersome quarterly reporting system. The Ministry of Finance and CONGAD co-organized a knowledge-sharing session in May 2018 to discuss the impact of the decree. This session brought together national and international CSOs, regional governors, associations of local elected officials, and coordinators from the ministries of the economy, finance, planning, and the interior. The 2015 draft framework agreement between the central government and CSOs specifying the ways in which they are supposed to collaborate was still not finalized in 2018. The government stated that it was waiting for CSOs to agree on certain issues.



## SERVICE PROVISION: 3.7

CSOs' service provision improved moderately in 2018 as organizations worked closely with local communities to address their needs and reach a wider range of beneficiaries.

Senegalese CSOs offer services in a broad range of areas. For example, in education, CSOs work on such issues as the exclusion of some children from the educational system, girls' education, non-traditional educational models, and literacy and job training for young people and adults. Mirroring international trends, CSOs are particularly focused on empowering women with land ownership rights, participation in elections, access to decision-making bodies, entrepreneurial skills, and access to reproductive health services. CSOs support their educational activities with training tools specifically targeting women. Depending on their resources, CSOs usually work in collaboration with international CSOs such as OSIWA and Enda Third World and with public institutions such as municipalities.



CSOs work closely with local communities to identify and fulfill their needs. For example, in the health sector, Enda Third World, Eau vive, Siggil Jigèen Network (RSJ), Plan International, Sightsavers, and World Vision supported or implemented social mobilization programs led by community liaisons and badiénou gokhes, or volunteer women leaders, to promote maternal and infant health and fight tropical disease. This cooperation led to improved community participation and self-sufficiency in the health, water, and sanitation sectors. Through legal aid centers in various locations, the Association of Senegalese Legal Experts continued to provide free legal assistance to women, including victims of sexual violence. CSOs usually regard market analyses as prerequisites for their fieldwork and increasingly engage in planning, which requires a thorough knowledge

of their work environments and targeted stakeholders.

CSOs' services benefited broad social groups in 2018. For example, the NGO Ndeyi Jirim, in cooperation with sports and cultural associations and women's groups, helped register students in the formal educational system and improved instruction for teachers who work with vulnerable children in Quranic schools, which are the main educational institutions in some communities. CSOs helped farmers access inputs such as seeds and make their products more profitable and also supported local youth groups with institutional support and training. For example, the NGO Green, in partnership with the Spanish organization Conemund, helped strengthen dairy farming and rice processing and sales in Ross Béthio and Ndoum in northern Senegal. Humanitarian organizations provided equipment to support needy populations such as the disabled, talibé boys who have left their families to study the Quran, and rural women or during emergency situations such as floods. These organizations act independently and usually very quickly.

To the extent possible, membership associations provide goods and services to people other than their own members. CSOs generally provide goods and services without regard to race, gender, ethnic group or sexual orientation, or other criteria.

Earning money through service provision remains a major challenge for Senegalese CSOs. Some organizations recover costs by billing for services, but the funds they collect are minimal because CSOs' work is intended to benefit disadvantaged populations.

In response to CSOs' demands, the government has recognized that good governance is essential to strengthening transparency and accountability in key social sectors, such as health, education, and water. The central government acknowledges CSOs' added value to providing and overseeing basic services.

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## SECTORAL INFRASTRUCTURE: 4.5

The infrastructure supporting the CSO sector was stable in 2018.

Resource centers for CSOs operate at the national level. However, their operations, computer equipment, and technical support capabilities depend on ever scarcer funding. Intermediary support organizations (ISOs) such as RADDHO and CONGAD foster discussion and cooperation and offer their members training and capacity building on such topics as land ownership, project management, civic monitoring, policy dialogue, and advocacy. CONGAD also helps associations with the administrative procedures for registering as NGOs and preparing investment programs. These services do not generate revenue.

CSOs engaged in significant new joint activities in 2018. For example, CSOs organized regional, topic-specific activities to prepare for the first National Civil Society Convenings in August 2018, which included CSO representatives from the diaspora and all of the country's regions. These convenings were intended to offer space for self-evaluation and strategic reflection so that CSOs can better contribute to preparing, implementing, monitoring, and evaluating public policies at the national and local levels.

CSO platforms, including the Platform of Non-State Actors, Platform of EU NGOs, and Association of International NGOs in Senegal, defend members' interests and promote information sharing through publications, discussion meetings, seminars, and workshops. With a membership of 178 Senegalese and foreign organizations and nine thematic networks, CONGAD is the only coalition that promotes the CSO sector's interests as a whole.

The training sector is highly developed and covers almost all areas, including strategic management, accounting, and financial management. Many trainers skilled in CSO management work as consultants with input from academics, researchers, and professionals in the public and private sectors. Trainers are often members of CSOs or CSO networks. Many training schools offer training on organizational management in the capital and other cities. CONGAD offers capacity building for CSOs in resource mobilization, advocacy, public policy dialogue, and project development. CSO training needs can generally be met, either through existing schools or through one-off sessions, provided funding is available. More and more CSOs translate training manuals and study reports into the most widely spoken national languages.

Collaboration between the government and CSOs improved in 2018, thanks to expanding dialogue and mutual trust. It was more common to see the government and CSOs participating jointly in events such as workshops and seminars on government policies and programs. Government entities increasingly sought formal collaborations with CSOs to address the country's challenges, mobilize citizens, and accumulate expertise. The government invited CSOs to participate in discussions on issues including mining resources, the management of election disputes, and the SDGs. RSJ conducted a gender-equity program for municipal leaders during the year. As a result of the program, sixty-seven mayors allocated funding to support family planning in their municipalities.

CSOs rarely work with businesses. Their collaboration with journalists and press outlets is usually focused on issues of common interest, such as government program reviews, the SDG implementation process, human rights, and mining resources.

**SECTORAL INFRASTRUCTURE IN SENEGAL**



## PUBLIC IMAGE: 3.6

**PUBLIC IMAGE IN SENEGAL**



CSOs' public image improved slightly in 2018. Both public and private media regularly followed CSOs' activities and reported fully in daily newspapers and on radio, television, websites, and social networks. The media conducted and published interviews with CSO representatives alongside articles about their activities.

Communities generally have good opinions of CSOs and trust them, thanks to their efforts to identify needs and help communities meet them. Communities understand that CSOs work to defend human rights, promote the public interest, and generate innovative ideas.

CSOs' actions gained increased visibility and credibility with the government and the public in 2018, thanks in particular to their work on biometric cards and voter information and education. In a change of attitude, the

government publicly acknowledged CSOs' positive contributions to Senegal's social, economic, and cultural development, while seeking to collaborate with them and listening to their opinions on many topics. This change was an important sign of growing trust between CSOs and political leaders. Private-sector stakeholders regularly

praise CSOs' contributions and show that they are willing to work with them, although effort is needed to give more structure to CSO-business dialogues.

CSOs contributed to raising awareness about their positive engagement in national and local affairs. For example, local meetings to prepare for the National Civil Society Convenings highlighted CSOs' role in development and their cooperation with the government, municipalities, and community groups.

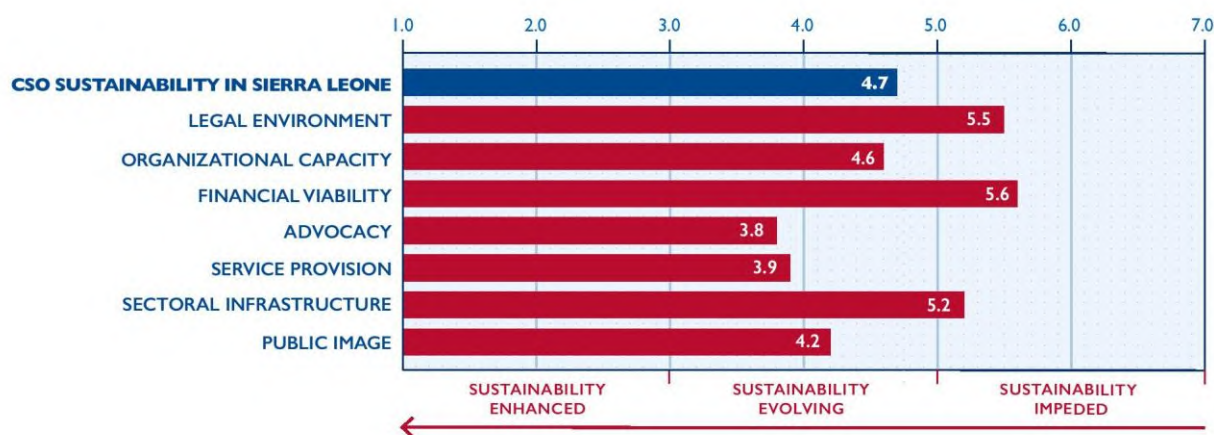
All donors require reports on the activities that they fund. CSOs generally meet this requirement. They also prepare activity reports and distribute them in forms that are affordable and in line with their contractual and statutory requirements.



# SIERRA LEONE

Capital: Freetown  
Population: 6,312,212  
GDP per capita (PPP): \$1,600  
Human Development Index: Low (0.419)  
Freedom in the World: Partly Free (66/100)

## OVERALL CSO SUSTAINABILITY: 4.7



Presidential, parliamentary, and local council elections took place in a smooth transfer of power in March 2018 in Sierra Leone. Since the incumbent president, Ernest Bai Koroma, had already served the constitutional limit of two five-year terms, he did not run for re-election. No party crossed the 55 percent threshold in the first round of voting, and after a second round of voting, Julius Maada Bio of the opposition Sierra Leone People's Party was declared the new president. In the parliament, the elections resulted in an unusual degree of political diversity as four political parties and a number of independent candidates won seats.

Political tensions were high during the elections, and violent protests erupted in some communities. Further exacerbating the turmoil was the release in July of a report by the new government's transition team, which took stock of the state of government ministries, departments, and agencies. The report alleged "an astonishing level of fiscal indiscipline and rampant corruption by the former APC [All People's Congress] government," which had "led to the near collapse of the Sierra Leone economy." The report highlighted the country's huge external debt and the tribalism and regionalism evident in the previous government's appointments to key government positions. The new president fulfilled the transition team's recommendation to establish a judge-led commission of inquiry, which the APC labeled a "kangaroo court" and urged its members to reject. The president also appointed a new anti-corruption commissioner to fight graft. The arrests of several former government officials on charges of corruption led to protests at party offices and other public areas in Freetown, the capital city.

Soon after assuming power, the new government initiated a review of the NGO Policy Regulations, which were hurriedly introduced by the previous government in December 2017. Renaming the policy the "development cooperation framework," the government considered ways in which to streamline its implementation so as to ensure that CSOs' projects are in line with government priorities. Many analysts described the policy as draconian, intrusive, and aimed at closing the space for meaningful CSO engagement. A revised policy was tabled in the cabinet in December 2018 and under review for the remainder of the year.

Overall CSO sustainability was stable in 2018. CSOs' organizational capacity improved slightly as they broadened their outreach to constituencies beyond urban areas. Advocacy was moderately stronger as CSOs played a prominent role in ensuring the credibility of the elections. CSOs' leadership and cooperation with the media during the elections helped boost their public image. At the same time, the legal environment was moderately weakened by implementation of the new NGO Policy, and the sectoral infrastructure suffered slightly from the closure of several resource centers. CSOs' financial viability and service provision did not change.

The CSO sector is growing in Sierra Leone. Most CSOs register with the Corporate Affairs Commission (CAC), which lists all registered entities as companies limited by guarantee and does not disaggregate data on CSOs. In 2018, the Ministry of Finance and Economic Development (MOFED) reported 274 domestic and international registered CSOs, and the Sierra Leone Association of Non-Governmental Organization (SLANGO) reported 292 domestic and international registered CSOs. The Ministry of Social Welfare, other ministries, and local councils also register CSOs but do not release data on their numbers. Many unregistered CSOs operate at the community level. The bulk of CSOs in Sierra Leone engage in advocacy.

## LEGAL ENVIRONMENT: 5.5



The legal environment for CSOs in Sierra Leone deteriorated moderately in 2018 with the introduction of restrictive new regulations under the NGO Policy, which was approved in late 2017.

No overarching law governs CSOs in Sierra Leone. CSOs and community-based organizations (CBOs) may operate freely without registration but must register to gain legal status and interact formally with other entities. CSOs may choose to register with a variety of government bodies. Because of the simplicity of its registration processes, most CSOs register with the CAC, which since 2017 no longer demands annual registration renewals. CSOs also register with local councils and, less often because it is more difficult, with the MOFED, which requires annual renewals. (In April

2018, the MOFED was divided into two separate ministries—the Ministry of Finance and Ministry of Planning and Economic Development [MOPED]—and the MOPED took on the functions of managing coordination with donors and CSOs. However, in this report, “MOFED” will be used to designate the government agency overseeing CSOs for the duration of the year.) CSOs wishing to obtain NGO status, which confers eligibility for tax waivers, must register with SLANGO, the umbrella organization responsible for overseeing the activities of local and international CSOs, and then with the MOFED. Many CSOs do not recognize the authority of SLANGO, since it was not created by an act of parliament but rather is a general CSO membership body.

Registration and registration renewals grew more difficult in 2018 as a regulation introduced under the new NGO Policy requires NGOs and CBOs to obtain attestation letters from line ministries, departments, and agencies responsible for their areas of work. The regulation created delays in the processing of registrations and renewals. In some instances, government offices refused to cooperate with attestation requests. For example, the National Minerals Agency did not grant attestation to the Network Movement for Justice and Development (NMJD), which was therefore unable to renew its registration with the MOFED. The agency finally issued attestation after the NMJD went through a difficult appeals process. The new NGO Policy also requires CSOs wishing to register with the MOFED to sign service-level agreements with their respective line ministries, departments, or agencies and to obtain government approval for project proposals and budgets before applying to donors for support. The new requirements effectively allow the government to control CSOs by ensuring that they align their activities with its priorities.

The lack of clear laws on CSOs’ operations allows state agencies arbitrarily to restrict their activities and violate their right to assembly. Individual government offices have ad hoc regulations, and any state official can draw on any law to clamp down on CSOs. For example, the police require CSOs to obtain permission before organizing public gatherings, which many organizations believe is granted only when the issues involved are favorable to the government. In 2018, the police denied permission to the Renaissance Movement to stage a protest over an increase in fuel prices. The head of the Native Consortium and Research Center, a think tank, was arrested during a protest on the same topic.

Several incidents of state harassment were reported during the elections. Members of the Independent Radio Network (IRN), a network of more than forty community radio stations, which had publicized election results

without incident for more than ten years, were attacked by APC politicians after broadcasting voting results in 2018. A member of the Sierra Leone Association of Journalists (SLAJ) was beaten in Kambia, allegedly on the orders of senior police personnel, and another member was beaten and suffered fatal injuries. SLAJ issued a number of press releases about the incidents, but there was never any follow-up by the authorities. In December 2018, the new president announced his intention to ensure repeal of Part Five of the Public Order Act, which criminalizes any publication deemed to be defamatory or seditious and has been used to target and imprison media practitioners and silence dissident views.

When CSOs engage on sensitive state matters, they are sometimes summoned to the parliament to explain their work, which organizations see as an effort to limit the extent to which they can hold government accountable. In 2018, the National Commission for Social Action summoned several organizations to answer questions about their operations, including their number of staff members and their compliance with requirements to make payments on employees' behalf to the National Security and Insurance Trust. At the end of these meetings, committee members promised to visit the CSOs' offices and requested stipends from them to support their visits. Participation in parliamentary hearings sometimes resulted in the imposition of penalties for contempt of parliament. After taking part in hearings, Democracy and Development Associates Sierra Leone was sanctioned for not renewing its registration, and the executive director of Campaign for Human Rights and Development International (CHREDI) was coerced into submitting evidence from the organization's study of the large sums of money that members of parliament were alleged to have received and spent without tangible benefits to their constituencies.

Other instances of state harassment in 2018 included the cancellation, allegedly at the government's urging, of a television program on good governance, which was produced by the Human Rights Defenders Network (HRDN) and was to be broadcast by the African Young Voices Television. Some CSO representatives were not allowed to attend television programs at the state-run Sierra Leone Broadcasting Corporation. APC government functionaries offered some CSOs SLL 200 million (approximately \$25,000) to speak out in support of a toll road project undertaken by the Chinese government. After they refused, a different group of CSOs that are sympathetic to the government publicly supported the project.

CSOs in Sierra Leone do not receive tax exemptions. Organizations registered with the MOFED can receive waivers on import duties, and several organizations received waivers in 2018. However, the administration of the waivers is subject to abuse by government officials, and CSOs that are critical of the government usually do not receive waivers, even if they are registered with the MOFED. Organizations registered with the CAC are not entitled to waivers.

Although CSOs are nonprofit entities, the Companies Act 2009 allows them to engage in profit-making activities to help finance their operations. CSOs may compete for government contracts, although few organizations do so, since they fear it would undermine their independence and integrity and subject them to greater government control.

CSOs have access to limited local legal services. A few CSOs, such as AdvocAid, Center for Accountability and Rule of Law (CARL), LAWYERS, Society for Democratic Initiatives (SDI), and Namati, have legal experts on their staffs who provide services on a pro bono basis to other CSOs in Freetown and major provincial cities.

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## ORGANIZATIONAL CAPACITY: 4.6

CSOs' organizational capacity improved slightly in 2018 as many organizations spread their operations beyond urban areas to work with local governments, CBOs, community-led committees, and village groups. For example, ActionAid Sierra Leone, Campaign for Good Governance (CGG), and Center for the Coordination of Youth Activities formed a coalition to encourage gender-responsive practices by local governments. The Center for Accountability and Rule of Law, Budget Advocacy Network (BAN), Christian Aid, and Restless Development worked on a public finance management project across several districts to ensure accountability and reduce corruption. The Foundation for Women's Health Research and Development (FORWARD) Sierra Leone, a United Kingdom (UK)-based organization, formed village development committees with funding from the United Nations Children's Fund (UNICEF) in 2018. The committees are responsible for tracking community projects, monitoring government service delivery in health care and education, and making their findings known to responsible government officials through monthly and quarterly meetings. This approach has enhanced communications

between communities and their leaders. BAN expanded its network to include Pujehun district in the Southern Province in 2018.

CSOs made strides during the year in building strong relationships with the communities in which they operate, so that even when their projects elapse, beneficiaries can ensure their continuation. For example, Focus 1000, which works on girls' and women's health, set up community health groups called "kombra [lactating mothers] media units" to advocate for women's health in Kambia, Kailahun, and Pujehun districts. The National Civil Society Forum established a network of market women and Islamic and Christian organizations in Kenema to engage their communities in monitoring health care in various chiefdoms. A

consortium on service delivery, which includes Accountability Now and Heal Sierra Leone, started monitoring government activities in health care, sanitation, and education, including the government's Free Education initiative, using their community structures.

Many CSOs have clear visions, strong mission statements, and, especially in the urban areas, strategic plans detailing their focus and values. Such organizations include CGG and ActionAid Sierra Leone. However, organizations constantly revise their plans to meet donor demands. Most CSOs have trouble adhering to internal work plans because of the scarcity of resources.

CSOs generally do not have strong internal management structures. Although they often have basic management tools and a sense of ethics, many organizations, especially the new CSOs that have proliferated in recent years, have not formalized their operations with written policies and regulations and functioning boards of trustees. A few CSOs, such as BAN, CGG, and CHRDI, have policies on the protection of women and children. Other CSOs have staff policies but fail to integrate them into activities during project implementation. Board members are often handpicked by CSO heads and as a result do not question internal operations. The caliber of board members varies, in part because of a lack of training.

The staff recruitment process at most CSOs is ad hoc and informal. Professional expertise is often lacking, since most CSOs are unable to afford to hire high-caliber employees or retain staff members beyond the end of projects. Many CSO heads never retire, which denies other employees the opportunity to gain management experience. However, volunteering is common in Sierra Leone, and many CSOs, including Network Movement for Democracy and Human Rights, Civil Society Movement, and National Election Watch, use volunteers to implement their work if they do not have sufficient resources to hire staff. Even a few CSOs with core staff members, such as CGG, NMJD, SDI, CARL, Namati, Advocacy Movement Network (AMNET), and Institute for Governance Reform (IGR), rely on volunteers to implement projects.

Most CSOs have limited capacity to use new technologies. Many organizations do not have functioning websites or email addresses, and CSOs' social media presence is generally limited to WhatsApp and Facebook. Internet services are expensive, and donors are generally reluctant to provide funding for this purpose, although a few donors such as the Open Society Initiative for West Africa (OSIWA) provide funds and training to encourage CSOs to use new information technologies. In 2018, some CSOs received equipment from donors during the elections but had to return it when the elections were over. A few CSOs have adequate equipment thanks to their own fundraising efforts and donations from supporters.

#### ORGANIZATIONAL CAPACITY IN SIERRA LEONE



## FINANCIAL VIABILITY: 5.6

CSOs' financial viability was largely unchanged in 2018. Foreign donors, including USAID and the UK Department for International Development (DFID), remained major sources of funding for activities related to the elections, accountability, and governance. Many foreign donors have switched to channeling funds through international organizations such as Search for Common Ground, Oxfam, Christian Aid, and Trócaire, with local CSOs serving as implementing partners. This arrangement constrains the growth, strength, and capacity of local CSOs, since they





lack the authority to implement activities independently and are unable to respond to emerging situations quickly and effectively. In addition, international CSOs sometimes impose overly bureaucratic reporting and financial management requirements on their local partners.

Diversification of funding sources is a challenge for CSOs. The culture of giving to charitable organizations is weak, and the public seldom provides financial support to CSOs. Most CSOs do not have the knowledge needed to use the internet to collect dues or raise funds. Few CSOs benefited from corporate philanthropy in 2018, although several organizations obtained one-off support. For example, Mercury International, a local betting company, gave Educaid, a CSO that provides free education to

young people, SLL 60 million (approximately \$7,500) to complete the construction of a school in the Lumley community of Freetown.

The government does not provide grants or contracts to CSOs in an open and transparent manner, such as through public bids. The MOFED operates a World Bank-funded non-state actors initiative, which is supposed to issue tenders to CSOs to implement projects but continuously delays doing so. CSOs that work on issues of public finance believe that some senior MOFED personnel are averse to having CSOs monitor public finances, as they have made comments suggesting that the government should not give money to CSOs that criticize its actions. In any case, CSOs generally prefer to receive funding from foreign sources, since they fear that accepting funding from government sources will undermine their credibility and integrity.

Membership organizations and trade unions, such as the Market Women's Association, Motor Drivers Union, and Sierra Leone Teachers Unions (SLTU), raise funds from members' subscriptions and dues, which are used mainly to ensure members' welfare. Few CSOs organize fundraising events such as dinners, walks, and marathons. However, several CSOs operate businesses to finance their operations. For example, C MADAM in Makeni has a guest house, bakery, and vocational center, and SLTU runs a hotel.

As in previous years, CSOs grappled with financial management in 2018. Most CSOs adhere to basic standards of financial management, such as keeping records of financial transactions and preparing financial reports for donors. However, building and sustaining sound financial systems and hiring professional staff demands resources that most CSOs lack, since they survive on a project-to-project basis. The few organizations that have professional financial management personnel and systems and undergo annual audits usually receive funding from donors to partially cover their institutional development. Other organizations cannot afford to engage certified audit firms, although they may undergo professional audits of specific projects.

## ADVOCACY: 3.8

Advocacy improved moderately in 2018 as CSOs vigorously defended democracy and the rule of law and played a prominent role in ensuring the credibility of the elections.

The entire electoral process was guided by CSOs' advocacy for greater electoral transparency. The Standing Together for Democracy Consortium, a group of seven organizations funded by DFID, implemented a wide range of initiatives, including election observation, research, and the distribution of timely and accurate information. The National Election Watch (NEW), a leading coalition of more than 400 organizations, worked with other CSOs on massive public campaigns to ensure that the elections were held in a timely manner and the government adhered to its roadmap for a peaceful electoral process. NEW was a member of several election-related committees, including the multi-stakeholder elections steering committee, and the coalition observed the elections during both rounds of voting. After the first round, when both leading political parties claimed to have won, a crisis was avoided thanks to the accuracy of NEW's parallel vote tabulation, which showed that neither party had met the constitutional threshold of 55 percent for an outright win. Amnesty International launched a campaign urging the authorities to ensure that Sierra Leoneans participated freely in the elections. Aside from disruptions in a small



number of communities, the overall electoral climate was relatively peaceful, and the police usually refrained from using excessive force during protests.

Under the new government, CSOs continued to directly influence policy processes. For example, CSOs participated in a new steering committee spearheading the Open Government Partnership and sat on the board of the Millennium Challenge Corporation's \$44 million project to improve access to clean water and reliable electricity. BAN took part in parliamentary budget hearings. By relying on the Right to Access Information Act, SDI monitored the award of government contracts and requested that local councils provide the names of institutions implementing government projects.

In other advocacy efforts, in November 2018, Namati won a court case in which the High Court of Sierra Leone ordered the return of 41,582 hectares of land leased to Sierra Leone Agriculture, Ltd., to land-owning families in Bureh, Kasseh, and Maconteh in northern Sierra Leone. Local CSOs continued to challenge traditional norms. For example, AMNET worked with locally powerful soweis, or women traditional leaders, to eradicate the practice of female genital mutilation.

CSOs' lobbying efforts in 2018 had some positive results. After urging from SLAJ, the government committed to undertaking the repeal of provisions concerning seditious libel in the Public Order Act. In response to advocacy by the Environment Forum for Action and Green Scenery, the government put a temporary hold on timber logging.

CSOs sought to work with the government on reforms to benefit the CSO sector in 2018. But because of the transition in administrations and the government's efforts to limit the space for CSOs, they made little progress. For example, CSOs were unable to persuade the government to maintain tax concessions or implement duty waivers on essential commodities for organizations that are not registered with the MOFED. At a regional meeting in November 2018, CSOs discussed the threat to civil space posed by the new draft NGO Policy and possible strategies for advocating for its reform.

**ADVOCACY IN SIERRA LEONE**



## SERVICE PROVISION: 3.9

**SERVICE PROVISION IN SIERRA LEONE**



CSOs' service provision was stable in 2018. There are relatively few service-providing organizations compared to the large number of advocacy CSOs in Sierra Leone. In 2018, their resources grew more limited, as donors preferred to provide support to the government for service provision and diverted resources to advocacy organizations for election-related events. Donors generally tend to see CSOs more as monitors than providers of services.

Nevertheless, CSOs provide services in a fairly wide range of areas. Most services are linked to such issues as local government, the elections, and the training of community groups, since CSOs tend to have high levels of organizational and technical competence in these areas. For example, in 2018, the Standing Together for

Democracy coalition engaged in voter education and other community-focused activities related to the elections. CSOs also provide services in education, health care, the environment, and agriculture and, in 2018, tried to diversify their services into such areas as water and sanitation, telecommunications, and fuel. The Native Consortium and Research Center conducted research on fuel quality and the activities of fuel and telecommunications companies and provided legal representation to the customers of some companies that were not receiving services that they had paid for.

CSOs are responsive to their communities in various ways. For example, after community tensions and violence broke out during the highly contentious elections of 2018, CGG, NEW, Fambul Tok, and West Africa Network on Peacebuilding (WANEP) organized a series of dialogues to promote social cohesion and reconciliation, with support from the UN Development Program.

CSOs provided many training services directly related to the elections in 2018. WANEP trained monitors to recognize early warnings of violence and map violence during the polling. The Civil Society Forum hosted trainings on civic participation in the elections; NEW trained more than 13,000 election observers nationwide; CGG trained first-time voters; and local women's groups in Koinadugu district, together with NMJD, SEND, and Campaign School in Portloko and Bombali, offered training in Kailahun and Kono for women running in the elections.

Public financial management and budget oversight were other focal areas for CSO training services. FORWARD Sierra Leone offered training in Moyamba to district budget officers, and NSA trained local and chiefdom councils in four chiefdoms in Port Loko District on public financial management. As part of its advocacy efforts on development and livelihood, FORWARD Sierra Leone also provided training in agriculture to twenty vulnerable women in communities in Kamajei Chiefdom, Moyamba District.

In other areas, Namati and SDI provided pro bono legal representation to individuals in conflict with the law. LAWYERS offered legal counsel to women affected by sexual and gender-based violence, and AdvocAid provided pro bono legal services to women in prison. HRDN offered capacity-building support to the Human Rights Commission of Sierra Leone and took part in the recruitment of new commissioners in 2018.

CSOs mostly work pro bono, especially in rural communities, and do not seek to recover the costs of the services they provide.

The government is aware of the capacity of CSOs to monitor its activities and recognizes that it benefits from CSOs' expertise. However, the government fears criticism from independent CSOs and, as a result, chooses to work with CSOs that it knows will support its work.

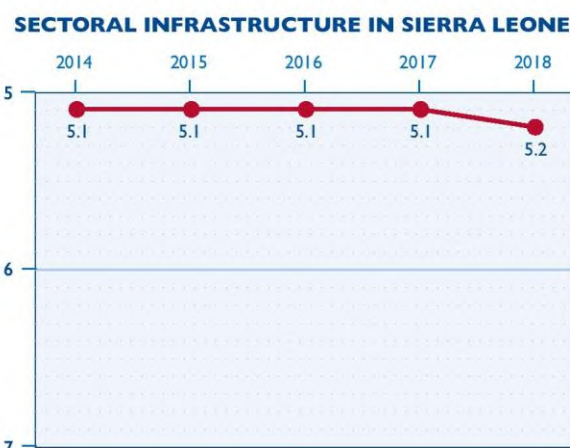
## SECTORAL INFRASTRUCTURE: 5.2

The infrastructure supporting Sierra Leone's CSO sector deteriorated slightly in 2018 with the closure of several resource centers.

The exact number of resource centers is not known, but their numbers are limited, and they are rarely used by CSOs. In 2018, resource centers in Port Loko, Koinadugu, and the Western Area closed because of a lack of funding. Resource centers mostly offer books and pamphlets, which are often scarce, outdated, or irrelevant. Data on governance and development are particularly hard to find. Resource centers do not offer access to the internet.

Local grantmaking organizations do not exist in Sierra Leone. Since the conclusion in 2013 of the Enhancing the Interaction between Civil Society and the State project funded by the European Union and the UK, donors have not launched a similar funding initiative. International CSOs such as Christian Aid, Oxfam, Search for Common Ground, and Trócaire continued to serve as intermediary funders in 2018 and supported project in areas such as election monitoring. However, their funding is also on a downward trend, with some funding ending as of 2018.

Networking among CSOs is a key strength of the sector. Many consortiums and alliances exist throughout the country and reflect mixes of purpose, gender, and participation on the community, district, and national levels. CSOs use these relationships to access information and training and, especially in rural communities, achieve a wider reach. For example, the Market Women's Association continued to provide opportunities to its members to reach local market women in Kono, Bombali, and Western Area districts, so they could sell their produce at



better prices. SLTU uses members' monthly subscriptions on their own welfare, such as support for unpaid teachers.

National and international CSOs enjoyed a number of training, cross learning, and sharing opportunities in 2018. At the national level, trainings were often tailored to the needs of particular organizations. For example, HRDN hosted sessions on human rights and sponsored female human rights activists' attendance at a training organized by the UN. BAN and its partners conducted several trainings for CSOs on public financial management so that they could monitor the activities of government agencies, especially at the local level.

CSOs and the media partnered frequently during and after the elections in 2018. IRN worked closely with the Standing Together for Democracy Consortium to provide real time, credible updates on the election results. Journalists took part in CSO-sponsored election observation teams and polling efforts. CSOs provided training to community radio stations to enable them to serve as readily available sources of credible information in various localities outside Freetown. BBC Media Action organized training on social media and fake news for CSOs and the media. CSO-government cooperation included a training offered by the MOFED to sixteen CSOs on public financial management. No CSO partnerships with businesses were noted during the year.

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## PUBLIC IMAGE: 4.2



CSOs' contributions to the elections led to a moderate improvement in their public image in 2018. The media generally hold CSOs in high esteem and see them as supporting public discussion of national issues. Journalists often cover CSOs' activities, such as policy dialogues, campaigns against government policies, women's empowerment, and the monitoring of service delivery and local government. Media coverage increased in 2018 thanks to CSOs' involvement in educating and mobilizing citizens, training candidates, and observing polling during the elections. The media also relied on CSOs to provide credible information on election-related developments.

The public looks to civil society for guidance on government policies, good governance, financial accountability, and judicial reform. In 2018, as CSOs

assumed a leadership role in ensuring a credible electoral process, the public trusted their contributions. NEW became a household name as the public awaited its independent analysis at every stage of the elections. NEW's activities served not only as a confidence-building measure for the elections but also raised the profile of CSOs as reliable partners. Certain CSO leaders were respected for their independent policy analysis, and the public looked up to them as trusted and unbiased partners in the country's development.

The government's view of CSOs was mixed in 2018. As CSOs pressured the former government to be more transparent and responsive, government officials sometimes accused individual CSOs of being partisan or serving the opposition. After the elections, in a vicious cycle of accusations, the new government again labeled these same CSOs as opposition supporters. Some CSOs were seen as supporting a double standard when their leaders, who had been vocal critics of the former government, accepted positions with the new government. The private sector sees CSOs variously as the voice of the people or as critics, especially if they are aligned with particular political parties.

CSOs increasingly use social media to discuss critical issues, develop campaigns, and raise awareness of public interest issues. Prominent CSOs have Facebook and Twitter accounts, and many CSOs used these platforms to promote their work in 2018. For instance, during the elections, NEW reached a wide audience by increasing its Facebook postings.

Effective self-regulation among CSOs is rare. A few organizations and coalitions, such as NEW and the National Civil Society Forum, have codes of conduct, which more than 500 members have signed. The majority of CSOs in Sierra Leone do not develop or publish annual reports.

# SOUTH AFRICA

Capital: Pretoria  
Population: 55,380,210  
GDP per capita (PPP): \$13,600  
Human Development Index: Medium (0.699)  
Freedom in the World: Free (78/100)

## OVERALL CSO SUSTAINABILITY: 3.6



The most significant political development in South Africa in 2018 was the resignation of President Jacob Zuma and the “new dawn” introduced with the inauguration of President Cyril Ramaphosa in February. According to the country’s largest federation of business organizations, Business Unity South Africa, Ramaphosa’s inauguration notably increased investor confidence in South Africa. Among several positive steps, Ramaphosa intervened in state-owned entities to decrease corruption and improve service delivery and pushed through legislation to establish a minimum wage. In a marked change of tone from his predecessor, Ramaphosa acknowledged the valuable contribution of civil society in his first State of the Nation address.

Land distribution remained a difficult issue for South Africa in 2018. In February, the National Assembly adopted a motion proposed by the Economic Freedom Fighters (EFF) party to amend Section 25 of the constitution to allow the government to expropriate land without compensating property owners. Later in the year, the parliament’s Joint Constitutional Review Committee held nationwide public hearings on the Land Expropriation Bill, which aims to distribute land more equitably. CSOs were divided about the bill, with some organizations, such as Women on Farms Project, Tshintsha Amakhaya, and the African Farmers Association of South Africa, supporting the bill, and others, such as AfriForum, against it. In December, the bill was gazetted and met with some resistance from foreign direct investors.

Following accusations of state capture during the Zuma presidency, the government established the Zondo Commission of Inquiry into State Capture in 2018. In June, Corruption Watch, Section 27, and the Treatment Action Campaign (TAC) released the findings of a special investigating unit showing widespread corruption and financial misconduct in the Gauteng Province Department of Health. In a separate development in 2018, the South African government threatened to withdraw from the International Criminal Court (ICC), following a dispute over South Africa’s refusal to arrest Sudanese president Omar al-Bashir in 2015. Although the threat was later retracted, it undermined South Africa’s reputation as an advocate for human rights and justice.

The #FeesMustFall movement continued in 2018, and many university campuses were again closed at the start of the academic year in February to protest high registration fees and student debt. In August, the #TotalShutDown movement gained steam as women and lesbian, gay, bisexual, transgender, and intersex (LGBTI) communities marched in cities across the country to protest gender-based violence (GBV). The march led to a national summit on GBV in November, which attracted government and CSO representatives.

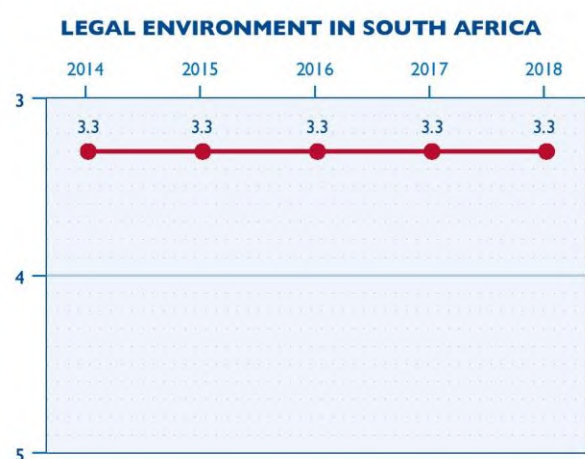
The overall sustainability of CSOs in South Africa remained unchanged in 2018. Advocacy was slightly stronger as CSOs pushed hard to end corruption and GBV. However, CSOs’ financial viability deteriorated moderately as



funding continued to decrease. CSOs' public image also declined slightly because of several scandals involving faith-based organizations (FBOs) and continuing media coverage of the Life Esidimeni crisis, in which 144 patients died after being transferred to the care of under-resourced CSOs. CSOs' legal environment, organizational capacity, service provision, and sectoral infrastructure were stable.

As of September 2018, nearly 200,000 CSOs were registered with the Nonprofit Organizations (NPO) Directorate in the Department of Social Development (DSD). This figure represents a 30 percent increase over the 153,677 organizations registered with DSD in 2016. On average, about 20,000 to 30,000 new NPOs have been registered each year since 2012. Of the overall number of registered organizations in 2018, 93 percent were voluntary associations, 6 percent were non-profit companies (NPCs), and 1 percent were trusts. Social services accounted for the largest sub-sector of registered NPOs at 38 percent, followed by development at 24 percent and religion at 14 percent.

## LEGAL ENVIRONMENT: 3.3



The overall legal environment for CSOs in South Africa did not change in 2018, for the ninth year in a row. Organizations may register as voluntary associations under the NPO Act, as NPCs under the Companies Act, or as nonprofit trusts under the Trust Property Control Act. Voluntary associations and NPCs register with DSD either online or at DSD offices. Nonprofit trusts must register with the Master of the Supreme Court but may also register voluntarily with the DSD under the NPO Act. FBOs and small, grassroots community-based organizations (CBOs) often register as voluntary associations, while larger, better-resourced organizations usually register as NPCs or nonprofit trusts. The registration process for voluntary associations and NPCs is relatively easy but is more complex for trusts. Registration for voluntary associations and NPCs is free

of charge and takes about two months.

Registration may be cancelled if an organization does not comply with binding legislative and regulatory requirements. CSOs may appeal refusals or cancellations of registration. Some CSOs believe that the regulatory bodies that oversee CSOs, including the NPO Directorate, exercise inadequate oversight by failing to ensure that CSOs remain compliant. In 2013, DSD deregistered 55,000 NPOs because of noncompliance, which led to a public backlash. DSD responded by granting extensions to the targeted CSOs to become compliant and retain their registration. However, the CSOs claimed they had already submitted the documentation that DSD requested and that the DSD had lost it. Five years later, in 2018, CSOs were still feeling the effects of this mass deregistration as they sought to resubmit the documentation required by DSD. The process of finding and resubmitting the documentation has placed a particularly heavy burden on small CSOs. Since this incident, DSD has been hesitant to deregister CSOs. In May 2018, the DSD in Gauteng Province began a rigorous compliance process for CSOs in the province, which delayed their subsidy payments. SA Vroue Federasie, an organization that provides social services to extremely poor communities, accrued ZAR 400,000 (approximately \$30,000) in debt as a result of delayed payments from the Gauteng Province DSD.

The leadership of DSD changed in early 2018 when the former minister was removed following a major corruption scandal involving the payment of social grants. During the year, DSD continued to work on amending the NPO Act to improve compliance and ensure that all CSOs are regulated and funded in the same manner. DSD made it clear that it wanted to improve its relationship with the CSO sector and conducted local meetings with CSOs and established NPO forums to promote this aim.

CSOs in South Africa can freely criticize the government and are generally not subjected to state harassment. In November, the Constitutional Court ruled that Section 12(1)(a) of the Gatherings Act, which made failure to give adequate notice of a gathering of fifteen or more people a criminal offense, was unconstitutional. The ruling was



seen as safeguarding the right to protest in South Africa. However, the 2018 State of Protest report published by the Right2Protest project suggests that the space for dissent is shrinking in South Africa. For example, several politicians threatened and physically attacked journalists, and activists and organizations in mining-affected communities were subject to threats and intimidation. In November, the Minister of Women barred a news agency from entering the venue in which she was launching the Sixteen Days of Activism Against Gender-Based Violence campaign. The leader of the EFF also banned certain news agencies from events for his election campaign.

CSOs that register as public benefit organizations (PBOs) with the South African Revenue Service (SARS) receive some preferential tax treatment. Under Section 18A of the Income Tax Act of 1962, PBOs may receive tax-deductible donations if they use the donations to fund specific public benefit activities. South Africa taxpayers who make donations to PBOs may apply for tax deductions. Organizations may have their PBO status revoked if they fail to comply with requirements of the Income Tax Act. As of February 2019, there were 22,402 Section 18A PBOs listed on the SARS website, an increase of nearly 40 percent since March 2017. The increase is likely linked to a SARS investigation into non-compliant religious institutions, which may have spurred organizations to register as PBOs to acquire legal tax exemptions. In April 2018, the David Tax Committee issued a report on taxes and PBOs, which included several recommendations to eliminate anomalies that negatively affect certain types of CSOs.

CSO may engage in income-generating activities provided the activities relate to their principle mandates, aim at cost recovery, and do not involve competitive practices that are unfair to taxable entities. CSOs may engage in fundraising activities as long as the funds are used to realize their primary aims.

Limited legal services are available to CSOs, and larger national organizations are generally able to afford them. The cost of legal counsel is usually out of the reach of smaller, less sustainable CBOs, which can limit their ability to comply with DSD and SARS requirements. The Legal Resource Center provides CSOs with assistance on registration processes.

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## ORGANIZATIONAL CAPACITY: 3.8

Little research is conducted on trends affecting CSOs' organizational capacity, but there is a consensus among sectoral leaders that it is eroding because of unstable funding, outdated and misaligned policy frameworks for the CSO sector, and the degradation of sectoral support structures. The sector took stock of the state of affairs during the National Consultative Forum organized by the South African NGO Network (SANGONeT) in March 2018. Forum participants concluded that CSOs' weakening organizational capacity rendered them unable to advocate effectively against state capture, which compromises the integrity of the democratic government, and crises such as the Life Esidimeni tragedy and the South Africa Social Security Agency (SASSA) scandal, which threatened the lifeline of the country's poorest citizens after revelations of corruption delayed payments of social grants.

**ORGANIZATIONAL CAPACITY IN SOUTH AFRICA**



CSOs are generally successful at building constituencies, although their capacity to do so depends on the scale and objectives of the organization. For example, the Organization Undoing Tax Abuse (OUTA) builds its constituency through paid memberships, while the Cancer Association of South Africa uses both paid memberships and volunteer programs to forge relationships with its supporters. CSOs that focus on the rule of law and upholding the constitution have particularly important relationships with communities with high rates of poverty and illiteracy, as they educate ordinary citizens about their democratic rights and ensure their voices are heard.

Some CSOs with sufficient organizational capacity engage in strategic planning and risk management. However, many CSOs report that in recent years, they have moved away from their original missions and strategic plans because of the poor funding environment. In particular, short-term funding, which has been gaining favor among

donors recently, makes long-term strategic planning nearly impossible for CSOs. A report by MIET Africa indicates that some CSOs receive funding for programs that they are not familiar with and have not planned for, which results in poor-quality service provision.

Internal governance remained a major challenge for CSOs in 2018. Because board members serve on a voluntary basis and are difficult to recruit, CSO boards often end up lacking needed skills. Family members are often recruited to serve as board members, and leaders may go unchallenged by board members who know too little or are afraid to challenge the individuals in charge. This can lead to fraudulent or corrupt behavior at CSOs. A 2018 investigation of a global NPO with operations in South Africa found that corruption had cost the organization ZAR 8.5 million (approximately \$620,000). To alleviate problems with NPO boards, in 2018 the DSD in Gauteng developed guidelines on the selection, recruitment, and appointment of board members and established a screening committee to ensure that the guidelines are followed. Another trend affecting board performance is the aging of CSO leadership. Many CSOs were founded in the early to mid-1990s, when democracy was established in South Africa, and as their founders approach retirement age, a leadership crisis threatens the sector. A number of paid leadership training programs, including the NPO Leadership and Strategy Program, which is run through the University of Stellenbosch Business School, are geared specifically to the CSO sector.

Staff turnover is high among CSOs because of unstable funding and limited opportunities for career progression. Well-resourced, nationally operating CSOs find it easier to retain staff than smaller CSOs, since they pay higher salaries and offer better career-development opportunities. Employees who have acquired knowledge and skills in the CSO sector are often lost to the government and private sector, which offer higher salaries and greater job security. Since the financial viability of the sector declined in 2018, it is likely that CSOs' full-time staff also decreased during the year. Many CSOs acknowledge that their internal staff capacity is inadequate in areas such as leadership, financial management, monitoring and evaluation, and project management. Many people volunteer with CSOs if they are unemployed or seek to build their skills and resumes. Although CSOs benefit from volunteer labor, they often rely too heavily on short-term volunteers, who may not have appropriate skills and can therefore weaken their organizations.

Few CSOs have the funds available to improve their technical capacities. CSOs in some rural areas are hampered by unstable electrical grids, limited access to landlines, and patchy cell phone reception. CSOs working in urban areas are generally better off thanks to a more developed infrastructure. Most CSO staff members use their personal cell phones at work.

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## FINANCIAL VIABILITY: 4.6



CSOs' financial viability declined moderately in 2018. More than half of CSOs had stagnant or declining levels of income, according to the 2018 Trialogue Business in Society handbook. CSOs competing for a more limited pool of money were uncertain about how best to adapt. Many organizations branched out into areas outside their main area of expertise to increase their chances of obtaining grants. Almost half of CSOs had reserves sufficient to cover six months or less of operating costs, about the same proportion as in 2017.

Foreign funding has decreased dramatically in recent years. Since South Africa is now recognized as an upper middle-income country, many foreign governments have diverted aid away from the country, despite high rates of unemployment and poverty. USAID spending declined

from nearly \$600 million in 2016 to \$511 million in 2017, excluding funding from the U.S. President's Emergency Plan for AIDS Relief program. In addition, U.S. government funding has been severely delayed in recent years. CSOs that depend on American donor funding have been under stress as they struggle to sustain operations and pay salaries while they wait for funds to be disbursed. Since the United Kingdom's Department for International Development suspended its bilateral aid program with South Africa in 2015, its spending in South Africa has

declined from GBP 19 million (approximately \$30 million) in 2015 to only GBP 3.7 million (approximately \$4 million) budgeted for 2018.

Foreign donors tend to favor a few well-known national CSOs, leaving other organizations to compete for limited national funds. While many donors have shifted to funding only domestic CSOs in the last several years, CSOs sense that donors increasingly prefer to fund international organizations, decreasing the amount of funding for South African CSOs. Even when international organizations subcontract with local CSOs, the funds they distribute amount to less than if the local organizations had been directly funded, since the international CSOs have higher overhead costs than local organizations. In an effort to help South African CSOs cope with funding shortfalls, Inyathelo: The South African Institute for Advancement helps link organizations to potential donors, charging an annual subscription fee for this service.

The U.S. policy Protecting Life in Global Health Assistance (PLGHA), formerly known as the Mexico City Policy, was reinstated in 2017 and continued to undermine the financial stability of CSOs working in reproductive health and women's rights. The policy prohibits U.S. government funding from going to CSOs that provide abortion counseling or referrals, advocate to decriminalize abortion, promote abortion as a method of family planning, or sub-contract with CSOs that work in these areas. In early 2018, the Swedish International Development Cooperation Agency announced that it would withdraw support for projects in sexual and reproductive health from organizations receiving U.S. funding. Sweden is urging other Nordic countries, Canada, and the Netherlands to adopt the same policy. As a result, CSOs have to apply for either U.S. funding or Nordic funding but cannot obtain both. Moreover, CSOs cannot subcontract with other organizations that receive both U.S. and Nordic funding. This constraint affects not only individual CSOs, but also the health sector as a whole, since most donor-funded health projects are implemented by consortiums of organizations. In addition, the need to align exclusively with one funding source or the other has disrupted collaborative relationships among organizations that have worked together for years.

Local funding is dominated by corporate donors, which expended ZAR 9.7 billion (more than \$690 million) on corporate social investment (CSI) in 2018, with the mining, financial, and retail sectors taking the lead. This amount represents a real increase of 2.5 percent from 2017, the first such increase in five years. As in the past, about 44 percent of CSI support was channeled to education, 17 percent to social and community development, and 9 percent to health, according to the 2018 Trialogue Business in Society handbook. In 2018, Shoprite Group, a retail group, established a credit card that gives CSOs a 5 percent discount on all purchases made at its shops. However, direct financial support accounts for only about 10 percent of CSI giving, with the rest consisting of non-cash donations, such as volunteer hours and goods. CSOs report that non-cash donations often do not respond to their needs. For example, one CSO reported that a company painted its offices and hosted a barbecue, neither of which the CSO actually needed.

Government funding sources include provincial departments of social development, the National Lottery Distribution Trust Fund, and the National Development Agency (NDA). Broad-Based Black Economic Empowerment (BBBEE) certification by the South African government, a program that seeks to reduce economic inequalities, is increasingly important as a condition for public funding, and CSOs must comply with BBBEE requirements if their annual income is more than ZAR 5 million (approximately \$365,000). Private companies also expect the CSOs they fund to comply with BBBEE requirements, since it boosts their own BBBEE standing.

Individuals contribute regularly to CSOs in South Africa. According to the 2018 Trialogue Business in Society handbook, individuals contributed ZAR 22 billion (approximately \$145 million) to FBOs, schools, and other charities in 2018, and 83 percent of CSOs received non-cash donations, such as products, services, and volunteer time, from companies, organizations, and individual donors.

Declining funding and donors' increasing emphasis on financial sustainability has prompted many CSOs to diversify their funding sources and seek to earn their own revenue. However, not all CSOs pursue income-generating opportunities, either because they are unaware that such activities are allowed, are unsure of the legal conditions that they must meet if generating income to maintain their nonprofit status, or lack the necessary capacity.

CSOs' financial management systems vary according to their size and resources. Larger, well-resourced CSOs employ financial managers, while smaller CSOs outsource these functions. The lack of financial control systems can lead to corrupt practices and funders' mistrust of CSOs' financial management systems. CSOs are not required to submit annual audits to the government, but most donors require them before, during, and after funded projects. The cost of annual audits can be a burden for small CSOs.

## ADVOCACY: 2.9

Advocacy by South African CSOs was slightly stronger in 2018. Many CSOs sought to cooperate more effectively with the new government. For example, the Joint Education Trust, the South African Institute for Distance Education, and Health Systems Trust participated in stakeholder workshops arranged by the government or undertook evaluations and research projects for government entities. The Government Communication and Information System created an intra-government knowledge-sharing forum to ensure that CSOs and the government work together to address sexual violence and GBV. Corruption Watch was asked to increase its collaboration with the National Prosecuting Authority and the Directorate for Priority Crime Investigation (Hawks) but has limited ability to do so because of the paucity of funding for CSOs focused on accountability.



CSOs continued to be a strong voice against corruption in 2018. The government established the Zondo Commission of Inquiry into State Capture in response to advocacy by anti-corruption activists and organizations such as Corruption Watch. In response to the scandal involving social grants, Black Sash and Freedom Under Law (FUL) brought a court case against the former minister of social development, who was found personally liable for a portion of the costs of the crisis. Corruption Watch challenged the contract between DSD and Cash Paymaster Services (CPS), the commercial provider of payments, and the High Court ruled that CPS must pay back more than ZAR 300 million (approximately \$21.9 million) to SASSA. As this ruling threatened a lapse in payments of social grants after April 1, Black Sash and FUL lodged a case with the Constitutional Court case to ensure that more than 17 million beneficiaries continued to receive their grants. Corruption Watch continued to press to be involved in appointments to important public positions, such as the national police commissioner and the heads of SARS and the National Prosecution Authority. In November 2018, the SARS commissioner was dismissed following several years of challenges from Corruption Watch, which criticized the commissioner's involvement with a SARS official implicated in money laundering and other criminal activities.

In August, the #TotalShutDown movement mobilized women and LGBTI individuals in marches across the country to draw attention to GBV. The protest presented twenty-four demands for greater action against GBV by the police, Department of Justice, and government. In response, the first presidential Gender-based Violence and Femicide Summit was held in November and led to a mandate to create a national strategic plan on GBV. #NotInMyNameSA, a campaign to end violence against women and children, also organized several marches and other awareness-raising efforts to protest GBV in 2018.

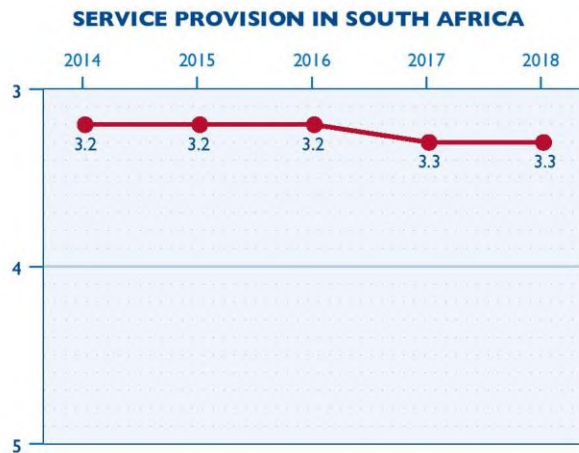
Advocacy by Section 27 resulted in audits by the national government of sanitation services in schools and the president's creation of the Sanitation Appropriate for Education initiative, which will address sanitation and water-related issues in schools. Caring4Girls and other CSOs successfully advocated for the elimination of value-added tax on sanitary pads to make them more affordable for women and girls.

In lobbying activities, Food and Trees for Africa, African Climate Reality Project, South African Institute of International Affairs, and South Durban Community Environmental Alliance launched the Action 24: Active Citizens for Responsive Legislature project to strengthen environmental governance and civic participation in 2018. The group will lobby for decarbonized sustainable and inclusive development with legislatures in four provinces and the national parliament. After the CSO My Vote Counts won a court case requiring political parties to publicly reveal their sources of funding, the National Assembly passed the Political Party Funding Bill in late 2018, which, when implemented, will enhance transparency, accountability, and inclusiveness in the country's political and electoral systems.

South African CSOs are aware of the benefit of a strong legal framework for the sector, which is largely enshrined in the NPO Act. When changes to the legal framework are proposed, CSOs actively engage and respond. However, in 2018, the CSO sector did not pursue any major legal reform efforts in this area.



## SERVICE PROVISION: 3.3



CSO service provision was stable in 2018. CSOs continued to provide a wide range of services in agriculture, health, education, water and sanitation, housing, and legal aid. However, the Mexico City Policy negatively affected the delivery of reproductive health services in 2018. A 2018 report by the International Women's Health Coalition indicated that the policy disproportionately affects comprehensive sexual and reproductive health service delivery in South Africa and increases the risk of HIV infection. This trend is likely to have a large impact on girls and young women, as they are generally more likely to seek health services from CSOs rather than government facilities. Health Enabled, which developed a mobile app named MomConnect that sends newly pregnant women information alerts on their mobile phones, lost its funding for a new program

focused on HIV-positive mothers because it did not sign on to the U.S. policy, even though the app does not mention abortion. A study by Foundation for AIDS Research indicates that non-abortion services such as HIV testing, cervical cancer screening, and adolescent health services declined in 2018 as well. In response to the policy, the SheDecides South Africa movement launched in 2018 to raise funds so that sexual reproductive health services could continue.

The services provided by CSOs generally respond to community needs and priorities, especially where government services are lacking. Many CSOs provide services that should be the responsibility of the government. For example, Cotlands Empowerment Trust is an early childhood service provider that implements early learning playgroups and provides capacity development to educational centers operating in marginalized communities. A large number of community health workers are employed through CSOs. The National Institute for Crime Prevention and the Reintegration of Offenders (NACOSA) implements programs in crime prevention, pre-trial advocacy, non-custodial sentencing, and offender reintegration.

Most CSOs in South Africa provide services to individuals beyond their own members. Mosaic, for example, helps victims of sexual violence obtain access to justice and counseling. Harambee, a youth employment service provider, links unemployed youth with the business sector.

In most cases, it is not possible for CSOs to engage in cost recovery for service provision. Beneficiaries rarely have the ability to pay for the services, and CSOs fear losing their tax-exempt status if they attempt to recover costs. Constituents are particularly unlikely to pay for services that they expect to receive for free from the government, like early childhood education, even if those services are provided by CSOs. However, there was some growth in the social enterprise sector in 2018. For example, the Balambie baby cot, which was initially distributed to low-income households for free by the Holo Foundation, is now also expanding into the commercial market under the for-profit company Chameleon Baby.

As seen in statements by President Ramaphosa in 2018, the government recognizes and appreciates the value of the services provided by the CSO sector. During the year, the president highlighted the role of CBOs in tackling poverty, inequality, and other social problems and emphasized that the government wants to improve communication with CSOs. The government also acknowledges the value of CSOs' work by providing funding to them through grants and service contracts, so that they can render services in such areas as early childhood development, HIV/AIDS, and care of the elderly.



## SECTORAL INFRASTRUCTURE: 3.8

The infrastructure supporting the CSO sector did not change in 2018, for the ninth year in a row.

Limited resource centers and networks provide services to CSOs. The most prominent centers include ProBono.org, Legal Resources Center, and TrustLaw, which provide legal counsel, including help with registration and compliance. Intermediary support organizations (ISOs), such as SANGONeT and NACOSA, provide capacity building and training to CSOs. For example, with support from the Global Fund to Fight AIDS, Tuberculosis, and Malaria, NACOSA's Community System Strengthening program offers CSOs training and mentorship. Trialogue, a consultancy focused on corporate social responsibility, promotes knowledge sharing through its knowledge hub, forums, Business in Society handbook, and conferences. The Legal Resources Center published a freely available guidebook in 2018 that describes the legal obligations NPOs face at all stages, from start up to close down. ISOs tend to be concentrated in urban areas, which can leave rural CSOs unserved by their support and resources.

Several local grantmaking organizations exist. The Open Society Foundation for South Africa supports more than eighty CSOs focused on research and advocacy. The Raith Foundation supports My Vote Counts, Equal Education Law Center, The Black Sash, and other advocacy organizations. The Carl and Emily Fuchs Foundation offers funding for projects in child and youth development, health, higher education, and technology development.

Several CSO networks and coalitions operate in South Africa. The South African National NGO Coalition brings together CSOs that work to help the poor and alleviate poverty. SANGONeT created the NGO Consultative Forum to help CSOs engage with each other at both national and provincial levels. NACOSA is a network of 1,500 CSOs working on HIV, AIDS, tuberculosis, and GBV, and Shukumisa is a coalition of sixty CSOs working against sexual violence and GBV.

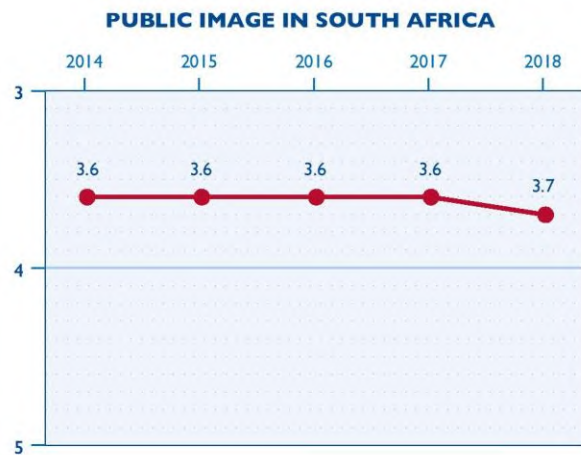
Capacity-building opportunities in 2018 included the ongoing activities of the Shukumisa network, whose members help develop the internal management capacity of CSOs and engage with smaller CSOs to explore their needs. The NDA is tasked with building institutional capacity in the CSO sector and targets CSOs at the community level. Between April 2018 and March 2019, the NDA aimed to train 4,000 CSOs to comply with registration requirements and build the management capacity of 5,000 CSOs. The NDA training addresses basic financial management, project management, governance, resource mobilization, compliance, and project management and is conducted in all nine provinces in South Africa. In 2018, Cornerstone Institute offered paid training leading to a higher certificate in community development. Most training is conducted in English.

CSOs frequently partner with the government, the private sector, and media. For example, the GBV summit in November enhanced government engagement with the CSO sector and is leading to a national strategic plan to fight GBV. Woolworths South Africa partners with a number of social enterprises to assist with poverty alleviation. In 2018, Woolworths cooperated with The Clothing Bank, a social enterprise that collects excess retail stock and sells it to unemployed mothers at a discounted rate so that they can re-sell it as a source of income. Woolworths also partnered with Food and Trees for Africa to increase the availability of nutritious food in communities and schools. Community Chest frequently partners with the private sector to provide scholarships to students and in 2018, cooperated with Independent Media and Food Lover's Market to provide scholarships to four students for tertiary education. Many health-related CSOs, including Anova and Aurum, also partnered with the government and the business sector in 2018.

SECTORAL INFRASTRUCTURE IN SOUTH AFRICA



## PUBLIC IMAGE: 3.7



CSOs' public image declined slightly in 2018 because of extensive media coverage of the end of arbitration in the case involving the 2016 Life Esidimeni crisis. The judgment in the favor of the affected patients and their families highlighted the poor accountability of state authorities and damaged trust in the CSO sector. All major news channels and broadcasts carried the story. The news media also reported on several scandals involving FBOs, including the deaths of three people in a stampede at a church in Pretoria and the arrest of a controversial evangelist on charges of fraud, corruption, and money laundering.

Government perceptions of CSO were mixed in 2018. As in 2017, some ANC leaders were negative about the role of CSOs in the country. However, the government's

2030 National Development Plan positions CSOs as social change partners. The increase in CSI funding in South Africa in 2018 shows that the business sector still perceives the CSO sector favorably.

Public trust in the CSO sector declined from 58 percent in 2016 to 50 percent in 2017, according to the 2018 Edelman Trust Barometer. It is important to note that public trust declined in every sector, including government, media, and business. A survey conducted by Afrobarometer in 2018 showed that one-third of respondents believe CSOs are involved in corruption.

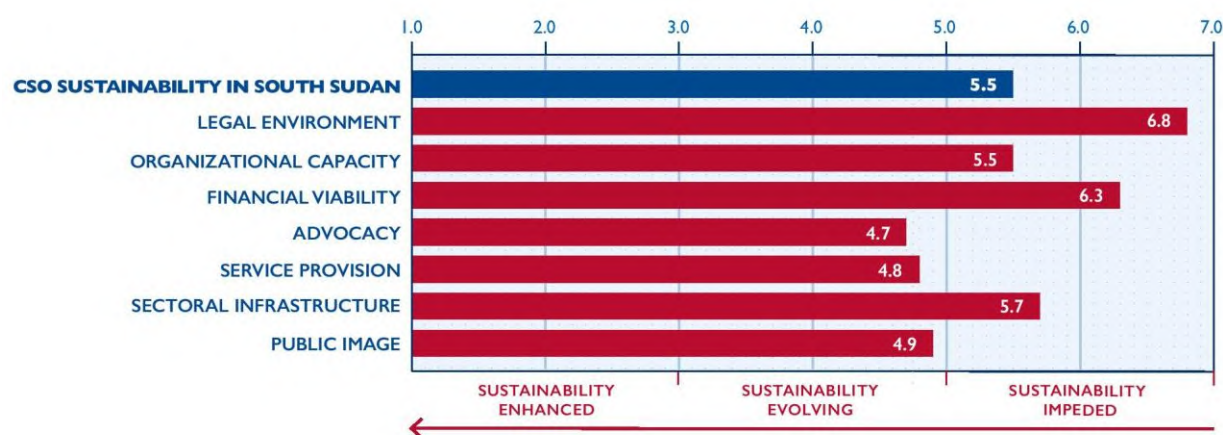
Larger CSOs such as CANSA develop relationships with national media to promote their activities. For example, the media features CANSA's annual ShavaThon, in which individuals cut or color their hair to raise funds for cancer survivors. Smaller CSOs develop relationships with local media outlets, such as community radio stations and town newspapers, but do not build relationships with regional or national media, which they believe cater to urban populations. CSOs tend to rely on hashtag movements through social media to create awareness of their activities. Major hashtag movements in 2018 included #FeesMustFall, #TotalShutDown, and #NotInMyNameSA.

Most CSOs publish annual reports, as it is a requirement to maintain registration with DSD. Many larger CSOs make their annual reports publicly available on their websites. The independent code of governance for nonprofit organizations in South Africa, which was launched in 2015, was intended to institute a self-governance mechanism in the CSO sector. However, to date, only 210 CSOs have officially subscribed to the code. The King IV Code, a corporate governance code published in 2016, remains the primary guideline for nonprofit governance.

# SOUTH SUDAN

Capital: Juba  
Population: 10,204,581  
GDP per capita (PPP): \$1,600  
Human Development Index: Low (0.388)  
Freedom in the World: Not Free (2/100)

## OVERALL CSO SUSTAINABILITY: 5.5



On September 12, 2018, after five years of civil war, President Salva Kiir signed another power-sharing agreement with opposition leader Riek Machar and other opposition groups in a bid to end the brutal civil war that had engulfed South Sudan since 2013. The Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), along with the December 2017 Agreement on the Final Cessation of Hostilities, led to an overall decline in fighting in the war-torn country. CSOs pushed successfully to be included in peace talks led by the Intergovernmental Authority on Development, the National Dialogue, and other mechanisms established to further peace. Efforts to staunch the flow of arms into South Sudan intensified with the United Nations (UN) Security Council's vote in July 2018 to impose an arms embargo. However, intermittent political violence continued around Yei, and inter-communal fighting occurred in several areas, including the "legacy" states of Lakes, Western Bahr-el-Ghazal, Unity, Jonglei, and Warrap. Hundreds of lives were lost, livelihoods were destroyed, and many people fled from their homes.

The country's improved security situation allowed some displaced persons to return home in 2018. According to UN High Commission for Refugees, as of November 2018, about 2.25 million South Sudanese refugees were in neighboring countries, a slight drop from the previous year. The number of internally displaced persons (IDPs) in protection of civilian (POC) sites also dropped by about 6 percent to approximately 195,000 people in 2018. However, the combination of newly displaced persons, returnees, and POC residents increased humanitarian requirements, and CSOs were pressured to respond to their needs without significant increases in funding.

The South Sudanese economy continued to suffer in 2018. Inflation remained extremely high at an annual rate of 83.5, according to the International Monetary Fund. The African Development Bank reported that food prices increased nearly six-fold between May 2016 and May 2018. The South Sudanese pound depreciated further, causing severe foreign exchange shortages and an active parallel market. Some CSOs report that they were financially squeezed as they had to exchange foreign currencies at official rates but procure in the parallel market, where prices reflected significantly more favorable exchange rates. The volatile economic situation and fluctuating prices made budgeting and project development challenging for most CSOs. State spending continued to be skewed toward defense, leaving humanitarian assistance, poverty reduction, and other services largely in the hands of foreign donors and CSOs.

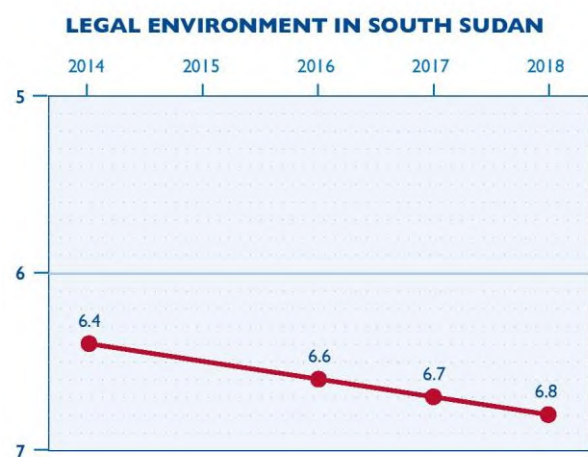
CSOs' working environment continued to be demanding and at times lethal in 2018. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), South Sudan was again the world's most dangerous country for aid work, with fifty-five major attacks on aid workers and 15 aid workers killed. OCHA also cited interference

by national and local authorities and criminals in procurement and staff recruitment, illegal taxation, threats, or intimidation and harassment of aid workers. In February 2018 alone, thirty-seven incidents involved interference by the authorities in the work of UN agencies and international and domestic CSOs, a number that was more than triple the number of similar incidents in January.

Overall CSO sustainability was stable in 2018. The legal environment deteriorated slightly with the inconsistent application of laws and ongoing harassment by the authorities. However, CSOs' organizational capacity improved as CSOs proved resilient in the difficult environment and volunteers continued to serve as a vital resource. Advocacy was significantly stronger as CSOs made progress on many issues and played an important role in the country's peace process. A waiver of registration fees in 2018 helped boost CSO service provision, particularly their humanitarian work, at a time of great need, and the sectoral infrastructure was strengthened by increasing solidarity among CSOs. Their public image improved slightly as CSOs received more positive attention from private and nonprofit media outlets. CSOs' financial viability was unchanged.

The exact number of CSOs operating in South Sudan is not known. The Relief and Rehabilitation Commission (RRC), the regulatory body overseeing CSOs, keeps track of the number of organizations operating legally in the country but does not publish this information. In 2018, the South Sudan Civil Society Forum (SSCSF), a consortium of mainly advocacy CSOs, reported that it had more than 200 member organizations, and the South Sudan NGO Forum, an umbrella group of both domestic and international CSOs, reported that it had 330 members (up from 320 in 2017), including 214 South Sudanese organizations.

## LEGAL ENVIRONMENT: 6.8



The overall legal framework governing CSO operations deteriorated slightly in 2018 as laws were inconsistently applied and harassment of CSOs by the authorities continued.

The main laws governing CSOs are the South Sudan Non-Governmental Organizations (NGO) Act 2016 and the RRC Act 2016. All CSOs must register and re-register annually with the RRC to have legal status to operate. Registration costs and processes are burdensome, particularly for small CSOs. However, in January 2018, the president issued a waiver suspending registration fees for one year, citing the need to boost humanitarian work at a time of dire need. At the same time, CSOs that delayed renewing their registration certificates were subject to fines. The Youth

Development Foundation (YDF), for instance, was fined \$50 for a delayed application to re-register. The authorities generally scrutinize the registrations of CSOs working on advocacy or human rights more closely than those of organizations engaged in service provision. CSOs must submit annual plans, budgets, and information about funding to the RRC.

In 2018, local authorities opportunistically requested several CSOs to register at the state level, even though they had already registered at the national level and there is no law requiring double registration. Incidents of this nature were reported in Bentiu, Bieh, Sobat, and elsewhere. In Akobo, after a local CSO registered at the state level, the county commissioner demanded an additional payment from the organization to operate freely at the county level. However, when the CSO threatened to take the case up with the RRC at a higher level, the commissioner dropped the demand. The South Sudan Media Authority continued to require media-related organizations to register with it despite the absence of a clear legal requirement that they do so. As a result, some media organizations, such as the Association for Media Development in South Sudan (AMDISS), have had to register with both the RRC and the Media Authority. In 2018, the Gurtong Trust, an organization that maintains a news website, was banned from covering live events in the country because of its failure to register with the Media Authority.

Local authorities in both government- and non-government-controlled areas have demanded that CSOs recruit employees locally for certain positions, which can make it difficult to find qualified staff. For instance, in Ulang County, after Nile Hope hired a program officer, the Relief Organization for South Sudan (the equivalent of the RRC in areas controlled by the Sudan Peoples' Liberation Movement In Opposition, or SPLM-IO, the major opposition group) demanded that the organization recruit locally to fill all positions from the project officer level and below. Nile Hope reclassified the position as project manager so that the hired employee could continue in the job.

The National Security Service (NSS) and Media Authority continued to restrict freedoms of assembly and expression in 2018. The authorities continued to enforce the unwritten requirement that the NSS authorize all public events, with any unauthorized public event risking immediate closure. The NSS demanded details about events in advance, such as their objectives and agendas, as well as information that was sometimes impossible to provide, such as lists of participants. For example, in December 2018, the organizers of an open-air event under the South Sudan We Want campaign were asked to provide the names of participants, although it had issued an open public invitation. The event took place as planned. South Sudanese CSOs operating outside of South Sudan also became targets of state pressure in 2018. In Uganda, a CSO organizing a discussion for South Sudanese university students about the recently signed peace agreement was told by university administrators, reportedly under pressure from officials from the South Sudanese embassy, that it needed embassy permission to arrange the event. Similar statements were made to groups in Kenya.

In July 2018, the NSS arrested and detained Peter Biar, a Harvard-educated activist and co-organizer of the South Sudan Young Leaders Forum, a group that mobilizes youth for peace. Biar was held at the notorious Blue House detention center without being charged beyond the constitutional limit of forty-eight hours. He was later charged with treason and was still in detention awaiting trial at the end of the year. The NSS also arrested and detained a businessman who organized a regional conference on oil and gas, questioning his motives behind the event. The NSS banned journalists from covering the conference, although one day later it reversed itself and allowed journalists registered with the Media Authority to report on the gathering.

Under the NGO Act 2016, CSOs are entitled to exemptions on customs duties on imports of equipment and goods purchased for their nonprofit work. However, in practice, such exemptions can often be arbitrarily denied without explanation by officials handling the applications. In 2018, CSOs sometimes requested and were denied exemptions. For instance, Crown The Woman was denied an exemption when importing a car, and Upper Nile Youth Development Association was told that an exemption on donated bicycles was possible only if the shipment was valued at less than \$10,000. When Peace and Development Integrated (PIDCO) procured equipment to support women's livelihoods, the county authority said that exemptions had been suspended and they had to pay the full tax. In December 2018, the president issued Republican Order No. 24/2018 suspending exemptions from customs excise taxes and duties on all imported goods and items except those connected with humanitarian relief.

Local authorities sometimes demand tax payments from national staff, even if taxes were already deducted from their salaries at the national level. In 2018, this practice was especially true in areas controlled by the SPLM-IO, such as Fangak, Nasir, Ulang, and Pigi counties. In Pigi, Relief International had to suspend operations because its national staff was asked to pay local taxes.

The law allows CSOs to engage in income-generating activities provided all income is used to further the objectives of the organization rather than benefit individual members, directors, or staff. CSOs do not compete for government contracts.

Several lawyers provide professional legal services to CSOs. However, their services are expensive, especially for small CSOs. In 2018, a lawyer provided pro bono representation to several CSO employees detained by the NSS.

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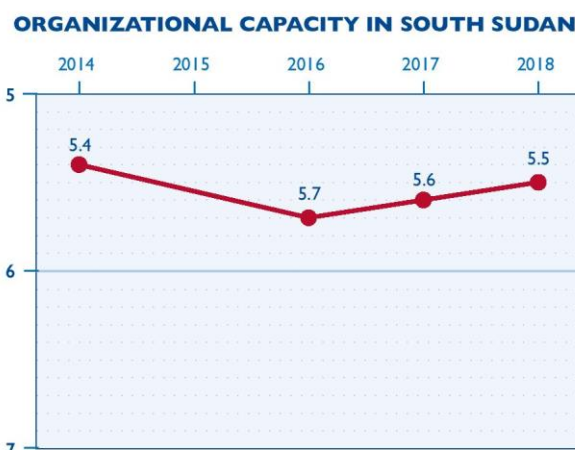
## **ORGANIZATIONAL CAPACITY: 5.5**

The organizational capacity of South Sudanese CSOs was slightly stronger in 2018 as CSOs proved resilient in the difficult environment and volunteer staff continued to serve as a critical resource.

CSOs continued to engage closely with constituencies to establish their needs for services. For instance, OCHA's Education Cluster, led by Save the Children and the UN Children's Fund, conducted a joint assessment with the government, the UN, and domestic and international CSOs in October 2018 to update key indicators on the



educational system, support the development of proposals and advocacy documents for financing purposes, and help prioritize needs and risks across geographic and thematic areas. Among the CSOs participating in the assessment were Nile Hope, Christian Mission for Development, Across, South Sudan Development Agency, Save the Children, World Vision International, and Mercy Corps. In December 2018, Relief International partnered with the Universal Network for Knowledge and Empowerment Agency, Nile Initiative Development Organization, Christian Mission for Development, and other CSOs on a joint rapid needs assessment for spontaneously returning IDPs in Longechuk County. The assessment informed the design and delivery of relief interventions. Some CSOs are able to track the results of their interventions and capture them for reports, while other organizations lack capacity to do so.



Many larger CSOs have strategic plans that spell out their visions, missions, and objectives for the planning period. The Civil Society Coalition on National Resources developed a three-year strategic plan in 2018, and Nile Hope has a five-year strategic plan. However, because of the competition for resources, few CSOs follow their missions and strategic plans closely. AMDISS, for example, usually has a five-year strategic plan in place but reports that only about 20 percent of the plan is followed. CSOs must constantly re-balance their strategic plans against the search for funds, donor requirements, and real community needs, and the risk of duplicate activities can be high as CSOs compete for funding.

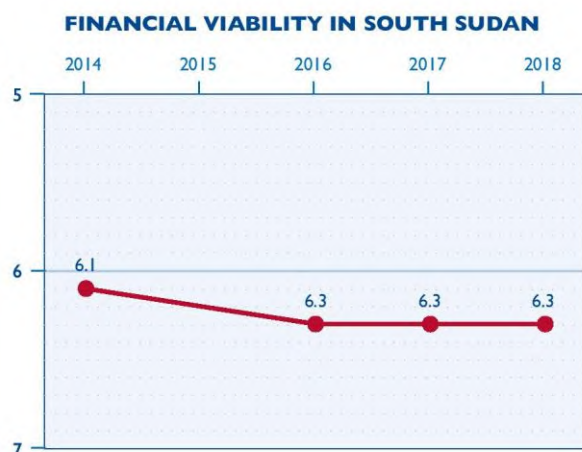
Most CSOs have defined internal management structures, including a division of roles between boards of directors and staff. The segregation of duties is usually enshrined in their constitutions or policy documents. Boards' engagement in organizational affairs varies across organizations, with some boards frequently involved and others not taking action for years. Within boards, individual members are often inactive, largely because of poor communication.

Most CSO staff is project-based. CSOs rely mostly on volunteers. For instance, Crown The Woman uses volunteer teachers to raise awareness about child marriage. Nile Hope estimated that it had more than 400 volunteers in 2018. Seventy percent of the UNYDA staff were volunteers during the year, and CRN estimated that 20 percent of its staff members were volunteers. Okay Africa Foundation mobilized several dozen youth volunteers to clean up the streets of the capital city, Juba, through its Nadafa Le Beledna ("Cleaning For Our Country") campaign. In December 2018, The South Sudan We Want campaign drew on volunteers from both the national and state levels to help with events around the campaign's roll-out in Bor and Torit. CSOs also rely on volunteers in emergency situations, as in community sensitization during Ebola preparedness activities in the porous border region near the Democratic Republic of the Congo.

Most large CSOs are equipped with modern communications equipment, such as computers, printers, copiers, modems, and telephones. Some organizations use satellite phones and long-range radios for operations in areas that are not covered by regular cellphone networks. To reduce expenses, smaller CSOs often rely on shared communications and office facilities, such as those offered by CSO resource centers. Bigger organizations sometimes provide free office space and access to computers and the internet to emerging CSOs.

## FINANCIAL VIABILITY: 6.3

CSOs did not experience a notable change in financial viability in 2018. All South Sudanese CSOs depend heavily on foreign donations, which often support service provision or direct humanitarian aid rather than advocacy purposes. When adequate funding is not available, advocacy CSOs are generally able to continue activities such as meetings and press statements, while service-providing CSOs often must end their activities when contracts conclude.



The top dozen recipients of humanitarian aid to South Sudan in 2018 were international CSOs, which frequently outsource tasks or employ domestic CSOs in their programming. According to Financial Tracking Services, of the \$1.39 billion in aid that South Sudan received in 2018, at least \$18.6 million went to national and local CSOs. This sum was more than in 2017, when CSOs received \$15 million of \$1.48 billion in aid. There was a slight increase in funding allocated to CSOs by the UN Humanitarian Fund in 2018, with \$20.6 million or 39 percent earmarked for national organizations, \$21.5 million or 40 percent for international organizations, and \$11.3 million or 21 percent for the UN.

Donor funding is mostly for project expenses rather than organizational development or operational support.

Donors sometimes approve expenditures such as office rent, internet access, and other operational costs in project budgets. However, such funding usually ends with the projects, which tend to be short, ranging in duration from three months to one year. One of the strategies CSOs use to cope with short-term funding is to work with multiple donors having varied rules about allowable expenditures and staggered project start and end dates. To sustain themselves, CSOs spend a considerable time developing funding proposals, the success of which is never assured.

Some community groups have succeeded in fundraising locally for projects such as school buildings. Donations typically come from community members. Although the potential exists for CSOs to raise both monetary and in-kind resources from local businesses, individuals, and foundations, this possibility is greatly undermined by the economic hardships caused by the civil war.

Some CSOs generate income by offering professional services to other domestic and international CSOs and the UN. Their services include research, surveys, analyses, and workshop facilitation.

CSOs were able to access banking services at the national level without much trouble in 2018. At the local level, hard currency remained difficult to obtain, since most financial institutions that work best with CSOs do not have branches beyond Juba. As a result, CSO staff members had to carry large sums of project funds in cash when implementing activities in some field locations, which increased the risk of theft and robbery.

Highly competent finance managers are too expensive for most CSOs to hire, and many CSOs lack the core funding needed to put financial management systems in place. However, an increasing number of organizations try to maintain some kind of financial management system, including professional accounting procedures, in part because they are prerequisites for donor funding. Some CSO projects are audited at donors' request, but the audit reports are not made public. CSOs usually do not conduct organizational audits because of their cost.

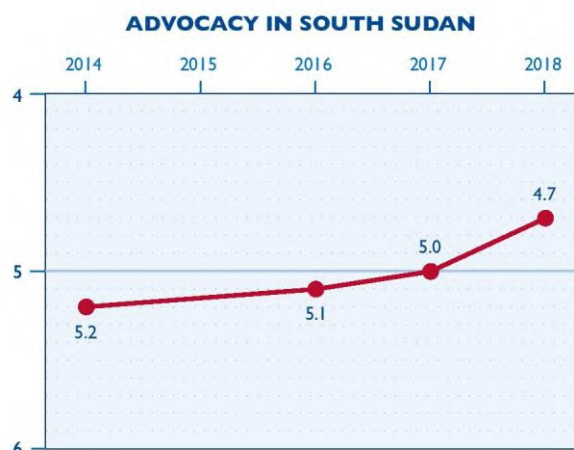
## ADVOCACY: 4.7

Advocacy by South Sudanese CSOs improved significantly in 2018 as they made tremendous progress in their work on a wide range of issues. CSOs' most important achievements included their contributions to the peace talks to resolve the country's crisis and their participation in the National Dialogue on the national, regional, and local levels. CSOs took part in mechanisms established by the peace agreement and successfully advocated for the inclusion in the agreement of a clause requiring 35 percent representation of women at all levels of government.

CSOs have access to policymakers through both official and informal channels. Formally, CSOs work through the parliament, such as by submitting analysis and recommendations to committees such as the Committee on Security, Defense, and Public Order when a piece of legislation is under consideration. All draft legislation should go through public hearings, which give CSOs other opportunities to offer feedback and comments. In certain cases, CSOs were successful in significantly altering the text of the draft bills before parliamentary hearings. Informally, CSOs have little difficulty meeting with government officials, including ministers at national and state levels, state

governors, and county commissioners. CSOs also work with government-allied institutions, such as the South Sudan Human Rights Commission and the Bureau for Community Security and Small Arms Control.

Government institutions sometimes support CSO advocacy. For example, the Ministry of Gender, Child, and Social Welfare endorsed a January 25, 2018, communiqué from the Women's Coalition on the High-Level Revitalization Forum, which demanded that government structures and institutions at all levels include 50 percent women and at least 30 percent youth and that no one tribe or community fill more than 20 percent of government positions. The final text of the peace agreement includes provisions requiring that 35 percent of positions at all levels of government be filled by women and a young person be appointed as minister of culture and youth affairs. The agreement does not address tribal or community representation, but it increases civil society representation in mechanisms established by the agreement, such as the Joint Monitoring and Evaluation Commission, Security and Defense Review Board, and National Constitutional Amendment Committee.



The SSCSF, a coalition of more than 200 organizations, continued to represent civil society in the peace process and other policy-making platforms in 2018. The SSCSF lobbied government and opposition leaders and made several submissions to the peace talks in Addis Ababa and Khartoum. The SSCSF conducted a public perceptions survey to back up its positions during the peace process and published its findings in its report *Revitalizing Peace in South Sudan: Citizen Perceptions of the Peace Process*. The forum requested in writing that the president pardon political detainees, which led to the release of a number of prisoners, including the former spokesman of the SPLM-IO leader. Representatives of CSOs such as the Sudd Institute and Ebony Center for Strategic Studies worked in the secretariat coordinating the work of the National Dialogue Steering Committee. Youth and women's groups and traditional leaders also participated in the dialogues.

Another coalition of thirty-six CSOs operating in the diaspora, non-government-controlled areas, and camps for refugees and IDPs issued a joint statement in July 2018 calling for the UN, African Union, and Troika (Norway, United Kingdom, and United States) to ensure that punitive measures against "spoilers," or actors seeking to undermine any settlement, were specified in the final peace agreement. The agreement did not include such a provision, but the joint statement highlights CSOs' ability to coalesce around a united agenda.

Following years of advocacy by CSOs, the UN Security Council finally imposed an arms embargo on South Sudan in July 2018. Although the embargo was a win for CSOs, it also raised fears that the government would crack down on CSOs that had advocated for its adoption. In the past, CSOs campaigning for sanctions sometimes experienced difficulties with the RRC when renewing their registrations.

CSOs also engaged with local authorities on peace processes. For example, Assistance Mission for Africa (AMA) worked with local authorities and community leaders to implement a resolution on peaceful coexistence emerging from a peace conference between Panyijar County and the town of Yirol.

Among other joint initiatives in 2018, the #FreePeterBiar campaign, which was begun by an individual activist via Twitter, was later picked up by national and international groups such as the SSCSF and Amnesty International. The Civil Society Coalition on Natural Resources emerged to coordinate CSOs' advocacy for responsible management of South Sudan's natural resources. To evade the oppressive working environment for advocacy organizations, CSOs sometimes turned to alternative means of claiming public space, ranging from art and music events to mass tea drinking and garbage cleanups. They continued to make good use of social media campaigns. The South Sudan Is Watching campaign, for example, mobilized citizens to keep track of the peace process.

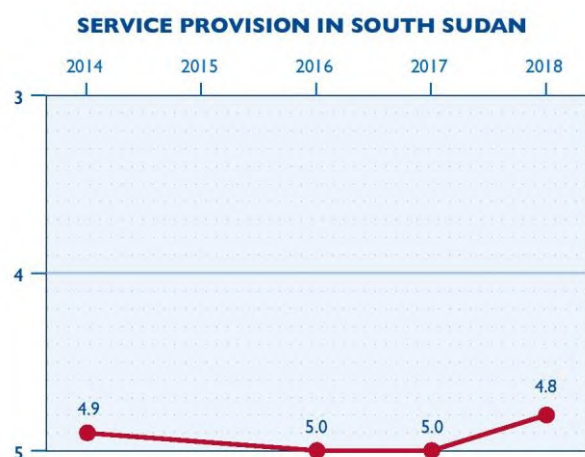
In November, a street march by women's groups protesting the alarming escalation of rape cases prompted the government to form an investigative committee. Women displayed impressive solidarity again in December when they organized a peaceful march to protest reports from Bentiu of the mass rape of dozens of women by government forces. After staff at the Ministry of Gender, Child and Social Welfare asked who had organized the protest, the women submitted a petition to the minister indicating that they had organized it collectively. The

minister denied any incidents of rape despite a report on the topic from Médecins sans Frontières. In December, Crown The Woman and Steward Women launched the Maa Mara Sakit (“Not Just A Woman”) campaign to advance gender equality with support from Norwegian People’s Aid.

In advocacy work related to the legal framework for the CSO sector, Nile Hope led an effort to resist demands by the SPLM-IO authorities that all CSOs operating in its areas register with the Relief Organization for South Sudan. After Nile Hope and a few other CSOs lobbied the RRC and OCHA about this requirement, it was eventually withdrawn.

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## SERVICE PROVISION: 4.8



CSO service provision improved moderately in 2018 as CSOs had better access to beneficiaries in a context of reduced hostilities across the country. In addition, the waiver of registration fees in 2018 helped boost humanitarian work at a time of great need.

CSOs continued to provide communities with a wide variety of goods and services, ranging from basic health care and facilities for clean water to food, emergency shelter, and education. For instance, AMDISS provided free training to at least thirty-six journalists in Juba, and Crown The Woman distributed more than 2,600 sanitary napkins to girls and women in Juba and Rejaf. In many instances, international CSOs served as custodians of funding, while South Sudanese CSOs performed most of the practical work of reaching out to beneficiaries.

CSOs provide most services and goods to meet dire needs, which are often identified through needs assessments. Both international and local organizations conduct assessments and sometimes team up to conduct joint assessments, especially when working on clusters such as protection and water, sanitation, and hygiene (WASH). The assessments also help confirm that the provided goods and services reflect the priorities of the communities themselves. In 2018, numerous CSOs helped implement the Humanitarian Response Plan for South Sudan, which is coordinated annually by OCHA. The priorities for 2018, reflecting the needs on the ground, included education, food security, livelihoods, nutrition, protection, and WASH.

The vast majority of CSOs provide goods and services to beneficiaries beyond their membership and without notable discrimination. CSOs conduct market assessments to determine the prices of goods as well as business opportunities, which help them support local communities in the area of livelihoods activities.

It is not a widespread practice among CSOs in South Sudan to charge for services to recover costs. However, some CSOs sell products. For example, the Roots Project produces beads and pottery, which it sells to provide women with livelihoods while helping meet its own operational costs. Some CSOs conduct research and analysis to raise flexible funds to support their operations.

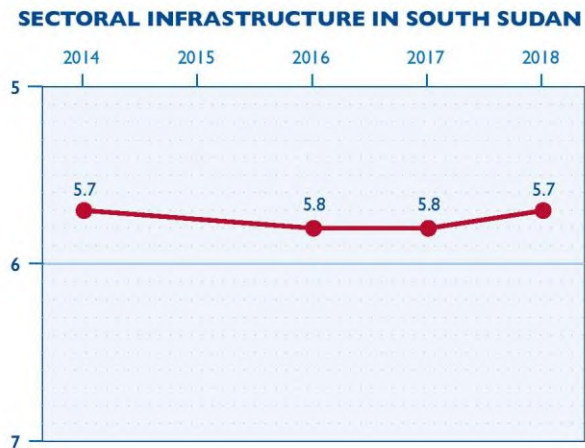
Through policy actions and public statements, the government acknowledges the importance of CSOs’ work. For instance, in January 2018, the president issued a directive waiving registration fees for all CSOs. In the directive, the government underscored the huge humanitarian burden that South Sudan bears and the important role played by CSOs in meeting the country’s needs.



## SECTORAL INFRASTRUCTURE: 5.7

CSOs' infrastructure improved slightly in 2018 as organizations worked together more effectively and began to offer each other solidarity and protection.

CSO resource centers in Juba, Torit, Wau, Rumbek, and elsewhere continued to offer access to electricity, shared workspaces, meeting halls, computers, and the internet. AMDISS continued to operate a resource center with a free library and internet access for freelance journalists, and the South Sudan NGO Forum maintained a center with similar services for its members, who pay annual membership fees. Several new resource centers opened in 2018. Nile Hope, for example, established a youth resource center in Upper Nile offering free access to computers and the internet. The centers serve many beneficiaries but are especially important for emerging CSOs, unless fees are charged that they cannot afford. However, the need for resource centers continues to dwarf their availability.



Although the practice is uncommon, some fairly well-established CSOs, mostly at the national level, provide sub-grants to community-based organizations and informal community groups. In 2018, AMA and the South Sudan Action Network on Small Arms (SSANSA) provided small grants to community peace and security committees in Panyijar, Bor, and Yirol counties. The South Sudan Law Society and Community Empowerment for Progress Organization (CEPO) also provided modest funds to CSO networks in Torit, Bor, and Wau. Most donors prefer international CSOs to sub-grant their funds, citing the weak capacity of domestic organizations but without specifying the standards they use to assess organizational capacity.

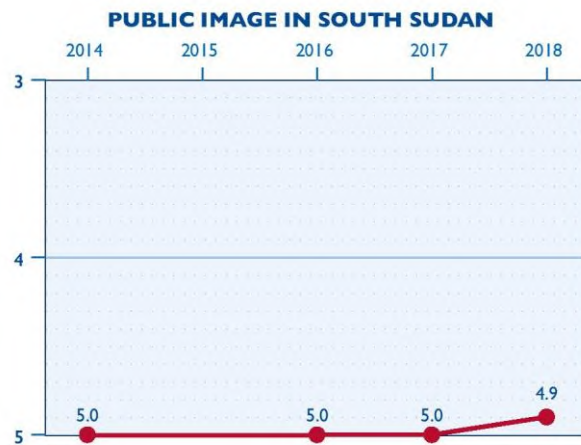
Several national coalitions founded in 2017, such as the SSCSF and South Sudan Women Coalition For Peace, continued to evolve in 2018. South Sudanese CSOs are still getting used to the idea of working together, but the practice is steadily growing. The idea of being each other's keeper and standing in solidarity with colleagues under threat is still weak and compounded by the mistrust, suspicion, and polarity generated by five years of conflict. Activists have usually fled the country when under immense security threats rather than seeking protection among CSO colleagues. The South Sudan Human Right Defenders network continues to address this trend by developing mechanisms to protect activists, but its services are still largely limited to its membership. Many CSOs recognized the solidarity of women's groups in their advocacy efforts, which reduced threats and boosted the security of individual coalition members.

CSOs received a wide range of training from donors, international CSOs, and more established domestic organizations in 2018. For example, the Norwegian Agency for Development Cooperation provided training in financial management to national organizations that they fund or intend to fund. International CSOs sometimes offer capacity building to domestic partner CSOs in topics such as democratic practices within CSOs, outcome harvesting, and financial management. Other common training topics included project development and management, organizational development, and fundraising. Training is usually free of charge.

CSOs occasionally partner with government agencies to pursue common agendas. CSO-government partnerships are most common in the services sector, such as health care, WASH, education, and the protection of women from sexual and gender-based violence. Partnerships between CSOs and the business community are insignificant at present, although some potential exists. CSO and the media cooperate in various ways and have begun to exchange views of each other's work in various forums. For instance, in October 2018, AMDISS convened a dialogue to discuss areas of cooperation between CSOs and media, including the support that each side seeks from the other. The same month, AMDISS hosted a one-week training for journalists on media law, codes of conduct, the ethics of journalism, and basic journalistic skills.



## PUBLIC IMAGE: 4.9



A slight improvement was evident in CSOs' public image in 2018. CSOs generally enjoyed positive attention from private and nonprofit media outlets, especially radio, which have the widest nationwide outreach and regularly highlighted the important role played by CSOs in the peace process and the country's development. The only television station in the country is the state-owned South Sudan Broadcasting Corporation, which mainly broadcasts coverage of government events.

The media generally charges reduced fees for CSOs' public service announcements. Media outlets such as the UN's Radio Miraya often air programming developed by CSOs at no charge. For instance, Radio Miraya aired content developed by The South Sudan We Want campaign urging the president and opposition leader to prioritize the people and the country over their personal

interests during the peace talks in Addis Ababa.

The public generally understands the idea of CSOs and is largely supportive of them. However, its views of CSOs are mixed. Some people think that CSOs make an enormous contribution to South Sudan's development, while others see them as vehicles for the enrichment of their leaders. For instance, on a live program on Radio Bakhita, a caller accused the chair of a major organization of engaging in advocacy that was critical of the government only because it enabled the chair to live off donor funds. Similarly, some portions of the public believe that CSOs worked intensively at the peace talks only because their leaders were lobbying for positions in a future unity government.

Government officials and opposition leaders often applaud CSOs for their contributions to humanitarian action and the peace process. For example, in his speech at the celebration of the signing of the peace agreement in October 2018, opposition leader Riek Machar acknowledged the importance of CSOs' work. The Media Authority singled out the work of the Catholic Radio Network, a media project constituted by community-based radio stations, during the 2018 World Press Freedom Day event; the governor of Eastern Lakes highlighted the work on peace and social cohesion of AMA and its partners during his opening speech at a peace and reconciliation conference in Nyang in September; and the minister of humanitarian affairs publicly recognized the valuable contribution of Nile Hope during the launch of its strategic plan. However, government officials sometimes attack advocacy CSOs as agents of regime change. For instance, many CSOs support a proposed hybrid court for South Sudan, which the minister of information labeled as tantamount to advocating for regime change.

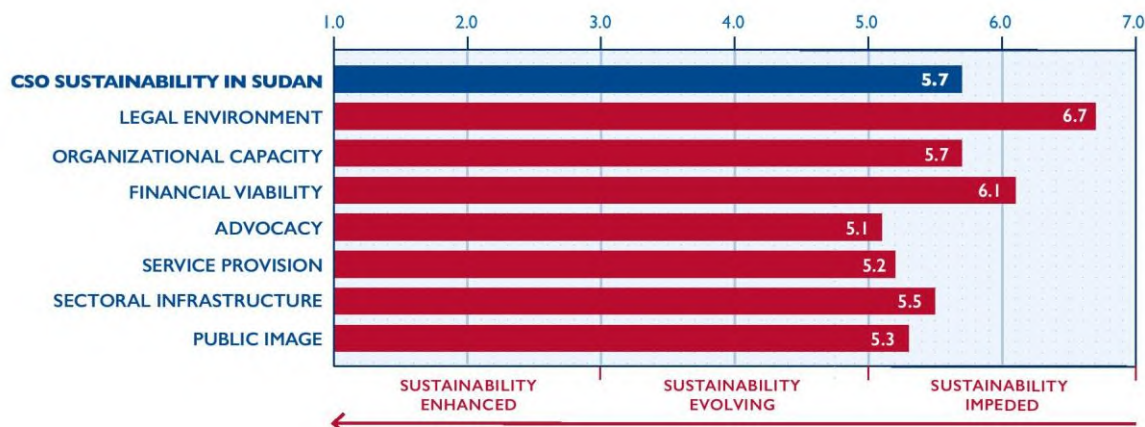
CSOs took deliberate actions to raise public awareness on their activities in 2018. Their outreach programs included programming on radio stations, billboards in urban centers, banners during their events and in public spaces, and posting on social media, mainly Facebook and Twitter.

CSOs tend to be more transparent with donors than beneficiaries and may conduct audits if required by donors. They do not usually publish audit and annual reports, although a few organizations have begun to publish annual reports, including Nile Hope, which published a report in 2018. CSOs usually have statements of values in their constitutions. Accountability is sometimes operationalized in practices such as the mandatory signature of at least one board member on all bank withdrawals, as practiced by the South Sudan Law Society and SSANSA.

# SUDAN

Capital: Khartoum  
Population: 43,120,843  
GDP per capita (PPP): \$4,300  
Human Development Index: Low (0.502)  
Freedom in the World: Not Free (8/100)

## OVERALL CSO SUSTAINABILITY: 5.7



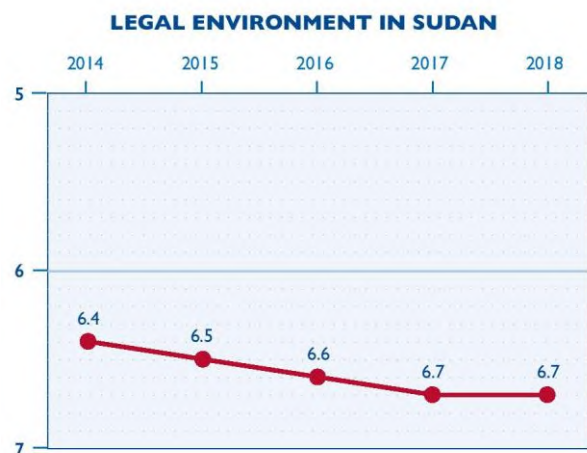
Sudanese CSOs operated in a quickly deteriorating economy in 2018. During the year, the Sudanese pound lost 80 percent of its value against the U.S. dollar, and the inflation rate ranged between 123 percent in July and 40 percent in December, according to the World Bank. Poor macroeconomic and fiscal policies, a loss in productivity in all sectors, and high levels of corruption led to critical shortages of basic commodities. At the same time, a liquidity crunch resulted from lack of trust in the banking system, rising demand for cash, and the Central Bank's policy of restricting the money supply to protect the Sudanese pound. As a result of these forces, many CSOs were unable to pay for goods and services, and their employees struggled to get their salaries released from local banks.

In September 2018, President Omar Hassan Ahmed al-Bashir sacked his government of "national unity," which had been sworn into office in May 2017. He appointed a new prime minister, who formed a leaner government and sought to respond quickly to the economic crisis. The new government was soon confronted by a wave of peaceful protests decrying the rising cost of living and people's difficulties in meeting basic needs. The authorities' heavy-handed efforts to stop the protests instead only fueled them, and by the end of December, demonstrations had erupted across the country. Protesters led by the Sudanese Professionals Association (SPA), a new, unregistered, still relatively unknown CSO, called for the removal of the president and his ruling National Congress Party.

Overall CSO sustainability in Sudan deteriorated in 2018. Five dimensions showed poorer performance, largely as a result of the country's economic decline. CSOs' organizational capacity was moderately damaged by the soaring costs of equipment and wages, while dwindling funding opportunities and CSOs' tendency to rely on only one or two donors undermined their financial viability. CSO service provision was weakened by insufficient programming budgets; their sectoral infrastructure declined because of a decrease in the number of resource centers and poor coalition building; and their public image deteriorated because of the rising cost of media services. CSOs' legal environment remained the same in 2018, as did CSO advocacy, which continued to be vibrant and included several notable campaigns reflecting the successful use of social media tools.

CSOs in Sudan include faith-based organizations (FBOs), charities, humanitarian organizations, clubs and associations, tribal and other traditional groups, and more modern CSOs commonly referred to as non-governmental organizations (NGOs). Information about the numbers of various types of CSOs is difficult to obtain, since the many institutions with which CSOs register do not publish data or respond to requests for information. Unofficial estimates put the number of CSOs registered under the Sudan Voluntary and Humanitarian Works Act (SVHWA) of 2006 at more than 3,000.

## LEGAL ENVIRONMENT: 6.7



There was no change in the legal environment in 2018, which continues to be restrictive. Any group wanting to formally and collectively pursue a social, humanitarian, charitable, or other qualifying cause must register with the government before it can operate. The type of registration is determined by factors such as the group's nationality, nature, or purpose. National CSOs register with various government entities under a range of laws. For example, voluntary associations register with the Humanitarian Aid Commission (HAC), trade unions register with the General Registrar of Work, training centers register with the National Council for Training, cultural groups register with the Ministry of Culture, and sports clubs register with the Registrar General of Sports Authorities. Most international CSOs register with the HAC, although a few organizations are registered with

the Ministry of Foreign Affairs. The requirements for registration vary, but the process is generally lengthy and difficult. Watchdog and advocacy organizations working on good governance, human rights, policy reform, and civic education have more difficulty registering than organizations delivering basic services and humanitarian assistance.

The legal and operational environment for CSOs is excessively restrictive and obstructive. Most CSOs are governed by the SVHWA, whose implementation is overseen by the HAC. The projects and activities of CSOs registered under the SVHWA are regulated through annually renewed technical agreements detailing their activities, locations, and budgets. In 2018, the HAC continued to assert its discretionary power to disallow or curtail activities that it deemed harmful to the national interest or not aligned with government priorities and preferences. CSOs that implement projects and activities without the prior consent of the HAC are subject to closure and confiscation of their assets. CSOs may appeal such decisions, but any rulings in their favor are rarely enforced.

The law does not recognize professional associations or trade unions, an omission that many observers view as a way for the government to limit the power and independence of groups that it considers especially threatening, since they often have large constituencies that can mobilize quickly. In June, security forces harassed and arrested journalists from the Sudanese Journalists Network, a civic network that monitors violations of freedoms of expression, publication, and access to information. The arrests occurred as journalists were protesting proposed amendments to the Press and Publications Act, which would bar journalists from writing and increase the discretionary powers of the National Press and Publications Council to regulate the sector.

Only CSOs registered under the SVHWA are eligible for tax incentives and concessions, which are limited to exemptions from customs duties on items imported for their operations. These exemptions are not a right and require the approval of the HAC, Sudan Customs Authority, and Ministry of Finance and National Economy. Multiple sources at the ministry informally reported a significant drop in the number of CSOs receiving customs tax exemptions in 2018 because of the deteriorating economy. CSOs continue to pay a value-added tax of 25 percent on any goods or services procured locally.

CSOs registered under the SVHWA are generally not allowed to earn revenues or provide their services and products for a fee. However, this restriction does not apply to organizations such as training centers and cultural associations, which are registered under other laws.

CSOs are generally allowed to bid without restriction on government contracts as well as contracts from other development actors, but the majority of organizations have insufficient capacity to do so. CSOs registered under the SVHWA must have prior approval from the HAC before receiving funding from any local or international source.

Local legal capacity remains limited. Only a handful of local lawyers in the capital city of Khartoum are familiar with CSO-related laws and can offer high-quality legal advice.

## ORGANIZATIONAL CAPACITY: 5.7

The deteriorating economy curtailed the operational capacity of CSOs in 2018. Prices soared for necessary equipment and supplies, such as computers, printers, and ink cartridges. At the same time, salaries and wages were unable to keep up with inflation, which led to higher than usual staff turnover and the inability of volunteers to continue to work without pay.

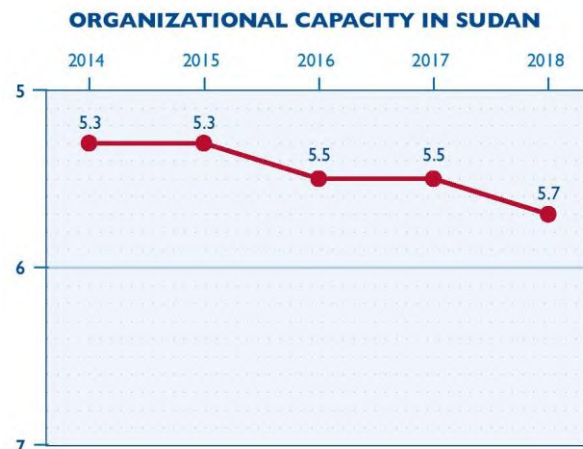
CSOs continued to appreciate the importance of assessing the needs of their beneficiaries and target groups when designing interventions in 2018. Most organizations are knowledgeable about different methods of gathering data and conducting needs assessments. An exemplary case of ensuring that activities represent constituents' needs and interests in 2018 was a project implemented in several communities of eastern Sudan and Darfur by the Sudanese Development Initiative (SUDIA), in partnership with local CSOs. These organizations developed a low-tech community communications system, which allows a network of local correspondents to use text messaging to collect and disseminate information on community issues and thereby stimulate local authorities and development actors to respond to grassroots needs. For example, following numerous community complaints about insecurity and the lack of a police presence, the Port Sudan police chief authorized the establishment of a police outpost in the Tora Bora area of Port Sudan (Red Sea) State.

Most CSOs in Sudan have clearly defined missions, can articulate their purposes, and are able to justify the need for their existence. However, very few organizations have strategic plans to guide their program design. Even when strategic plans exist, they rarely translate into annual work plans with clearly defined targets and indicators that can be used to assess organizational outcomes and impact. CSOs view this deficiency as linked to their chronic lack of funding, which forces them to work on a project-by-project basis rather than on longer-term programs. This constraint is especially true for the majority of youth organizations and newly formed CSOs.

CSOs' internal management structures and processes are generally poor and rarely align with organizational functions and purposes. Even when management structures are relatively well developed, they can be difficult to operationalize, given pervasive funding shortfalls and the lack of qualified staff. Written policies and procedures are rare, although they can be found in organizations that work directly with international organizations and donors. Less established organizations operate mostly on the basis of their leaders' personal qualifications and connections rather than institutionalized structures and processes.

The country's economic challenges and difficult operating environment had a negative effect on CSOs' ability to attract and retain qualified staff in 2018. Salaries were lower than in previous years, and the number of permanent employees on formal contracts was limited by the widespread preference of many workers to avoid deductions of social insurance and income tax from their salaries. When CSOs could afford to hire paid staff, the employees often had to take on multiple roles extending well beyond the jobs that they were hired to do. Staff turnover is high throughout the sector, and in 2018 many qualified staff left national CSOs for better paying jobs with international CSOs or United Nations (UN) agencies, which have larger, more sustainable sources of funding. The majority of CSOs rely on volunteers, but with the worsening economy, their numbers were also in decline in 2018. Capacity-building opportunities for staff are seldom affordable, and staff training happens mostly on the job. Nevertheless, innovative forms of CSO staff and volunteer development were reported in 2018. For example, voluntary youth organizations in Red Sea State pioneered a new type of capacity building called "knowledge zakat," inspired by the Islamic practice of giving alms to the poor and needy. Knowledge zakat involves the giving of knowledge by CSO professionals through workshops and exchange visits with other organizations and volunteers.

The economic crisis impeded CSOs' ability to leverage technology in 2018. The Freedom House publication Freedom of the Net 2018 reported that one month of fixed-line internet service in Sudan cost nearly half of the average monthly income. This expense curtailed productivity, since internet access is increasingly vital to office work. Access to technology for CSOs outside of the capital city, Khartoum, is even more limited, given the poor





infrastructure, frequent power outages, intermittent connectivity, and lack of hardware and other equipment in local markets. WhatsApp continued to be the social media platform of choice for the CSO sector thanks to its ease of use and limited data consumption. Facebook was also popular among CSOs and social groups seeking to promote their work and connect with their constituencies.

## FINANCIAL VIABILITY: 6.1



High costs, hyperinflation, and dwindling funding opportunities had a negative impact on CSOs' financial viability in 2018. CSOs' reliance on only one or two donors also undermined the sector's overall financial viability. As a result of these constraints, very few organizations in Sudan are financially sustainable over the long term.

Donor funds continued to be the main and often only source of funding for the majority of active organizations in 2018. The humanitarian aid sector is the largest and most important source of foreign funding for CSOs. According to the Financial Tracking Services website, which is administered by the UN Office for the Coordination of Humanitarian Affairs, humanitarian aid flows to Sudan reached \$622.3 million in 2018, an

increase of more than 12 percent over 2017. However, as in 2017, most of this funding went to UN agencies and international CSOs, and less than 2 percent was accessed by Sudanese organizations.

CSOs that receive donor funding usually do not aggressively pursue multiple, diverse sources of funding. Although they remain heavily reliant on donor funding, a few more professional CSOs, such as Teeba Press, Al-Alaq Center, Regional Center for Development of Civil Society, and Innovative Relief and Development Solutions, have reached beyond donors to obtain revenue from service contracts, significant membership contributions, donations and other sources. However, the percentage of CSOs that earn revenue from service provision is small, since CSOs registered under the SVHWA are generally not allowed to charge for their services and products. In addition, the poor economic conditions and very low income of most target populations limit the potential for income generation.

CSOs' attempts to establish social enterprises and other forms of strategic investment have met with limited success. For example, in 2018, after the Port Sudan Teachers Union in Red Sea invested in stocks, it failed to gain any returns, and its leadership ended up in court facing allegations of corruption and foul play. With funding from the United Kingdom's Department for International Development, the British Council experimented in 2017–18 with channeling core investment support to some of its strategic partners under a multi-year program known as Kulana Lil Tanmiya ("All for Development"). The program aimed to ensure the financial sustainability of organizations such as the Alayam Center, Partners for Development Services (PDS), and Al-Alaq Center by investing in an information center, fully equipped conference facility, and media products and materials.

Most CSOs have some type of basic accounting system but lack the capacity and experience to manage their resources prudently. They tend to focus on bookkeeping rather than financial systems that could provide timely, accurate information to improve their decision making and enhance their financial well-being. Budgeting is uncommon, and budget monitoring usually takes place at the project rather than organizational level.

Financial transparency remains a challenge because of CSOs' poor organizational capacity as well as the highly restrictive environment in which they work. CSOs registered under the SVHWA are required to submit annual audited financial statements, but many organizations prefer to not disclose information about the amounts and sources of their funding for fear that they will be penalized for accepting funds without first obtaining the consent of the HAC. CSOs receiving funds from foreign donors and working in human rights or democracy are particularly sensitive about disclosing complete information about their finances and programs. Many CSOs have their licenses renewed without complying with the reporting requirement.



## ADVOCACY: 5.1

Advocacy by Sudanese CSOs was stable in 2018. Existing laws and policies generally do not require the government to allow public access to its decision-making processes, and such access, if allowed, is voluntary rather than obligatory. However, direct avenues of communication between CSOs and policy makers function at the central and local levels. For example, when developing legislation, the National Assembly occasionally convenes working groups to demonstrate cooperation with CSOs. In 2018, prior to passing a controversial elections law, the parliament invited CSOs to participate in a two-day workshop on the draft law and convened similar working groups with CSOs on the Press and Publications Act.

ADVOCACY IN SUDAN



CSO advocacy initiatives and informal social movements tend to be reactive in nature and are usually prompted by proposed or enacted government policies or the prevailing economic crisis. A notable CSO advocacy campaign emerged in 2018 after the government attempted to amend the Press and Publications Act. Journalists mounted strong resistance to the proposed amendments, and the draft law was withdrawn and was sent back to the Ministry of Justice for revision. In January 2018, the Sudanese Doctors Syndicate denounced the arrest, prosecution, and harassment of several Sudanese doctors and other human rights activists, trade unionists, and politicians during peaceful demonstrations against the government's 2019 budget. Several unregistered unions and professional networks, including SPA, Sudanese Doctors Syndicate, Central Physicians Committee, Teachers Committee, and Sudanese Journalists Network, began openly to resist the restrictive environment and organized several demonstrations protesting the deteriorating economic conditions and certain government policies. The government's response to these peaceful demonstrations was to arrest their leaders and forcefully or even violently disband the protestors.

A major advocacy initiative took place in December 2018, when what started off as a campaign to demand increases in wages quickly turned into countrywide protests against President al-Bashir's thirty-year grip on power. Protesters' and CSOs' demands for his removal were met with shootings, beatings, and arrests by the security apparatus. Illiberal and populist groups affiliated with the ruling party organized a counter-demonstration to show support for the embattled president. Despite the government's efforts to quell the protests, they were gaining momentum by the end of 2018, and the international community criticized the Sudanese government for its heavy-handed response.

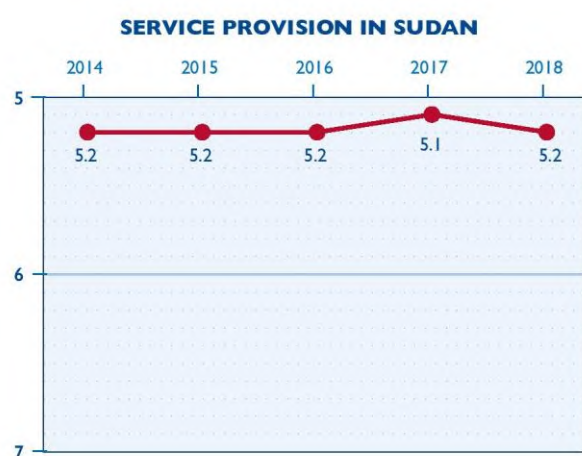
A successful advocacy campaign in 2018 followed an outbreak of the chikungunya virus in the eastern province of Kassala. Youth activists launched the campaign on social media under the hashtag #KassalalsDying and demanded that the authorities declare Kassala a disaster zone and coordinate a comprehensive response to help its people. Although the government acknowledged the number of deaths caused by the disease and rushed to provide assistance, it stopped short of declaring the city a disaster zone.

Despite limited access to the internet in Sudan, CSOs increasingly use mobile and social media platforms such as WhatsApp, Twitter, and Facebook to foster civic engagement and communicate with constituents and government decision makers. CSOs formed WhatsApp groups to exchange information (and misinformation) about a wide range of social, political, economic, and technological issues in 2018. The groups often included a mix of persons from different backgrounds, including the government, which helped shape the opinions of policy makers. Vibrant campaigns reflecting the successful use of social media included the effort of the Sudanese Women Aid group to change personal status laws related to divorce and custody. The group, which later changed its name to Munbarshat, began in the Sudanese diaspora in 2016 and by 2018 had a massive following online.

CSOs have a keen awareness of the need for legal and regulatory reforms to foster their effectiveness and sustainability. However, their advocacy on these issues has been limited and unproductive. Towards the end of 2018, SUDIA worked with other national CSOs to develop an advocacy campaign primarily targeting reform of the SVHWA. The campaign was timed to coincide with the government's efforts to revise the law, and it enabled

government and parliamentary decision makers and other stakeholders to understand civil society's concerns about the legal framework. A second objective of the campaign was to reform specific articles in the law related to funding, registration, registration renewal and cancellation, and the formation of networks. The campaign was postponed when the government decided not to include the SVHWA in a package of laws tabled for discussion during the last session of parliament in 2018.

## SERVICE PROVISION: 5.2



Service provision declined in 2018 because of Sudan's poor economic conditions, which undermined CSOs' organizational capacity and, as a result, their effectiveness in the service sector. With prices soaring, budgeted resources were insufficient. In some instances, contractors were unable to honor their service commitments and contractual obligations.

CSOs provide a wide variety of services in fields ranging from healthcare, education, and water to economic development, poverty reduction, and environmental protection. Most CSO service provision takes place in the parts of the country affected by conflict, especially eastern Sudan, Darfur, South Kordofan, and Blue Nile State. In these areas, CSOs focus on supplying integrated, multi-sectoral lifesaving assistance.

Some form of preliminary needs assessment usually informs the goods and services that CSOs provide. The rigor and depth of these assessments vary. The majority of interventions in the humanitarian sector are set out on the humanitarian response plan developed by the UN Office for the Coordination of Humanitarian Affairs in consultation with the Sudanese government, development partners, and other actors. Needs assessments undertaken in the framework of the plan are carried out quickly by teams that include CSO representatives. Structured approaches to assessing capacity are also used to develop plans for building the capacity of service-providing state institutions, which usually include collaboration with CSOs. In 2018, the UN Development Program undertook a capacity assessment of the Darfur Voluntary Returns and Resettlement Commission, which is responsible for ensuring that basic services are available in camps for internally displaced persons and refugee return areas in Darfur. The assessment's findings were used to formulate a capacity-development response plan that included engagement with CSOs.

CSOs' ability to recover costs and generate revenue through service provision is curtailed by the legal framework, the deteriorating economy, and the high cost of living. CSOs struggle to estimate the cost of their services and the subsidies that they provide to beneficiaries.

The Sudanese government appreciates the contribution of CSOs to service provision but does not seem to understand what it can do to create a more supportive environment for their efforts. Government policies and procedures affecting CSO service provision remain problematic. Authorities at both the national and state levels tightly control CSOs' needs assessments and monitoring and evaluation activities by insisting on reviewing any instrument used in data collection and often rejecting survey questions that the security apparatus might consider sensitive. Government recognition of CSOs in its public statements is muted. Government officials and other state actors tend to enhance their own political standing by downplaying the role of CSOs and presenting CSOs' contributions as their own or the state's achievements. This omission is becoming particularly pointed as the country nears the next election cycle in 2020.

## SECTORAL INFRASTRUCTURE: 5.5

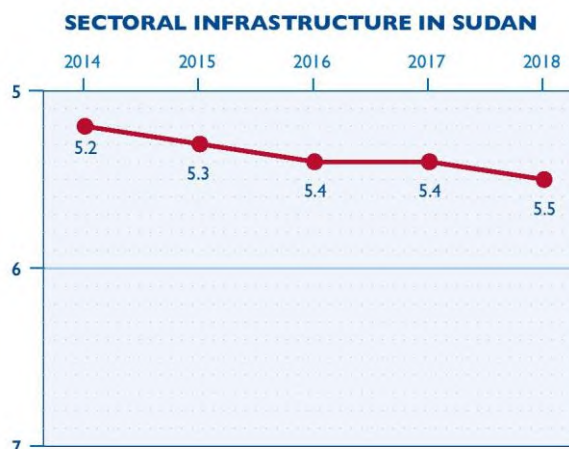
CSOs' sectoral infrastructure was undermined by Sudan's poor economic conditions in 2018, which caused cuts in the budgets of the few local grantmaking organizations and the corporate social investment (CSI) programs that drive partnerships between CSOs and the private sector.

The extremely limited number of intermediary support organizations (ISOs) serving CSOs declined even further in 2018 as a result of the deteriorating economy. No accurate data is available on the number of ISOs that closed or cut back operations. However, among the handful of ISOs and resource centers that remained operational during the year, peace centers affiliated with the North, South, Central, West, and East Darfur universities provided CSOs and UN agencies in Darfur with services such as research, community assessments, data collection, and analyses. These services were available for fees negotiated in advance. Other ISOs rented out their facilities and equipment for meetings and training events. These facilities are generally more affordable than commercial facilities, are easier to reserve, and, unlike hotels and conference centers, seldom require intrusive approvals for events from local authorities. ISOs and resource centers are rarely financed by external actors and instead rely on income from the services that they offer.

Local community foundations exist but are very informal and do not engage in substantial grantmaking. Some international CSOs and ISOs provide sub-grants to local CSOs, usually with funding from foreign donors such as USAID. The scope and purpose of these programs is usually geared to development rather than humanitarian assistance. They are sometimes channeled through commercial firms such as AECOM, which have sufficient capacity to manage a sub-granting function within their other programs in Sudan. The sub-granting programs are often designed to address specific regions or needs identified during preliminary project formulation.

CSO networking, collaboration, and coalition building has generally deteriorated in recent years as a result of dwindling resources. Another deterrent has been the unfavorable legal framework, which requires all networks to be officially registered if formed by CSOs registered under the SVWHA. Sustaining CSO networks is challenging, and many networks formed with donor funding, such as the Sudan Population Network, have ended up dormant once the funding dried up. A notable network that emerged in 2018 was the Sudan Working Group on Preventing/Countering Violent Extremism, an informal group of independent Sudanese CSOs and other entities, including Sufi movements. The group represents Sudan on the CSO Hub, an international gathering that seeks to combat violent extremism in East Africa and the Horn of Africa. Another productive networking effort was spearheaded by Justice Africa, a national CSO campaigning for human rights and social justice, which developed the capacity of an active network of twenty organizations working in conflict areas in 2018.

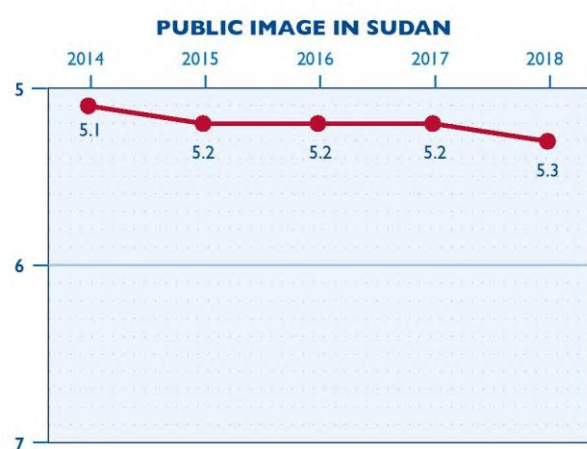
Capable local CSO trainers are more available in Khartoum than other areas. The University of Medical Sciences and Technology offers a professional course on CSO administration. RedR UK, an international disaster relief charity, offers a range of specialized trainings targeting CSOs, UN agencies, local government agencies, and intergovernmental organizations operating in the humanitarian sector in Darfur and other areas. The trainings address such topics as proposal and report writing, project management, needs assessment, monitoring and evaluation, training of trainers, and gender, age, and disabilities. The trainings usually run for two to three days and have an average fee of SDG 750 (approximately \$20) per person. Most training providers work in English and, rarely, Arabic. Rowad Al-Sharq in Red Sea State delivers training in Arabic and in 2018 offered a training program targeting volunteers in collaboration with the Red Sea University and the state government. The training modules and learning materials covered various aspects of CSOs' work, including social media, finances, and religion, and were simplified to suit the participants. However, the training center suffers from a lack of qualified trainers in Red Sea State.



Awareness is growing among CSOs, business, media, and the government of the possibilities and advantages of intersectoral partnerships. In a growing trend, both the public and private sectors seek to better utilize public-private partnerships to achieve common goals. Partnerships formed by companies, CSOs, and media outlets include the Corporate Sustainability and Social Impact Program of the Haggard Holding Company, which, in 2018, the program supported Shamma, a Khartoum-based organization serving the needs of single mothers, by helping upgrade their training facilities with basic furniture and equipment. MTN, a telecommunications provider, has a CSI department that works extensively with CSOs.

The government prefers to collaborate with CSOs in areas such as service delivery, which it considers benign, rather than sensitive areas, such as human rights and corruption. Authorities at the local level, where the grip of security services is looser, are generally more accessible to cooperation with CSOs. For example, after flash floods hit Eastern Sudan in August 2018, local administrators and government officials collaborated with a national CSO on a sanitation and cleanup campaign in neighborhoods of Kassala state.

## PUBLIC IMAGE: 5.3



CSOs' public image regressed in 2018 because of the increasing price of media-related services, which limited CSOs' ability to promote their work and reach out to constituencies and target groups. CSOs' increased use of social media to communicate with the public to some extent mitigated the deterioration of their public image.

Coverage of CSOs is generally positive both on television and radio and in newspapers. However, broadcast media coverage of CSOs is limited because of the heavy censorship of state-controlled television and radio and self-censorship by private media. Their coverage is usually confined to CSOs' activities in fields such as the environment, health, education, and social welfare, which tend to be less political. In the written press, coverage of both advocacy and service-providing CSOs is less

controlled and therefore more abundant. Most newspaper coverage is positive, since it is offered in return for payment. But with rising costs and deteriorating economic conditions in 2018, CSOs' ability to pay for coverage declined.

During the year, the media published several stories that painted a negative picture of CSOs working on women- and gender-related issues, which were prompted by a television broadcast of a segment of Deutsche Welle's *Youth Talk* program. During the program, a heated discussion about rising sexual harassment and the over-regulation of female dress took place between Sudanese women and the head of the Sudan Scholars Corporation. The incident triggered a backlash from traditional and conservative media, which criticized CSOs that seek to promote women's rights and combat gender discrimination.

Public perceptions of CSOs are generally tied to the type of organization and the services or programming they carry out. FBOs and charitable organizations running orphanages and serving abandoned children are almost always perceived positively. The public sees modern CSOs less positively and often questions their motivations, especially if they are engaged in advocacy, human rights, or awareness raising. This mistrust results from the government's deliberate, sustained campaign in recent years to defame such CSOs by presenting them as controlled by foreign agendas. However, with growing unrest in the country and the decline in confidence and trust in the government, the public is beginning to change its perceptions of advocacy CSOs and is increasingly turning to them as more reliable sources of information. This trend was evident during several incidents in 2018, including the catastrophic mudslide in Jebel Marra in October and the chikungunya virus outbreak in Kassala, when the government denied the severity of the disasters and the public turned to advocacy CSOs for more accurate information.

Aside from the attitudes of security agencies, the government's perceptions of CSOs providing services are generally positive. Business perceptions of the sector are cautious and guarded.

The majority of CSOs are poor at building their public image and using media to pursue their goals. Communications strategies and visibility and branding efforts are rare in the CSO sector. Messaging is usually ad hoc and intermittent and takes place mostly on social media rather than through the regular publication of annual reports or newsletters. Both formal and informal CSOs and social movements are extremely well versed in using social media such as Facebook and LinkedIn. In 2018, the Sudanese Women Aid undertook a notable outreach effort on Facebook and was able to engage Sudanese women in discussion and expose fraudulent and corrupt individuals in the government and the ruling party.

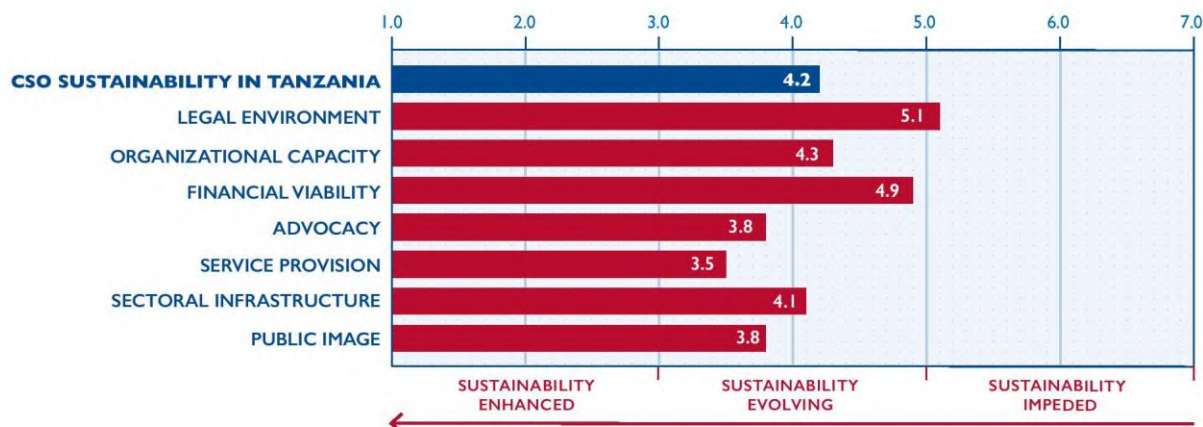
None of the different types of CSOs have developed or adopted voluntary codes of ethics. In 2018, an informal group of CSO leaders convened several meetings to discuss the development of such a code, but by the close of 2018, their efforts had not moved beyond agreeing on a possible process. Most CSOs do not regularly publish annual reports.



# TANZANIA

Capital: Dodoma  
Population: 55,451,343  
GDP per capita (PPP): \$3,200  
Human Development Index: Low (0.538)  
Freedom in the World: Partly Free (52/100)

## OVERALL CSO SUSTAINABILITY: 4.2



The political environment in Tanzania grew more polarized in 2018 as the government enforced restrictive new laws limiting access to information, freedom of expression, and the media. Political assemblies were banned, and the authorities closely monitored advocacy by CSOs. Both mainstream and digital media were used to discredit such efforts and weaken collective engagement. Several journalists, opposition party leaders, and activists were arrested during the year on charges ranging from publishing false information to insulting the president.

In response to these and other actions, national and international actors pressed the government to improve the legal and operating environment for CSOs. In February 2018, sixty-five CSOs sent a public letter to the president urging him to resolve the deteriorating human rights situation. In November, the European Union (EU) expressed concern about the shrinking of civic space in Tanzania and, in December, urged the government to amend laws restricting human rights. In November, the U.S. Department of State issued a public statement expressing deep concern over escalating attacks and legislative actions by the government that violated civil liberties and human rights. In December, the World Bank conditioned a \$300 million loan on an end to the expulsion of pregnant girls from school. Denmark announced that it would withhold \$10 million in funding because of human rights abuses and “unacceptable homophobic comments” by a government official.

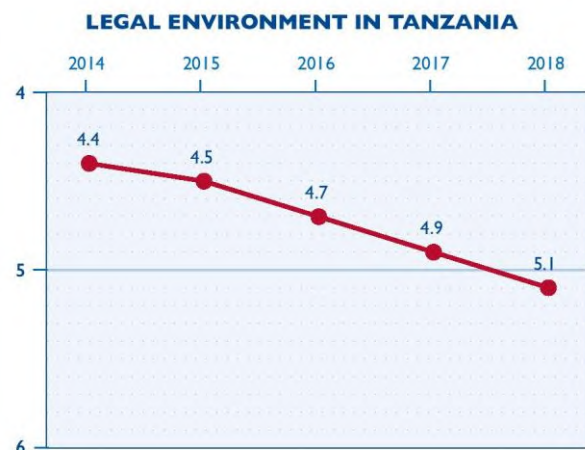
Tanzania’s economic growth continued to be strong in 2018, dropping only slightly to 6.7 percent. Most Tanzanians reside in rural areas and work in agriculture, which makes them especially vulnerable to the rising temperatures, longer dry spells, and more intense rainfalls that have affected the country in recent years. In 2018, the Tanzanian government continued to restructure governmental departments and agencies to support implementation of its 2016/17-2020/21 National Development Plan, which emphasizes “nurturing industrialization for economic transformation and human development.” The plan prioritizes quantity over quality in the provision of basic services, and its top-down approach decreases the autonomy of local governments and reverses the trend toward decentralization.

Overall CSO sustainability did not change in 2018. CSOs’ financial viability improved slightly as they diversified resources with local sources of funding. The legal environment continued to deteriorate moderately with the enactment of new regulations and increased harassment of civil society actors, and advocacy declined slightly as CSOs’ ability to influence public opinion and public policy was affected by their strained relationship with the government. CSOs’ organizational capacity, service provision, sectoral infrastructure, and public image were stable.

According to the Registrar of Non-Governmental Organizations (NGOs), there were about 9,000 registered NGOs, a distinct legal form, operating in Tanzania mainland in 2018. Most other organizations are community-

based organizations. The Business Property Registration Agency (BPRA) reports that 2,885 CSOs operated in the semi-autonomous region of Zanzibar during the year.

## LEGAL ENVIRONMENT: 5.1



The legal environment for CSOs deteriorated moderately for the fourth year in a row in 2018 as a result of the increased regulation of CSOs' registration and operations and harassment by government authorities.

CSOs may register with the Ministry of Home Affairs under the Societies Act; the Ministry of Trade, Industry, and Investment under the Cooperative Act; the Registration Insolvency and Trusteeship Agency under the Trustee Incorporation Act; the Business Registration and Licensing Agency (BRELA) under the Companies Act; the Ministry of Information, Culture, Arts, and Sports under the National Sports Council Act; or the Registrar of NGOs in the Ministry of Health, Community Development, Gender, Elderly, and Children under the

NGO Act. Most advocacy CSOs prefer to register as companies with BRELA, since the status provides them with more autonomy and reduces the risk of de-registration. The law provides that all organizations must comply with the NGO Act, and in practice the government treats all CSOs like NGOs. In Zanzibar, CSOs register under the Societies Act with BPRA in the Ministry of Trade and Investment. In mainland Tanzania and Zanzibar, some CSOs also operate informally as social support organizations and loose coalitions and networks hosted by registered institutions.

The Registrar of NGOs conducted a verification exercise in 2017–18 to ascertain the number of NGOs in compliance with the NGO Act. As part of this exercise, all organizations taking part in the exercise that were registered with offices other than the Registrar of NGOs but deemed to be operating as NGOs were required to apply for certificates of compliance with the NGO Act. Of the 5,000 organizations reviewed during the exercise, 3,000 organizations were found to be compliant, 1,500 were missing information, and 500 were not registered under the NGO Act. The Registrar of NGOs halted the registration of new NGOs during the verification exercise and did not make a formal announcement about the resumption of registration when the exercise ended in September 2018. The registrar did not issue any certificates of compliance or an official report about the exercise in 2018. Overall, the verification exercise was hampered by a shortage of information, tight deadlines, and inconsistent processing by government officials.

CSO registration takes varying lengths of time, depending on the type of organization. Under the law, NGO registration at the national level should be completed within three months and at the district and regional levels within one and a half months after submission of applications. Representatives of organizations seeking to register as NGOs at the national level must travel to Dodoma to submit applications. In January 2018, BRELA introduced an online registration portal that sped up the registration of companies to fourteen days. In Zanzibar, BPRA also introduced an online system, and all CSOs in the region were required to use it to register during the year.

Although certificates of registration should be conclusive evidence of permission to operate, government officials have introduced additional ad hoc approval requirements for national NGOs implementing programs at local levels. For example, in November 2018, the President's Office of Regional Administrative and Local Government (PO-RALG) directed local governments not to work with NGOs if they did not have PO-RALG permits. CSOs were also required to obtain permits from sector ministries and various other agencies, including the National Bureau of Statistics (to conduct and disseminate research), Film Board (to produce television shows), and Tanzania Communication Regulation Agency (to disseminate information digitally). These permitting and approval processes led to delays in programming, and several CSOs reported other difficulties as well. For example, the Media Council of Tanzania and Reporters Without Borders were unable to obtain approval to disseminate data to back up their

research report, the Media Ownership Monitor, which they produce jointly. Government decisions to withhold approval of programs and activities cannot be appealed and are not subject to administrative remedies.

The government prepared and approved the NGO Act (Amendments) Regulations (GN 609) in 2018 after little consultation with stakeholders. The regulations introduced multiple and costly reporting requirements. For example, in addition to submitting annual reports and audited financial accounts to the Registrar of NGOs, other stakeholders, and the public, CSOs must now publish and submit all contracts with donors valued at TZS 20 million (approximately \$8,700) or more to the treasurer and registrar, along with project plans and timelines. The new regulations require CSOs to exercise zero tolerance for corruption, money laundering, and other misuse of funds.

Government agencies took steps to suppress freedom of expression in 2018. In January, the Tanzania Communications Regulatory Authority (TCRA) fined Independent Television TZS 60 million (approximately \$26,000) and issued warnings to four other stations after they broadcast CSOs' press conference citing irregularities in the Kinondoni by-election, calling such reporting offensive and unethical. The Registrar of Societies threatened to deregister Tanzania Women Lawyers Association (TAWLA) for taking part in the press conference on the by-election. In another incident, after bishops with the Tanzania Episcopal Conference (TEC) and Evangelical Lutheran Church of Tanzania (ELCT) issued Easter letters emphasizing rights and freedoms in the country, the Registrar of Societies threatened to deregister ELCT unless it invalidated the pastoral message. Similarly, after the archbishop of the Full Gospel Bible Fellowship criticized the president in a sermon, the Immigration Department interrogated him about his citizenship and confiscated his passport, and the Tanzania Revenue Authority audited his personal and church bank accounts. Immigration officials also interrogated the executive director of Twaweza and seized his passport after the July launch of Sauti za Wananchi, an annual telephone survey of political approval ratings, which highlighted the declining popularity of the president and the ruling party. Later, the National Bureau of Statistics (NBS) banned Twaweza from conducting opinion polls under the Sauti za Wananchi program.

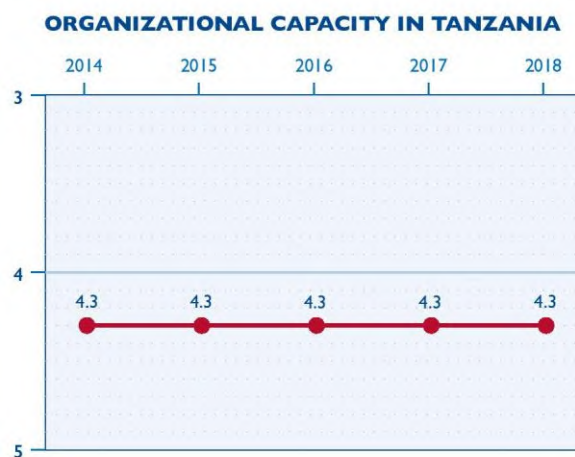
Tax exemptions are available to organizations in mainland Tanzania if they have charitable status or are faith-based organizations (FBOs). However, the exemptions are difficult and time-consuming to obtain. In Zanzibar, CSOs may obtain tax exemptions on goods imported for community development, but obtaining these exemptions is a burdensome process, and few organizations are aware of or benefit from them. CSOs are permitted to conduct fundraising campaigns and charge fees for their products and services. CSOs may compete for government contracts but did not do so in 2018 because of a lack of awareness and capacity.

There is limited knowledge among Tanzanian lawyers about laws relating to CSOs. Legal training institutions do not offer courses on the CSO sector. For legal advice, CSOs typically rely on organizations with lawyers on their staff, such as the Legal Human Rights Center (LHRC).

## ORGANIZATIONAL CAPACITY: 4.3

CSOs' organizational capacity remained constant in 2018. CSOs use vertical and horizontal approaches to program development, including consultations with targeted beneficiaries, like-minded organizations, and the government. CSOs also engage their constituencies in awareness raising, sensitization, and mobilization efforts. For example, Hope for Girls, Amref Health Africa, National Anti-Female Genital Mutilation (NAFGEM), and World Vision worked with Maasai communities to introduce alternative rites of passage to female genital mutilation. HakiMadini worked with miners and artisans to address issues such as transparency in mining resource management.

Most national and mature CSOs have clearly defined missions, which serve as a basis for their strategic and operational plans and other organizational documents. CSOs that have current strategic plans include Women in



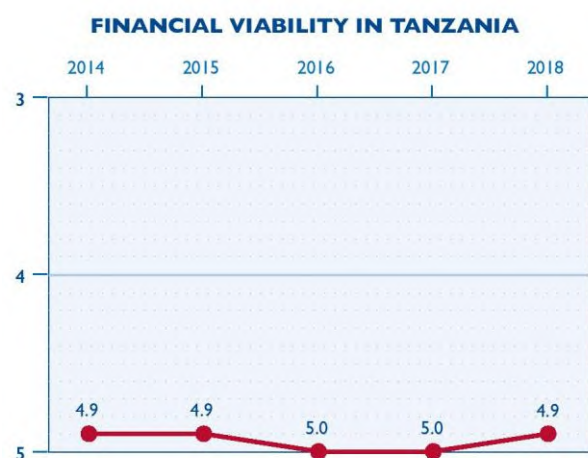
Law and Development in Africa (WiLDAF)–Tanzania, Tanzania Network of Legal Aid Providers (TANLAP), Policy Forum, and FBOs such as ELCT, Kilimanjaro Christian Medical Center, and Catholic Diocese of Singida. The majority of grassroots and newly established organizations do not have strategic plans and rely instead on their constitutions to inform their interventions.

CSOs' management structures are defined in their constitutions or memoranda of association. CSO secretariats manage day-to-day activities, while the boards of directors and annual general assemblies act as governing bodies. Most CSOs at the national level have independent boards of directors that meet quarterly, while the boards of newer or smaller organizations are less active or tend to perform duties that overlap with those of the management teams. Mature CSOs have additional internal mechanisms and policies to guide their operations and avoid conflicts of interest. For example, LHRC has a conflict-of-interest policy and policies to guide financial, gender-related, and human resource management, while CDF has policies on procurement, child protection, and communications.

CSOs rely heavily on donor support, which focuses on serving beneficiaries rather than strengthening organizations. Most donors allow 7 to 10 percent of program budgets to be spent on administrative costs. The Foundation for Civil Society (FCS) allows up to 20 percent. These limitations affect CSOs' ability to hire staff. A few organizations at the national level employ staff on a contractual basis. Staff responsibilities are usually stated in contracts and terms of reference. Some CSOs have information and accounting officers, but most organizations outsource these and other professional services. CSOs that are unable to hire permanent staff rely heavily on volunteers and temporary project-based staff. In 2018, CSOs relied more on volunteers and temporary staff because of the lack of stable funding and increased youth unemployment. CSOs sometimes offer volunteers small allowances if budgets permit.

Most CSOs do not have their own offices or modern equipment and use outdated software. CSOs in urban areas have access to internet services. Larger CSOs, including WiLDAF, Sema Tanzania, and Policy Forum, use social media platforms such as Change Tanzania, Twitter, Facebook, and Instagram. Some CSOs use YouTube. Tanzania Human Rights Defenders Coalition (THRDC) and LHRC have established online television stations, Mtezezi TV and Haki TV.

## FINANCIAL VIABILITY: 4.9



There was a slight improvement in CSOs' financial viability in 2018 as organizations diversified resources with local sources of funding. CSOs continued to rely heavily on foreign funding. Significant funding opportunities in 2018 included a TZS 579 billion (approximately \$252 million) program launched by the Global Fund to Fight AIDS, Malaria, and Tuberculosis, which will continue until 2020. Act2, a GBP 38 million (approximately \$48 million), four-year accountability program funded by the United Kingdom's Department for International Development, provided funding to strengthen civil society. Embassies and international organizations, including United Nations (UN) Women, UN Development Program, and other UN branches, also continued to offer funding during the year. Although the World Bank and Danish government suspended their

funding in 2018, the CSO sector was not greatly affected, since their support had gone largely to the government. Foreign donors mostly target established CSOs with well-developed systems of accountability.

Local grant makers receive funds from foreign donors, which they pass on to many grassroots and newly established CSOs. The main local grant makers are FCS, Legal Service Facility (LSF), Women Fund Tanzania (WFT), Tanzania Media Fund (TMF), and Zanzibar Non-State Actors Program. In 2018, FCS distributed grants worth TZS 10 billion (approximately \$4.4 million), and WFT provided TZS 5.7 billion (\$2.5 million) in grants.



Relatively few CSOs engage in revenue-generating activities, since their products and services generally target marginalized communities with few financial resources. Membership organizations such as the Tanganyika Law Society (TLS) collect fees from their members. Some CSOs conduct special events to raise funds. For example, in 2018, Medical Women of Tanzania hosted a charity walk to raise funding for breast cancer treatment and testing, and Tanzania Initiative for Social and Economic Relief raised funds by hosting football matches between farmers and pastoralists in Kilosa. CSOs also raise funds, usually for humanitarian and community causes, from individuals, religious institutions, and philanthropic foundations such as the Reginald Mengi Foundation. These contributions are often given out of religious belief and are not normally tracked or documented. CSOs that work closely with communities also benefit from non-monetary contributions, such as voluntary services to support community campaigns and labor for construction projects.

Most CSOs rely on traditional approaches to fundraising, and innovative approaches are rare. A few CSOs have ventured into crowd sourcing. LHRC developed a digital fundraising platform that allows for local and international donations, and TAMWA and Msichana Initiatives used mobile phone platforms to collect donations for sanitary pads. Zanzibaris living in the diaspora cooperated with the government to organize the Matamasha ya Diaspora event, which raised TZS 1 trillion (nearly \$440 million) to support public welfare, social services, and CSOs.

Several CSOs have started to develop social enterprises. Fast Moving Consumer Goods, for example, markets cleaning detergents and operates a business producing jam and peanut butter.

CSOs have yet to fully explore the possibility of earning income by providing services to the government or businesses. Local governments provide interest-free loans to women's and youth groups. In 2018, the Zanzibar government provided Umoja wa Walemavu Zanzibar, an organization serving people with disabilities, with funding to maintain its permanent staff along with free office space so that it could conduct activities at the local level.

Corporate social responsibility is a new but growing area in Tanzania. In 2018, Tamani Villas, a hotel in Matemwe Village, Zanzibar, used its profits to support early and adult learning initiatives through the Tamani Foundation. Other CSOs explored collaboration with the private sector to support humanitarian causes, including business-sponsored charity walks, marathons, and direct donations to the National Blood Bank, Uhuru Mchanganyiko Primary School, and Ocean Road Hospital in Dar es Salaam.

A few well-established CSOs have sound financial management systems, but most CSOs outsource these services. Donors sometimes provide support to strengthen organizational and accountability systems. For example, in 2018, the Swedish International Development Cooperation Agency commissioned a special procurement audit of LHRC for a five-year period. National and mature NGOs produce annual reports with audited financial statements, which they disseminate to the government, donors, beneficiaries, and other stakeholders and also upload to their websites.

## ADVOCACY: 3.8

CSOs' ability to influence public opinion and public policy declined slightly in 2018 because of their strained relationship with the government, especially after the government enforced restrictive laws and made statements discrediting CSOs' operations. In particular, laws such as the Statistics Act of 2016 and its amendments in 2018, Media Services Act of 2015, Electronic and Postal Communications (Online Content) Regulations of 2017, Cybercrimes Act of 2015, and Tanzania Communication and Regulatory Authority Act of 2010 and its regulations have undermined CSO and media advocacy by restricting their access to information and causing them to self-censor. Advocacy organizations also struggled with a lack of resources in comparison to service-providing CSOs in 2018.





Formal lines of communication exist between CSOs, the government, and the parliament. CSOs engage in legislative processes through working groups and committees. For example, Twaweza was appointed CSO representative in the implementation of the Third National Anti-Corruption Strategy. Some organizations sign memoranda of understanding with government ministries or make efforts to forge individual relationships to ease operations. For example, CDF has established a program advisory committee with local government authorities in Tarime to provide feedback and advice on its female genital mutilation and child marriage program. LHRC has a memorandum with the police department, and Envirocare has an agreement with the Tanzania Prisons Department. HakiElimu and Femina have signed memoranda with the Ministry of Education, Science, and Technology. CSOs also maintain contact with the NGO Registrar and PO-RALG, especially about implementing their work at the regional and local levels.

Although civic space contracted in 2018, Tanzanian CSOs continued to conduct advocacy campaigns, issue public statements, and engage with policy makers through formal and informal networks and coalitions. Sixty-five Tanzanian and African rights groups wrote to the president urging him to intervene to halt the deteriorating human rights situation, and CSOs issued a joint statement on irregularities in the Kinondoni by-elections. The Msichana Initiative implemented a campaign to help schoolgirls obtain sanitary pads, and later, the government exempted sanitary pads from value-added tax. CSOs advocating for women's and children's rights, including CDF in Tarime and TAWLA in Mpwawa district, established WhatsApp platforms to coordinate local government and CSO support for victims of violence. Twaweza used mobile telephone text messages to link communities and councilors in Kigoma Ujiji to better address community needs.

However, CSOs' advocacy initiatives are at times unfocused. For example, Zanzibar CSOs advocated to reform the law so that only the chief justice had powers to issue bail to persons accused of sexual violence. Their efforts succeeded, but in 2018, after the chief justice awarded bail to twenty-one out of twenty-four persons accused of sexual violence, CSOs started another advocacy initiative to reduce the chief justice's power to award bail.

CSOs such as TLS, LHRC, Disabled Organization for Legal Affairs and Social Economic Development, Tanzanian Federation of Disabled People's Organizations (SHIVYAWATA), Tanzania Gender Networking Program, and Jukwaa la Katiba engage in legislative processes by submitting recommendations to parliamentary committees in accordance with the parliament's Standing Orders of 2007. However, CSOs are often not provided with ample time to prepare before submissions are due. In 2018, trade unions and other CSOs worked with the parliament on amendments to the national pension scheme. These efforts resulted in parliamentarians' recommendation that the bill be withdrawn from consideration and the president remove the director general of SSRA.

CSOs are generally not familiar with the legal framework governing the sector. During the review of the NGO policy in 2018, the National Council of NGOs and THRDC trained CSOs on the sector's legal framework and regulations.

## SERVICE PROVISION: 3.5



CSOs' ability to provide goods and services did not change in 2018, and CSOs continued to provide services while adapting to evolving rules and regulations affecting the sector.

CSOs provide services in diverse areas, including health care, sanitation, water, education, livelihoods, and economic empowerment. For example, in 2018 the Milele Foundation offered communities medical services such as dentistry and eye testing, and Norwegian Church Aid built wells in Kishapu and Haydom in the Manyara region. CSOs work closely with the government to meet needs related to HIV/AIDS. FBOs in particular provide many health-related services, and they operate 6,882 healthcare facilities, amounting to an estimated 40 percent of the country's hospitals and 13 percent of all

healthcare establishments. Haydom Lutheran Hospital in Manyara serves communities as far away as Singida,

Dodoma, and Shinyanga and works with local social welfare officials to identify poor and vulnerable people eligible for free medical care. FBOs also operate many educational facilities. TEC and CCT own about 7 percent of the country's educational institutions, many of which serve rural communities.

Individual CSOs identify community priorities and program entry points through needs assessments, research, and consultations with like-minded organizations, beneficiaries, and the government. The requirement that CSOs obtain permission from the National Bureau of Statistics before conducting research does not have an obvious effect on CSOs' abilities to assess community needs. LSF, for example, assessed communities' legal aid resources before establishing legal training programs and paralegal units. CSOs operating at the local, district, and regional levels usually engage with communities directly to determine needs related to issues such as water and security. Most CSOs also host sensitization sessions with communities and consult with the government to share information about their interventions and identify allies. Although CSOs' overall contribution to social development and community advancement is not well documented, established CSOs collect data on their program results by using various monitoring and evaluation tools. FBOs make little effort to track their interventions, largely because of religious belief, ethical concerns, or a lack of knowledge. CSOs provide services to all members of the community without discrimination.

The government did not fully honor public-private partnership commitments in 2018. For example, government-approved district hospitals run by FBOs should receive 25 to 35 percent of the basket funds allocated to districts, but FBOs rarely received these funds in 2018. The government is constructing health facilities in each ward, even in areas with existing FBO facilities, as Gonja and Bwambo. This initiative has led to the duplication of efforts and misallocation of resources that instead could be used to build health facilities in more remote areas.

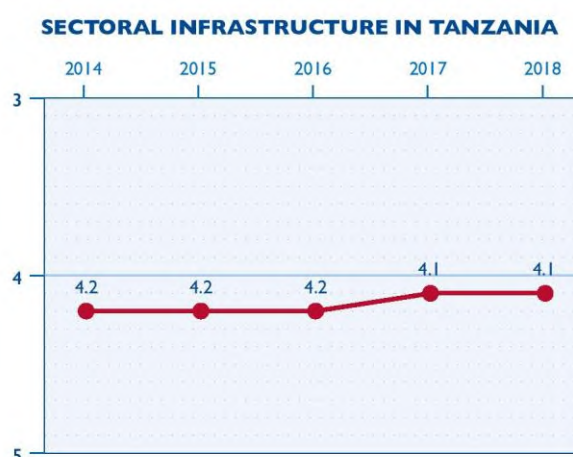
Some CSOs charge small fees for their products and services. For example, FBOs charge for health care and schooling but waive fees for users who are identified as unable to pay. LHRC charges clients TZS 2,000 (approximately \$0.87) at its legal aid clinics. The Women's Legal Aid Center, TAWLA, and other legal aid organizations also charge minimal administrative fees at their clinics. While some organizations hosting trainings request contributions to cover the cost of publications and documentation, THRDC and FCS deduct fees from trainees' daily subsistence payments to recoup the costs of their programs.

On major national and international days, the government often recognizes its cooperation with CSOs in furthering the country's development. The PO-RALG minister acknowledged CSOs at the CSO Directors' Forum in Tanga in 2018.

## SECTORAL INFRASTRUCTURE: 4.1

The infrastructure supporting the CSO sector was unchanged in 2018. No known resource centers cater to the general needs of the sector, although existing centers cater to specific sub-sectors of CSOs. Mtandao wa Vikundi vya Wakulima Tanzania, for example, works with farmers and CSOs engaged in agriculture, charging user fees to support its operations. Data Lab in Dar es Salaam brings together youth and youth-led CSOs to cultivate innovation and creativity. CSOs in rural areas have limited access to information and resources that could improve their work. Resource centers faced budgetary challenges hampering their operations and advancement in 2018.

Local grant making organizations receive funding from international donors and issue sub-grants to local CSOs. FCS funds a variety of thematic areas, LSF supports legal aid organizations, TMF offers funding to media practitioners, and WFT supports women's rights organizations. Funding from local grant makers is accessible to rural, small, and newly established CSOs as well as national organizations.



CSOs work in thematic and formal networks at the national and regional levels. Prominent networks include Tanzania Federation of Disabled People's Organizations, Tanzania Council for Social Development, and Association of NGOs of Zanzibar. Informal networks include MKUKI, Anti-FGM Coalition, and TECMN, which are hosted by registered organizations. CSO networks were challenged by insufficient human and financial capacity in 2018, which undermined their coordination and work with members. FCS and THRDC provided ad hoc support to promote sectoral interests with the CSO Directors' Forum and other groups. FCS and other CSOs established CSO Week in 2018 to strengthen linkages between CSOs, the government, and the parliament.

Most CSOs did not introduce new training services in 2018 but instead worked on strengthening existing programs. Training is usually tailored to meet CSOs' short-term needs. For example, Tanzania Gender Institute offered training on gender mainstreaming and gender budgeting, and Care International offered training on entrepreneurship, value-chain management, and village services in 2018. FCS rolled out a capacity-development model with the slogan "To do/to be/to relate" and provided training to 150 grantees. LSF and LHRC trained paralegals on media laws and the Legal Aid Act 2018 and distributed simplified booklets and manuals on legal issues, finances, and governance. Freedom House, LSF, and FCS offered training to grantees on organizational focus; THRDC trained its members on human rights, security, and strategic planning; and the MS Training Center for Development Cooperation, UN Capital Development Fund, and Planning College in Dodoma provided training on topics such as project management, leadership, and advocacy. Trainings are conducted in Kiswahili, the national language, and include handouts and other materials. Although the fees for training are usually minimal, most grassroots, district, and regional CSOs lack the funding to enable their staff to attend training sessions.

Informal and formal partnerships between CSOs, the government, and quasi-public bodies were established and strengthened in 2018. CSOs signed memoranda of understanding with government ministries and agencies for smooth implementation of their programs. Local government officials, including social welfare officers and police gender officers, worked with CSOs such as Msichana Initiative, World Vision, and NAFGEM to implement programs on children's and women's rights. The Rural Livelihood Development Program, with the support of the Swiss Agency for Development and Cooperation, worked with local government authorities in Dodoma to support the processing of grains such as rice and maize. Twaweza collaborated with the judiciary to track corruption and with the National Bureau of Standards to train researchers and data collectors on government data-collection standards. LHRC worked with the Commission of Human Rights and Good Governance (CHRGG) to prepare the National Baseline Assessment on Business and Human Rights, which was launched in February 2018.

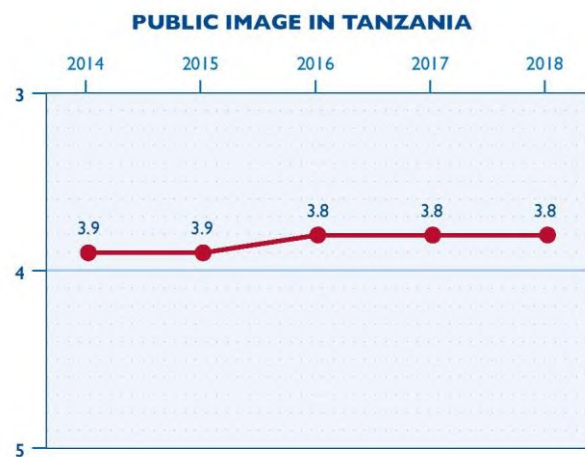
CSOs also strengthened the capacity of local councils in accountability and public resource management. Wajibu Institute of Public Accountability conducted programs for local councils on enforcing the recommendations of the controller auditor general. In Zanzibar, CSOs have expanded their cooperation with traditional partners as well as research and academic institutions. For example, Milele Zanzibar Foundation worked with the State University of Zanzibar and Forum for African Women Educationalists to implement a project focused on teaching methodologies and girls' involvement in science, technology, engineering, and mathematics.

Progress was also made in CSOs' partnerships with businesses in 2018. For example, SABMiller Tanzania, Hodari Tanzania, Lecri Consultancy, and NMB Bank worked with other CSOs and the government to commemorate International Women's Day.

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## **PUBLIC IMAGE: 3.8**

The public image of the CSO sector was unchanged in 2018. TCRA's enforcement of the Media Act of 2016, Electronic and Postal Communication Act of 2010, and other draconian laws induced the media to self-censor, shun divergent views, and report only information that put the government in a positive light. Tanzanite One, an independent newspaper owned by a ruling party supporter, and some social media users resorted to name-calling, demonized advocacy CSOs, and spread misinformation about the nature of CSOs' work. For example, *Tanzanite One* published a list of activists and heads of organizations whom it identified as persons endangering the security of the country and called CSOs unpatriotic and puppets of neo-colonialists. This development led to under-reporting by the media on the work of advocacy CSOs, spurring CSOs to increase their use of social media to provide information to the public.



Public perceptions of the CSO sector remained stable in 2018, despite the trying times. The public continued to rely on CSOs' services and called on CSOs to be their voice when individual or community rights were violated. CSOs' reputation as a link between communities and the government remained strong.

Government statements sometimes harmed the public image of CSOs in 2018. For example, during the swearing-in ceremony for the minister of home affairs, the president disparaged some organizations and called for more regulation of the sector. He stated that government policy was not conducive to engaging CSOs on issues such as quality universal primary education, family planning, and the re-entry of pregnant girls to school. Local governments often do not differentiate

between service-providing and advocacy organizations. For example, in 2018, local government officials approached advocacy organizations for help with building school classrooms.

Many CSOs actively promoted their organizations and programs through exhibitions and publicity campaigns in 2018. CSOs worked with journalists and editors to deepen public understanding of their interventions. TECMN trained journalists on children's rights, and TAMWA offered training on teen pregnancy and gender-based violence. In the face of shrinking media freedom and limited public access to information, CSOs established news outlets on YouTube and online television stations. THRDC introduced Watetezi TV, and LHRC set up Haki TV. The Zanzibar Association of People Living with HIV/AIDS (ZAPHA+) established a radio studio to produce programs. ZAPHA+, Milele, and LHRC used mobile apps in their programming. CSOs also forged partnerships with social media activist movements such as Change Tanzania to publicize their agendas.

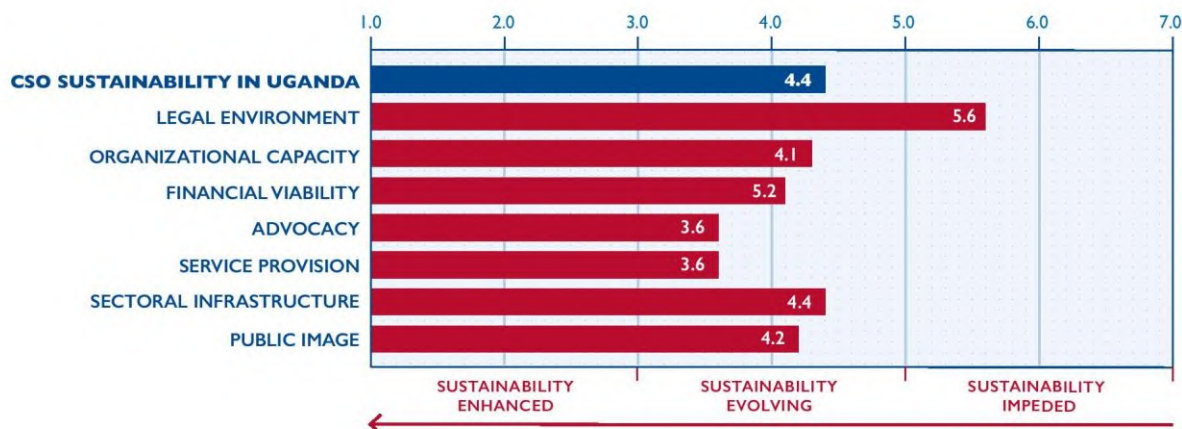
CSOs have increasingly become more transparent by holding annual general meetings, quarterly board meetings, and management meetings. In 2018, leading national CSOs conducted annual staff reflections to discuss plans, budgets, and reports. Well-established CSOs, such as HakiElimu, CDF, LHRC, TAWLA, and Twaweza, prepare annual reports and audited accounts, which they disseminate in print and upload to their websites. Small and newly established organizations operating at regional and district levels usually do not have the resources or capacity to produce annual reports. Organizations registered under the NGO Act are bound by the NGO Code of Conduct, which requires them to adhere to principles of accountability and transparency.



# UGANDA

Capital: Kampala  
Population: 40,853,749  
GDP per capita (PPP): \$2,400  
Human Development Index: Low (0.516)  
Freedom in the World: Partly Free (37/100)

## OVERALL CSO SUSTAINABILITY: 4.4



Political tensions were on the rise in Uganda in 2018. During a rally for opposition leader Bobi Wine in April, police fired tear gas and rubber bullets and charged more than thirty people with treason after rally participants threw stones at the presidential motorcade. During protests denouncing abusive treatment by security forces during an August by-election in Arua, at least six people were shot and killed by security forces, four or more journalists covering the protest were beaten or arrested or had their equipment confiscated, and thirty-three people were arrested, allegedly tortured, and charged with treason, according to Human Rights Watch. In July, the Constitutional Court upheld a controversial 2017 amendment to the constitution removing any age limit on the presidency. The decision allows Uganda's long-ruling president, Yoweri Museveni, to stand again for the presidency in 2021 and potentially remain in office for life.

Civic space continued to shrink during the year. Mistrust between the government and CSOs grew more pronounced as the government labeled CSOs promoters of foreign interests and sought to silence politically active organizations. Uganda slipped from "partly free" to "not free" status in Freedom House's 2018 Freedom in the World report, which noted that the government sought to restrict free expression by monitoring electronic communications and imposing a regressive tax on social media use. Nevertheless, CSOs continued to contribute actively to the country's development by pursuing budget advocacy, sectoral development plans, and service provision, especially in the humanitarian sector.

Uganda's economy began to recover in 2018 after its sharp decline in the years preceding 2016. The gross domestic product was expected to grow by more 6 percent, according to the World Bank, and the poverty level decreased slightly. During the year, Uganda hosted more than 1.4 million refugees, the most of any country in Africa. The refugees came mostly from South Sudan and, increasingly, the Democratic Republic of Congo.

The overall sustainability of Ugandan CSOs was stable in 2018. The legal environment suffered a slight decline with the implementation of restrictive regulations introduced in 2017 under the NGO Act 2016. CSOs' organizational capacity was weaker in the wake of dwindling funding for core organizational costs, including internal governance processes and the recruitment of high caliber staff. CSOs' financial viability was slightly worse as foreign donor funding declined and local philanthropy and fundraising were insufficient to fill the gap. Advocacy was also weaker as CSOs continued to self-censor and coalitions such as the anti-corruption Black Monday Movement lacked sufficient funding to continue their work. However, service provision was slightly stronger as CSOs provided a large volume of services and sought to involve communities in project design and monitoring. The sectoral infrastructure also improved as a new type of sub-granting organization emerged to incubate young organizations. CSOs' public image was unchanged.



As of July 31, 2019, the National Bureau for Non-Governmental Organizations (NGOs) indicated that there were 14,207 registered NGOs in Uganda, compared to 12,237

Organizations at the end of 2016, of which 3,810 had valid permits and 10,397 had expired permits.

## LEGAL ENVIRONMENT: 5.6



The legal environment for Ugandan CSOs declined slightly in 2018 with the implementation of new regulations introduced under the NGO Act 2016 in 2017. The new regulations require CSOs to undergo a laborious process to register with the NGO Bureau, apply for permits to operate, and obtain approvals<sup>[1]</sup> and memoranda of understanding from local governments. The implementation of the regulations was problematic for several reasons. First, some government officials did not seem to be familiar with the new legal provisions and continued to apply the old law. For example, in most districts, the resident district commissioners and local council chairpersons still insisted on signing annual memoranda of understanding with CSOs, although the new law gives this responsibility to chief administrative officers. The confusion paralyzed some CSOs, especially

in the Albertine region, where many memoranda failed to be renewed.

Second, most districts had yet to establish NGO monitoring committees, as mandated by the law, and continued to use security monitoring committees to track CSOs' work. This trend suggested that many district-level governments view CSOs as security threats rather than development partners. Finally, although CSOs are entitled by law to serve on the monitoring committees, in districts where committees were established, the resident district commissioners appointing committee members generally excluded CSOs, thereby depriving them of a voice in committee decisions.

The police and other security agencies continued to usurp the mandate of the NGO Bureau in 2018, which, under the NGO Act, has sole oversight responsibility for CSOs. For example, in the second half of 2018, police in Bushenyi, Hoima, and Kampala issued orders to several CSOs at the sub-national level to submit their work plans, budgets, and other documents for investigation. CSOs viewed these requests as an attack and an abuse of legal processes.

During the year, the state instructed every CSO to appoint an anti-money laundering officer and register its accounting personnel with the Financial Intelligence Authority (FIA), under the Anti-Money Laundering Act 2013. The act also allows the FIA to obtain court orders to freeze the bank accounts of any organization suspected of money laundering. After the bank accounts of a number of prominent CSOs were frozen in 2017, many organizations resorted to self-censorship or adjusted their activities to avoid working on critical issues such as governance or corruption in 2018. It was not clear whether CSOs actually needed to register with the FIA, as the requirement is not provided for in the NGO Act. At the end of the year, this issue had yet to be settled, and CSOs continued to keep a low profile in anticipation of FIA threats.

The state often used the Public Order and Management Act (POMA) in 2018 to interfere in the activities and daily operations of CSOs. The police cited the law in accusing organizations of unlawful assembly and failure to obtain police clearances, especially for community events and gatherings in open places. For example, the police cited the POMA in stopping the Citizens' Coalition on Electoral Democracy Uganda (CCEDU) from hosting events on civic and voter education in Karamoja. The police also investigated the work of the Community Development and Child Welfare Initiative (CODI) in Luweero district on several occasions. In addition, the authorities insisted on knowing the topics and panelists of radio discussions in advance, and in some instances, CSO representatives were denied the chance to participate in radio talk shows. Several media outlets were closed down without a stated legal basis, although it was widely assumed that the reason was that they had hosted individuals with whom the state was not

comfortable. During the campaign against lifting the presidential age limit, the government attacked CSOs and closed some organizations, including ActionAid Uganda and the Great Lakes Institute for Strategic Studies (GLISS).

Memoranda of understanding between local governments and CSOs must be signed every year. Many local governments dictated the contents of the memoranda and intimidated CSOs into signing them in 2018. Local authorities also labeled CSOs saboteurs, enemies of progress, and promoters of foreign interests, especially in the Sebei region, where the government claimed that CSOs were pushing genetically modified crops. Several activists and election observers were arrested and tortured during a by-election in Arua District. As a result of this incident, workers for CSOs that were critical of the government anticipated interrogations, which created a climate of fear and self-censorship. The hostile environment and difficulties with memoranda of understanding caused some CSOs to cease work in certain districts.

CSOs pay value-added, pay-as-you-earn, withholding, and local service taxes. Although CSOs' legal obligation to pay income tax on grants is an unresolved issue, the tax authorities usually require them to pay such tax, especially on grants received in foreign currencies. The tax law provides for the possibility of tax exemptions, but few organizations are able to undertake the heavily bureaucratic and politicized application process successfully, and no domestic CSO received a tax exemption certificate in 2018. During the year, a new tax on social media, popularly known as the "over-the-top tax," imposed a user fee of UGX 200 (approximately \$0.50) on all social media sites. CSOs saw the new tax as an effort to repress freedom of expression, especially given that internet costs in Uganda are already the highest in the East African region.

CSOs are allowed by law to engage in fundraising campaigns. Under the Anti-Money Laundering Act, CSOs must identify their sources and beneficiaries of funding and report suspicious transactions. The NGO Act allows organizations to earn income, provided that any revenue that exceeds administrative costs is invested in the organization. Although the act does not specify whether CSOs are allowed to compete for government contracts, a stringent bureaucratic process generally deters them from doing so.

National CSOs usually have sufficient funding to engage the services of lawyers and legal experts, while sub-national CSOs do not. Chapter Four Uganda provides legal services to a few CSOs, but with the shrinking of civic space, the demand for Chapter Four's services outstrips its financial and human capacity to meet needs.

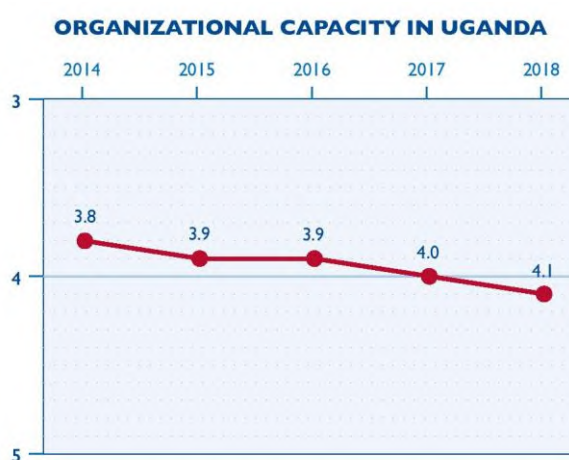
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## ORGANIZATIONAL CAPACITY: 4.1

CSOs' organizational capacity declined slightly in 2018 because of their weak internal governance functions and inability to recruit high-caliber staff

CSOs continued to work with communities to identify their needs and develop responsive interventions in 2018. CSOs usually promote community ownership and partnership in their activities. For instance, in 2018, to inform their community-based advocacy, the Uganda National NGO Forum (UNNGOF) undertook a number of "community immersions" or participatory processes that allowed communities to identify their priorities and generate action plans. These plans will form the basis for UNNGOF's advocacy interventions in 2019.

Most CSOs have mission statements. A number of organizations conduct periodic monitoring and evaluation exercises or midterm reviews to assess the contribution of their interventions to realization of their mission statements. Strategic planning is normally donor driven, with most organizations developing plans to meet funding requirements. Some organizations, such as Global Rights Alert (GRA), have improved their approach to strategic planning by involving their staffs, board members, donors, and other stakeholders in the planning process. This approach is particularly helpful in encouraging staff to appreciate the direction of their organizations. The implementation of strategic plans is still a challenge for most CSOs, which typically either claim insufficient funding



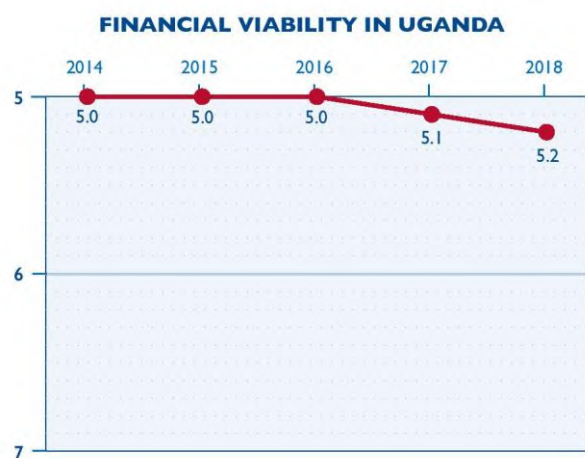
to implement plans or simply neglect to refer to their plans during project implementation. In 2018, GRA developed a ten-year strategic plan, which will be reviewed every five years.

CSOs' internal governance ranged from fair to poor in 2018. Most CSOs have established governance structures, such as boards of directors and general assemblies, and many organizations have strengthened their procedural manuals and other internal guides. However, in 2018, it was evident that even functioning boards do not always enhance organizational development, as they often have their own problems. Some boards failed to attract credible board members, while others experienced conflicts with their secretariats, to the extent that senior staff members in some national organizations were relieved of their work. It was also clear that some boards do not understand their roles, and some board members can be more interested in their remuneration for travel and lodging expenses than in fundraising for their organizations. Foreign donors continued to clamp down on organizations that they believed had gaps in their internal governance and commissioned special audits of several CSOs.

Many CSOs have staff with advanced degrees or expertise in specific fields. However, because of inadequate funding, the majority of CSOs continued to rely mainly on volunteers in 2018. The sector continued to grapple with high staff turnover, mostly because of poor internal management and low pay. Most vacancies were not attractive enough to bring in qualified staff, mainly because dwindling funding prevented salaries from being commensurate to desired qualifications.

CSOs' technical capacity did not change significantly in 2018. To the extent that funding allows, CSOs use social media to profile their work and raise funds for their activities. CSOs with sufficient funding also continued to upgrade their computers and secure reliable internet access.

## FINANCIAL VIABILITY: 5.2



CSOs' financial viability declined slightly in 2018.

Although new funding programs were underway, only a small number of organizations benefitted from them, and most of the sector was deprived of much-needed funds

One of the largest donor basket funds in Uganda is the Democratic Governance Facility (DGF), which receives funding from Austria, Denmark, Ireland, the Netherlands, Norway, Sweden, and the European Union (EU). DGF funded more than seventy CSOs in 2018, including several new partners. However, in 2017, DGF shifted from offering strategic (or unrestricted) funding to supporting specific projects only. Along with new restrictions on eligibility, the shift posed barriers for some organizations, which experienced difficulties in obtaining funds from DGF in 2018. In addition, DGF put

a number of CSOs on unfunded "observe" status while forensic audits were conducted.

Other international partners include the Friedrich-Ebert-Stiftung, which sponsored a program to advance social justice in 2018. The EU launched its three-year nationwide Civil Society in Uganda Support program in 2018, which allocates UGX 118 billion (approximately \$31.4 million) for technical support and capacity development for CSOs and state institutions. Following corruption scandals involving assistance to refugees in 2018, some donors froze funds to the Office of the United Nations High Commissioner for Refugees (UNHRC) in Uganda, which sub-contracts to local organizations. Donor support to network organizations has also dwindled over the past two years.

Most CSOs rely on a single donor for up to 90 percent of their budget, which poses significant risk. CSOs may engage in fundraising to support their interventions, but widespread poverty limits the success of fundraising campaigns among beneficiary communities, and no local philanthropists are known to support CSOs. Any fundraising that takes place is dominated by private-sector entities, which raise funds for social activities such as marathons rather than for CSOs' advocacy and service activities. Advocacy CSOs' ability to raise funds from local sources is further constrained by frequent accusations that they work for the opposition or foreign interests. The

international war on terrorism limits access to resources from Muslim communities. Many Muslim organizations have been blacklisted by banking institutions and, even if their funds come through, CSOs find it difficult to accept the funds since they are usually subjected to stressful interrogations.

As in previous years, national and local governments did not provide funding to CSOs in 2018. Membership subscriptions remained an unreliable source of funding, as many members are unable to remit their annual dues. For instance, less than 2 percent of UNNGOF's budget is financed by member contributions. Most CSOs do not pursue income-generating activities, although a few CSOs have started to explore innovative approaches to raising funds. For example, the Togikwatako campaign for a presidential age limit approached corporate groups for support. In a bid to help CSOs save money, the Nafasi Multi-Purpose Cooperative Society, a CSO savings group, was revamped in 2018 and initiated a savings scheme known as Ujasiri (Courage).

Most CSOs have sound financial management systems as a result of audits commissioned by donors. However, transparency and accountability remain a challenge for Uganda's CSO sector, and several donors commissioned special audits and subsequently terminated contracts with various organizations in 2018.

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## ADVOCACY: 3.6

CSO advocacy deteriorated slightly in 2018 as civic space continued to shrink, engagements between CSOs and the government dwindled, and several CSOs self-censored or withdrew from public life. Among the growing barriers to CSO advocacy was the Electoral Commission's prohibition of several CSOs, including the Citizen Coalition for Electoral Democracy (CCEDU), from carrying out election-related activities. In addition, more activists were arrested in 2018 than in the previous year, including a leading academic and advocate for human rights and good governance, who was charged with insulting the president and violating his right to privacy. Finally, a sharp decline in funding for network organizations impeded coordination of some joint CSO advocacy initiatives, such as the Black Monday Movement, which had mobilized citizens to fight corruption since 2012.



CSOs are represented in some government decision-processes, such as the expanded board of the National Planning Authority, where UNNGOF represents the CSO community. However, the government can be slow to take up CSO recommendations and does not always accept them.

CSOs achieved a number of advocacy successes in 2018. The Not A Target campaign drew attention to civilians affected by armed conflict. The Women's March Uganda protested the murders of young women and led to special security briefs by the police and the president at locations where women had been murdered. Various organizations, including Chapter Four, the Women Movement, and organizations representing lesbian, gay, bisexual, transgender, and intersex people, engaged on issues ranging from gender-based violence and human trafficking to unpaid work and land rights. People with disabilities continued to advocate through organizations such as the National Union of Disabled Persons of Uganda (NUDIPU) to ensure that their needs for health care and education were addressed in the national budget. Because of dwindling funding, most advocacy campaigns remained at the national level and did not include organizations at the sub-national level.

The number of protests against repressive governance practices increased in 2018. The networks Tax Justice Alliance and Cyber Law Uganda worked with corporate entities such as Ortus LLP and Thomas & Michael Advocates to challenge the new "over-the-top" tax levied on social media use. By the end of the year, their case was still with the courts. The People Power Our Power citizens' group played a key role in encouraging people to vote in the parliamentary by-elections, and the turnout was much higher than in 2016. Some protesters unhappy with the Central Bank's role in the sale of a local bank and failure to issue a comprehensive report on the closure of several banks threw pigs at the Central Bank offices to express their dissatisfaction.



Lobbying remained an expensive undertaking in 2018, since members of parliament expect “facilitation” fees, which most CSOs cannot afford. However, Game Changers, CCEDU, Uganda Land Alliance, Land Net Uganda, and a CSO working group on land advocated for electoral reforms and persuaded the government to drop its Land Amendment Bill, which would have given the government the power to seize land and compensate owners later. Organizations worked with the parliament to ensure that laws against child sacrifice were enacted, resulting in a steep decline in the practice.

CSOs continued to advocate for progressive laws and reforms affecting the sector in 2018, but the lack of will on the side of the government continued to be a big stumbling block. Chapter Four, OXFAM, Human Rights Center, UNNGOF, and other organizations helped raise awareness about the regulatory framework at the sub-national level during the year. CSOs also continued to benefit from capacity building on tax compliance.

## SERVICE PROVISION: 3.6



CSOs’ service provision improved slightly in 2018 as the sector provided a large volume of services and sought to involve communities in program design and monitoring.

CSOs continued to provide communities with many goods and services in areas such as education, water, and health care. For example, with funding from the Canadian government, World Vision installed two motorized water systems in Yumbe district in 2018 that reached 22,800 beneficiaries. Reproductive Health Uganda provided more than 7.4 million individual consultations on sexual reproductive health rights, family planning, and HIV/AIDS. Humanitarian organizations such as World Vision, Transcultural Psychosocial Organization (TPO), Plan International, and Oxfam continued to provide goods and services, including psycho-social support,

scholastic materials, medicine, and household supplies, to the huge influx of refugees, who stayed mostly in camps and host communities in the mid-western and northern regions.

Although CSO programming is largely donor driven and, as a result, does not always focus on community priorities, CSOs sometimes use participatory approaches to ensure that their interventions respond to community needs. For example, UNNGOF undertook community immersions in fourteen regions to inform its programming for 2019–21. Uganda Debt Network continued to employ community-based monitoring and evaluation systems to build communities’ capacity to effectively track and benefit from government programs.

Cost recovery among CSOs remained a challenge in 2018, in large part because most organizations were created to provide goods and services free of charge to target groups that cannot usually afford to pay for them. However, some organizations generate income by providing goods and services for a fee. For example, the Eastern African Sub-Regional Support Initiative for the Advancement of Women, Foundation for Human Rights Initiative, and Action for Health continued to earn income by renting out their conference facilities to other CSOs.

In various speeches and reports in 2018, the government recognized that the services provided by CSOs are complementary to its own activities. The government especially appreciates CSOs’ contribution to meeting the needs of refugee communities and has included international and domestic CSOs on the steering committee of the Comprehensive Refugee Response Framework, a multi-stakeholder program on refugee matters launched in 2017 by the Office of the Prime Minister and the UNHRC.



## SECTORAL INFRASTRUCTURE: 4.4

CSOs' sectoral infrastructure improved slightly in 2018, as a new type of sub-granting mechanism emerged and CSO consortia remained active despite funding cuts.

Resource centers include the TPO Resource Center in Arua, which provides training on mental health and psychosocial support to CSOs and government offices offering health care, education, and community-based services. There is a need for more resource centers, given the increasing number of CSOs.

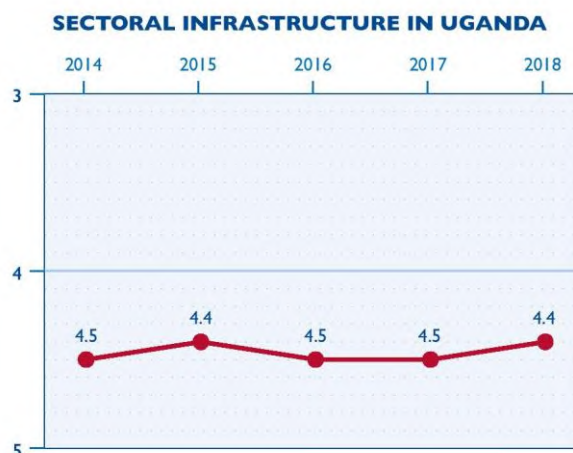
Intermediary support organizations are limited in number and located mostly in the capital city. However, in 2018, a new type of local sub-granting organization emerged. Civsource, an African philanthropic organization headquartered in Uganda, supports and incubates young organizations by connecting them to funding opportunities and acting as intermediary with donors. Among several organizations nurtured by Civsource in 2018, Femme Forte, a social movement seeking to empower women, received help on realizing its strategic objectives.

In the past, donors have urged CSOs to form consortiums to increase collaboration and avoid unhealthy competition and the duplication of effort. Although budgets for most consortiums declined in 2018, they remained active and some groups even launched new activities. Most consortiums and networks are thematic in nature. Leading networks include NUDIPU, UNNGOF, Uganda Women Network, and Federation of Education NGOs. USAID gave grants to a consortium composed of GLISSS, UNNGOF, Forum for Women in Democracy, and Uganda Youth Network to advocate on governance and electoral issues in 2018. With the support of Oxfam, UNNGOF launched the Humanitarian Platform in 2018, which brought together fifty CSOs to strengthen the coordination of local and national organizations responding to urgent humanitarian needs.

Ugandan CSOs enjoyed a number of training opportunities in 2018. Global Rights Alert offered training on digital and physical security and compliance with the NGO Act to about 120 CSOs, including forty organizations in the Albertine and Rwenzori Region. Chapter Four and Oxfam offered training on child rights, humanitarian work, and documentation. UNNGOF conducted training on fundraising and the mobilization of local support as part of the programming under the Change the Game Academy. The Eastern and Southern African Management Institute received donor funding in 2018 to provide management training to middle- to senior-level staff. Under the Civil Society in Uganda Support program funded by the EU and German Agency for International Cooperation, a technical advisor was placed at UNNGOF to help with institutional strengthening, which benefited the organization immensely.

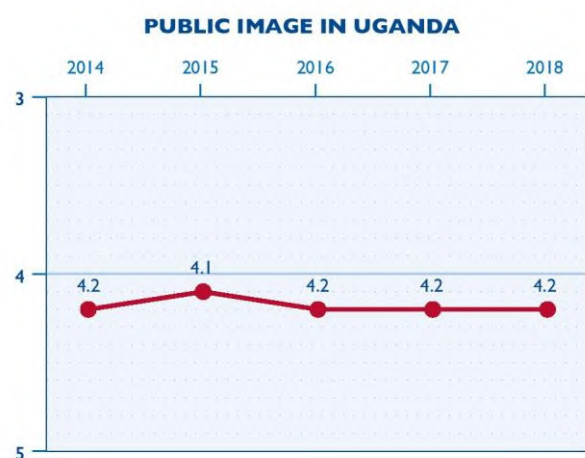
CSOs collaborated in joint structures with the central and local governments in 2018. For instance, the Local Economic Forum in Lira included both government and CSO representatives, who took part in honest, in-depth reflections about their work and the operating environment. Government technical officers at the district and national levels continued to seek out CSOs for cooperative projects, thereby helping build positive working relationships. For example, about fifty CSOs worked with the government to monitor the Northern Uganda Social Action Fund, a World Bank-funded effort to improve households' access to income-generating opportunities and basic services in northern Uganda.

CSOs also partnered occasionally with businesses in 2018. During its annual general meeting, UNNGOF invited private-sector representatives to conduct a session on financial literacy, and the Kampala City Traders Association collaborated with CSOs on a number of issues, including landlord-tenant relationships and the social media tax. The Civil Society Budget Advocacy Group worked with the Mobile Money Agents Association of Uganda to protest the 1 percent tax on mobile transactions, which resulted in a reduction of the tax to 0.5 percent on sending charges only. The Southern and Eastern Africa Trade Information and Negotiations Institute continued its advocacy on the need to strengthen the competitiveness of medium- and small-scale industries.



CSOs cooperated with media to disseminate information and amplify their advocacy work. For example, a consortium of CSOs partnered with media outlets to organize an annual conference on economic, social, and cultural rights. In a multisectoral partnership, Reach A Hand Uganda continued to work with AFRIPads, Standard Chartered, National Broadcasting Services, Talent Africa, and Victoria University to increase understanding of sexual and reproductive health rights among young people and raise awareness of HIV/AIDS.

## PUBLIC IMAGE: 4.2



CSOs' public image was stable in 2018. Coverage of CSO activities by local and international print, television, radio, and online media outlets increased as media began intentionally to reach out to CSO actors for expert opinions. For example, Radio One contacted CSBAG to discuss budgetary issues and UNNGOF to discuss governance issues, and NTV contacted Game Changers to discuss electoral democracy. However, CSOs' relationship with the media is still largely transactional, as CSOs must usually pay huge sums to gain coverage.

The public increasingly views CSOs as necessary and helpful and supports CSOs' efforts to provide services and push for social, economic and political change. However, in 2018, public perceptions of CSOs remained mixed, as some people bought into government

propaganda that CSOs are saboteurs of government programs and agents of foreign interests.

Mistrust between political leaders and CSOs, especially advocacy organizations, continued to be a challenge in 2018. Government agencies embarked on a media campaign to brand CSOs as agents of foreign interests. During the campaign against lifting the presidential age limit, the government accused CSOs of partisan allegiances and the promotion of foreign interests. However, technical staff members in government agencies appreciate CSOs as a source of expertise and continued to invite them to work together during the year. The business community tends to view CSOs as charitable organizations that fill in the gaps in government services. Although the private sector does not usually reach out voluntarily to CSOs, it largely appreciates their efforts.

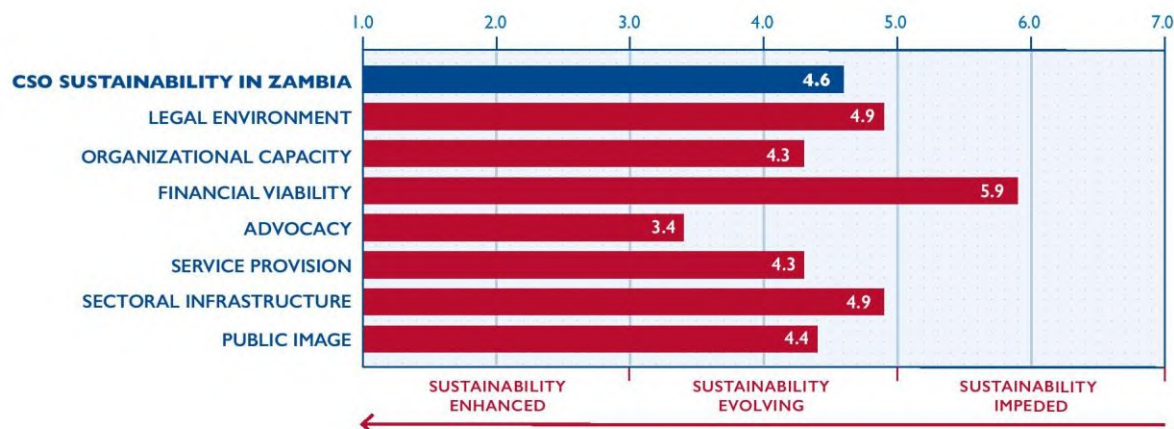
The majority of CSOs, especially at the national level, have experienced communications staff that publicize their work so as to strengthen their marketing and fundraising efforts. Most CSOs have websites. CSOs at the national level usually use social media, while organizations at the sub-national level do not. In 2018, with support from USAID, CSOs in the health-care sector undertook a media campaign called Obulamu ("Life") promoting prenatal care for expectant mothers, HIV testing and care, and male circumcision. The campaign used billboards, spot messages, and documentaries to reinforce its messages.

Uganda's Quality Assurance Mechanism (QuAM), a self-regulatory mechanism designed to enhance organizational capacities and promote ethical conduct, remained largely dormant in 2018 because of a lack of funding. CSOs worked on revamping the QUAM during the year, including aligning it with the Global Standard for CSO Accountability, which should make it a stronger mechanism for enforcing accountability to all stakeholders, including beneficiaries. Most CSOs, especially at the national level, continued to publish their annual reports on their websites and social media sites to promote transparency and accountability.

# ZAMBIA

Capital: Lusaka  
Population: 16,445,079  
GDP per capita (PPP): \$4,000  
Human Development Index: Medium (0.588)  
Freedom in the World: Partly Free (55/100)

## OVERALL CSO SUSTAINABILITY: 4.6



Zambia's political environment was mixed in 2018. After highly contested general elections in 2016, relations between the dominant parties, the Patriotic Front and United Party for National Development, remained tense. Extended preparations for a national dialogue to reconcile all political parties and introduce electoral reforms took place under the auspices of the Zambia Center for Interparty Dialogue and three church bodies, the Evangelical Fellowship of Zambia, Council of Churches in Zambia, and Zambia Conference of Catholic Bishops. After many delays, the national dialogue was slated to begin in early 2019.

Zambia's economic growth was positive during most of 2018, closing at 3.9 percent, compared to 3.7 percent in 2017. Nevertheless, Zambian households and businesses suffered from an increase in the cost of living caused by growing foreign and domestic debt, limited national reserves, declining copper prices, widening trade deficits, and rising energy costs. The poverty rate continued to be high at 54 percent, and the level of income inequality was very high at 0.69 on the Gini index.

The 2018 CIVICUS Monitor, which measures the state of civil society around the world, rates Zambia's civil society as "obstructed." According to the Monitor, Zambia's civil society is large but challenged by limited capacity, a high dependence on donors, and the authorities' imposition of legal and practical constraints on the full enjoyment of fundamental rights.

Against this background, CSO sustainability was unchanged in 2018. Enhanced use of social media helped improve CSOs' organizational capacity, and advocacy was slightly stronger as many CSO coalitions and alliances conducted successful advocacy campaigns. CSOs' service provision improved slightly as CSOs responded more effectively to community needs, especially with health care such as HIV/AIDS treatment. Public recognition that CSOs are a source of reliable information on a number of issues boosted their public image. The legal environment and sectoral infrastructure for CSOs did not change in 2018, but their financial viability declined slightly as donors continued to reduce funding.

The Registrar of Societies indicated that 22,574 organizations were registered in 2018 under the Societies Act, including social movements, community-based organizations (CBOs), faith-based organizations (FBOs), and international CSOs. Although this figure represents a dramatic increase from the 12,000 organizations registered in 2017, it should be noted that the registry is not very accurate and is assumed to include duplications. An additional 1,000 CSOs are registered under the Non-Governmental Organizations (NGO) Act. According to a survey by the Zambia Council for Social Development (ZCSD), Lusaka Province has the highest concentration of CSOs, followed by North-Western and Western provinces. Luapula and Northern provinces have the fewest CSOs.

## LEGAL ENVIRONMENT: 4.9



The legal environment for Zambian CSOs was unchanged in 2018. Most CSOs register with the Registrar of Societies under the Societies Act or, less commonly, with the Patents and Companies Registration Agency under the Companies Act. Although the NGO Act of 2009 was suspended in 2015, CSOs still sometimes register under the act, either because they lack knowledge of the law, registration with it is required by funding agencies, or the registering organizations are pro-government and want to legitimize the law. Both the Societies Act and the NGO Act allow organizations to apply for exemptions from registration.

The requirements for registration are relatively straightforward, and most CSOs register fairly easily. However, rural organizations can find it difficult to pay

the costs of registering, including for travel to provincial centers and requirements such as fingerprints. The state has the power to dissolve CSOs if it is in the “public or national interest,” but this did not happen in 2018. In case of dissolution, CSOs have recourse to judicial appeal.

The government launched a new NGO policy in 2018, which CSOs helped to draft. The policy addresses the challenges of developing a responsible relationship between state and non-state actors in national development and provides a general framework for the coordination and facilitation of CSOs’ operations. CSOs regard the new policy as efficient, effective, and transparent. Implementation of the policy, which had been waiting for approval since 2016, is the first step toward repealing and replacing the NGO Act of 2009, which CSOs oppose as unconstitutional and liable to open the door to the exercise of arbitrary governmental authority. In 2018, the government set up a committee that includes CSOs under the Ministry of Community Development and Social Services, which will prepare for the eventual repeal of the law. In the meantime, the NGO Act remained in force in its current form.

CSOs reported that the laws and regulations governing the sector continued to be implemented inconsistently in 2018, especially in the case of governance and advocacy organizations. Some CSO coalitions, such as the Grand Coalition on the Campaign for a People Driven Constitution in Zambia, Civil Society Constitution Agenda (CiSCA), and Human Rights Defenders Network (HRDN), did not register or apply for exemptions from registration and operated without interference. However, the government sometimes used the Public Order Act and Penal Code to prevent demonstrations, protests, and other gatherings, thereby suppressing freedom of assembly. For example, in September, the police refused to issue a permit to a coalition of CSOs led by ZCSD and Alliance for Community Action for a demonstration on the day that the national budget was presented to the National Assembly. The coalition managed to obtain the permit after appealing to the Minister of Home Affairs, but since the permit was granted on short notice, the protest’s effectiveness was undermined. In October, clergy and staff of the Center for Trade and Policy Development (CTPD) and Consumer Unity Trust Societies (CUTs) were arrested under the Public Order Act in Ndola, Copperbelt Province, when they attempted to hold discussions on the debt crisis and 2019 national budget. Freedom of expression, especially regarding the presidency, also remained constrained both by the Defamation Act and the Penal Code in 2018. For example, in January, the Mongu Magistrates Court sentenced a medical doctor working at Luampa Mission Hospital in Western Province to three years in prison on three counts of defaming the president. In November, the Supreme Court of Zambia sentenced anti-corruption campaigner Gregory Chifire to six years’ imprisonment on contempt of court charges after Chifire called for an investigation into a possible case of judicial corruption.

The law provides non-profit-making bodies with exemptions on excise duties, value-added tax, and income tax. The exemptions are recommended by the Ministry of Community Development and Social Services and issued at the discretion of the minister of finance. Although international CSOs regularly receive exemptions, domestic CSOs, especially those that focus on advocacy, do not. However, CSOs report that, depending on the nature of grant agreements, donors may pass their tax exemptions on to their local partners. For example, because a project supported by the European Union (EU) and Embassy of Sweden was exempted from taxes, the local implementing



partner, the Non-Governmental Coordinating Council (NGOCC), did not pay taxes on the funding that it received for project activities. Corporate donors and individuals are entitled to tax deductions on their donations.

CSOs are free to engage in fundraising campaigns and receive foreign funding. They may engage in profit-making activities provided they register as businesses. CSOs may operate social enterprises, although the practice is uncommon among Zambian CSOs.

Lawyers are few and mostly located in Lusaka. While some lawyers are familiar with CSO-related laws, they charge fees that are beyond the reach of many organizations. The Law Association of Zambia (LAZ) encourages its members to provide services to CSOs pro bono or at subsidized rates.

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## ORGANIZATIONAL CAPACITY: 4.3

CSOs' increased effectiveness in using the internet to reach their audiences in real time helped improve their organizational capacity slightly in 2018.

Many CSOs seek to involve their constituencies through community capacity-building initiatives, advocacy platforms, and the integration of members into their programs. For example, in June 2018, CSOs hosted Alternative Mining Indaba, which serves as a counterpart to the government's annual meeting of investors in mining. At the meeting, communities affected by mining operations were able to express their concerns to the government, mining companies, and other stakeholders and work with CSOs to identify areas for intervention. However, CSOs sometimes struggle to meet community expectations, which can undermine their efforts to build constituencies. Since their activities vary depending on the availability of funding and the earmarking of funds for pre-defined activities, CSOs are not always able to respond effectively to emerging community needs. For example, because of funding restrictions in 2018, CSOs issued media statements but otherwise were unable to respond immediately to cases of human rights violations and a lack of key social services.



Most well-established CSOs have defined visions and mission statements, which they adhere to and use as the basis for strategic planning. For example, Civil Society for Poverty Reduction (CSPR), Women for Change (WFC), and ActionAid Zambia (AAZ) have strategic plans that inform their decision making and measurements of success. Strategic plans are also useful in soliciting donor funding, although donors' preference for project-based funding usually prevents CSOs from fully implementing their plans. For example, NGOCC, Zambia Civic Education Alliance, Jesuit Center for Theological Reflections (JCTR), and Transparency International Zambia (TIZ) were able to implement only those activities in their plans that received funding in 2018. Small and start-up organizations often do not have strategic plans, especially since they are not a prerequisite for registration. For example, Governance, Elections, Advocacy, Research Services (GEARS), a newly formed advocacy organization, does not have a strategic plan and focuses mainly on raising project-based funding in line with its mandate.

Most CSOs report that they have well-defined management structures, with clear divisions of responsibilities between boards and staff. But actual practices vary widely. For example, some CSOs have executive boards that also function as secretariats. Similarly, most CSOs have written procedures and policies to guide their financial operations, but in practice, these procedures and policies are often violated. Although most well-established CSOs maintain relatively sound internal and external controls, some CSOs struggle to be transparent, mainly because most donors tend to be interested only in project implementation and do not invest in organizational governance.

Most CSOs find it difficult to retain permanent staff because of insufficient financial capacity, including the lack of pension schemes, which are a draw for potential employees. Since many CSOs go without funding for months and even years, staff turnover tends to be high. In 2018, for example, ZCSD had to let some employees go because of cutbacks in funding. Succession planning is weak. CSOs sometimes offer staff members opportunities to develop their skills, but trained staff often leave their organizations for better opportunities with the government,



international CSOs, or more prosperous domestic CSOs. Many CSOs engage volunteers or interns to implement activities, since they require fewer resources. For example, a volunteer managed one of CSPR's core programs on economic empowerment and sustainable livelihoods in 2018, because the organization lacked funding to hire paid staff.

CSOs' ability to use social media tools to engage the public in advocacy and other campaigns improved in 2018. Internet services are widely available, and most CSOs in urban centers have access to the internet at their offices or in public internet cafes. CSOs find internet-based communications a cheaper and faster way to reach audiences than meetings, letters, or printed materials. CSOs rely largely on Facebook, WhatsApp, and Twitter to network and campaign. As donor support does not always cover the procurement of new and modern office equipment, a number of CSOs have coped by using old computers upgraded with modern software.

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## FINANCIAL VIABILITY: 5.9



CSOs' financial viability deteriorated slightly in 2018. Although the CSO sector continued to rely heavily on foreign donors, Zambia's status as a lower middle-income country has reduced the number of donors in the country, thereby affecting the availability of funding for local CSOs. Donors that had been key supporters of CSOs in previous years, such as the embassies of Norway and the Netherlands, remained closed or operated through other country missions or intermediate support organizations (ISOs) in 2018. In addition, some donors have changed their priorities and reduced the level of funding available to CSOs, especially advocacy organizations. For example, in a shift in funding approaches, the EU and Embassy of Sweden, which had channeled funding to human rights and governance organizations through the Zambia Governance

Foundation (ZGF), began to pass funds to local CSOs through ISOs such as AAZ, NGOCC, and TIZ in 2018. This approach allowed more CSOs to access funding, but grant amounts tended to be smaller. Donor funding usually has limited flexibility, which prevents CSOs from responding quickly to emerging needs.

Many local CSOs lack multiple or diverse sources of funding. CSOs working in human rights and governance rarely raise funds from local sources, such as the government, businesses, philanthropic foundations, or individuals. In 2018, some CSOs working in health, such as the Churches Health Association of Zambia (CHAZ), and organizations associated with the Ministry of Community Development and Social Services, including the Zambia Alliance of Persons with Disabilities and the Zambia Center for Interparty Dialogue, received government grants for their operations. CSOs focused on the care of orphans, education, and water and sanitation, including borehole drilling and the provision of cholera and chlorine kits, occasionally receive government funding or benefit from corporate social responsibility programs sponsored by Trade Kings, Zambian Breweries, MTN, Airtel, Zamtel, and other companies.

The capacity of CSOs, especially advocacy organizations, to raise funds is limited. Some CSOs such as CSPR try to obtain support from their constituents through membership fees, but the amounts they raise are minimal, and members are generally willing to pay membership dues only in exchange for benefits. The use of internet-based technologies to raise funds, including crowdfunding platforms, is still unexplored by Zambian CSOs.

CSOs are reluctant to engage in profit-making activities, as they may be deemed to violate the law unless organizations are registered as businesses or social enterprises. CSOs owning property, such as NGOCC, Caritas, and many FBOs, may earn revenue from rentals. A few organizations generate income from the sale of services, products, and goods. For example, Musika, a CSO focused on agriculture, sells chicken, pork, and other farm products to raise funds for its operations. Several CSOs, including CTPD and CSPR, have set up research units that offer paid services. Social enterprises are rare among Zambian CSOs, but the ZGF has begun to pioneer such initiatives, which are still in the early stages.

The government rarely engages CSOs to provide services. Among the few CSOs providing services to the government are Policy Research Monitoring Center (PMRC), Indaba Agriculture Policy and Research Initiative (IAPRI), and Musika, which have contracts to conduct research.

Most CSOs have relatively well-established financial management systems. Larger organizations, including NGOCC, ZCSD, Women's Lobby, and Zambia Civic Education Alliance, use software such as Pastel, QuickBooks, and Sage. However, inadequate funding and erratic revenues prevent most smaller CSOs from fully implementing their financial systems, updating their software, or hiring reputable independent firms to carry out external audits. In some cases, funders support audits of specific projects or may contribute to institutional audits.

## ADVOCACY: 3.4

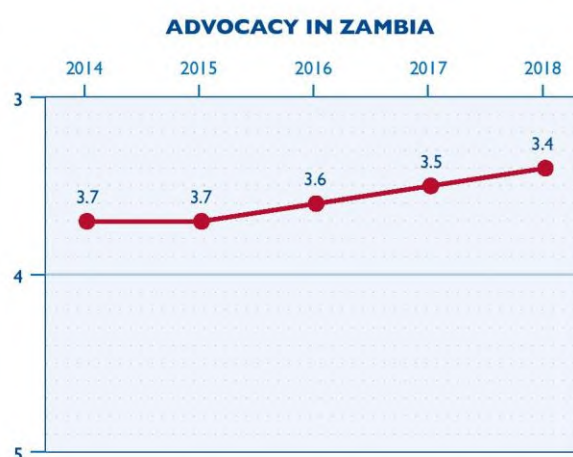
CSO advocacy improved slightly in 2018, with coalitions and alliances undertaking a larger number of effective joint campaigns. This development helped offset persistent doubts among CSOs about the possibility of joint advocacy work as the country's political polarization grew more pronounced.

Mechanisms for collaboration between CSOs and policy makers exist at the central and local levels, although they are not well defined or effectively exploited. The central government has discretionary authority to consult with CSOs, but there is no law that compels it to do so. In most cases, the government prefers to work with CSOs that it perceives as politically supportive.

At the national level, CSOs are included in the multi-stakeholder National Development Coordinating Committee, the apex body for coordination of the National Development Plan (NDP). Before an NDP or targeted national policy is developed, CSOs may propose an alternative plan or strategy to feed into the government's planning process. CSOs also take part in cluster advisory groups and their technical committees, which are part of the NDP process. For example, TIZ, NGOCC, and other organizations with good relationships with the government participate in the cluster advisory group on governance at the Ministry of Justice. At the local and provincial levels, CSOs contribute to district development coordinating committees and provincial development coordinating committees, which are structures for implementing the NDP. CSPR coordinates CSOs' participation in these mechanisms. The Seventh NDP, which covers 2017 to 2021, emphasizes the need for CSOs to be involved in its implementation, although in practice most CSO involvement takes place only at the request of responsible ministries.

CSOs use a variety of informal mechanisms to hold the government to account, including TIZ's Corruption Perception Index, CSPR's Budget Execution and Service Delivery Barometer, petitions, demonstrations, and public campaigns. However, the effectiveness of these tools is debatable. CSOs and the public seem slow to take advantage of the opportunities that they offer, and the government attempts to discredit these mechanisms and the organizations that use them.

In 2018, CSOs continued to conduct broad-based advocacy campaigns aimed at shaping public opinion and legislation. Prominent efforts included ZCSD's and CiSCA's involvement in a review of the Public Order Act and constitutional and electoral reforms; monitoring of local by-elections by Domestic Elections Monitoring and Observation Groups (DEMOGs), an alliance of CSOs; and work on gender-related legal reforms by NGOCC. Other advocacy included the campaign of the Alliance for Community Action on perceived corruption in the government's procurement of fire trucks; Zambia Tax Platform's contribution to government tax reforms; CBNRM's successful push for bans on plastic bags and smoking in public places; and the work of CTPD on trade and CSPR on poverty reduction. CSOs also engaged in public awareness efforts to strengthen Zambia's participation in the Extractive Industries Transparency Initiative on mining revenue. CSOs usually conduct limited consultations with communities when choosing their advocacy targets.



Initiatives to promote a more favorable legal and regulatory framework for the CSO sector continued in 2018. Following the launch of the new NGO policy, CSOs disseminated the policy and, at the provincial level, conducted consultative meetings to discuss the policy and the need for a user-friendly legal and regulatory framework to enhance CSOs' sustainability and engagement in national affairs. The meetings were coordinated mainly by the NGOCC, ZCSD, and AAZ. CSOs led by the Media Institute for Southern Africa and Zambian Bloggers opposed the government's introduction of new cyber laws without consulting with CSOs.

## SERVICE PROVISION: 4.3



CSOs' service provision improved slightly in 2018, thanks to their growing responsiveness to community needs, especially those related to HIV/AIDS treatment and other health issues.

CSOs provided services in a variety of fields in 2018, including health, education, relief, housing, water, energy, economic development, environmental protection, governance, and empowerment. For example, AAZ built a community girls' boarding hostel and drilled boreholes in Western Province. WaterAid Zambia built ablution blocks in schools, drilled boreholes, and provided technical support to the Ministry of Water Development. CHAZ worked on the final year of projects related to HIV/AIDS, which were funded by \$85.7 million in funding from the Global Fund to Fight AIDS, Tuberculosis, and

Malaria.

The goods and services that CSOs provide usually reflect the needs and priorities of their communities. However, funders sometimes dictate that CSOs offer goods and services that do not address the priorities of beneficiaries. In 2018, almost all donor calls for proposals were thematically focused and specified objectives that CSOs' proposed activities must help achieve. Hence most CSOs shaped interventions to meet donor objectives rather than community needs in a bid to access funds. Some CSOs undertake baseline surveys or collect other data and recommendations to inform their decisions about needed services. Important sources of information include the JCTR's monthly Basic Needs Basket and data on women's participation in decision making collected by NGOCC and Zambia National Women's Lobby (ZNWL).

Most CSOs provide goods and services to beneficiaries beyond their memberships. For example, water points and other community facilities developed by CSOs usually benefit a large pool of residents. IAPRI, PMRC, ZNWL, Zambia Institute for Policy Analysis and Research, and Christian Churches Monitoring Group share their reports and analyses with a range of interested stakeholders, including other CSOs, academia, businesses, religious institutions, and the government. CSOs usually distribute their publications and offer services such as workshops and expert analysis free of charge and without discrimination on the basis of race, gender, ethnicity, sexual orientation, or political affiliation.

CSOs rarely recover costs related to service provision. Since they are regarded as non-profit-making, it is unusual for CSOs to charge fees for their services, sign contracts, or create social enterprises. In addition, any effort to recover costs may conflict with arrangements with funders.

The government generally appreciates the work of most CSOs, especially those that provide services, since they are seen as supplementing the government's efforts. The Seventh NDP recognizes the role of CSOs in national development and outlines steps for involving the sector.

## SECTORAL INFRASTRUCTURE: 4.9

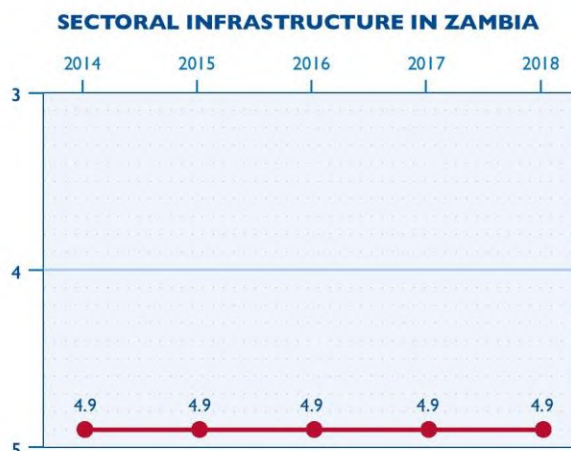
The infrastructure supporting CSOs did not change in 2018. A number of well-established CSOs, such as Restless Development, Caritas, JCTR, NGOCC, CSPR, and TIZ, operate resource centers. Most centers offer reference libraries and internet services for use by researchers, students, and the public. These centers are mainly located in urban areas and have limited capacity to meet CSOs' needs, since they tend to lack up-to-date information and digitized research facilities such as e-libraries.

International and local ISOs, including AAZ, WaterAid Zambia, Musika, NGOCC, and Oxfam in Zambia, re-grant donor funds to address locally identified needs and projects. In new programs in 2018, NGOCC provided sub-grants to more than eighty member organizations to promote gender equity and human rights, and AAZ funded more than thirty organizations, including social movements, for projects in human rights and social accountability. Under their Joint Country Program, DanChurchAid, Norwegian Church Aid, and Christian Aid re-grant funding to local partners for projects focused on such issues as extractive industries, public financial management, gender, and economic empowerment. Other local CSOs are sometimes included as co-applicants or beneficiaries in ISOs' joint proposals to donors. ZGF awarded few grants in 2018 because of its donors' shift to providing funding for sub-granting to NGOCC, ActionAid Zambia, and TIZ.

CSOs share information with each other and work together towards common aims, such as legal reform, gender-related goals, or poverty eradication. Although in the last several years, CSOs were perceived to be—and in many situations were—seriously disjointed in their efforts, they began gradually to pull together again in 2018. Loose networks and coalitions that facilitate cooperation include CSPR, CTPD, CiSCA, and Oasis Forum. These groups typically have secretariats to coordinate their operations. The CSO sector promotes its interests through organizations such as the Council of NGOs in Zambia, which was established under the NGO Act with the mandate of encouraging self-regulation, capacity building, and coordination of CSO activities.

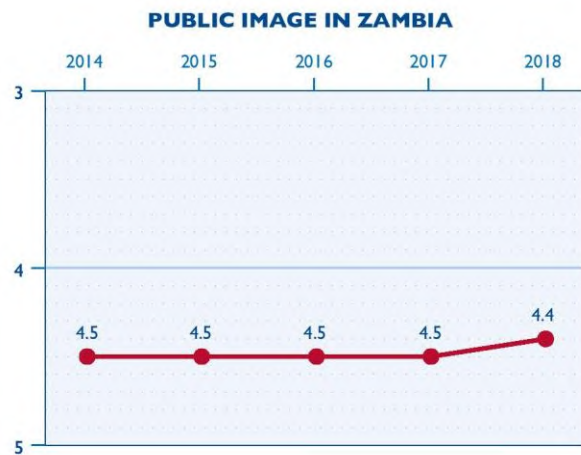
The CSO sector in Zambia has capable management trainers. A few ISOs provide access to training and technical support. The main ISO, ZGF, now charges fees for training services, which makes them accessible only to organizations that can afford them. This change was caused by the departure of some of ZGF's donors in 2017 and 2018 and ZGF's effort to be less reliant on donor funds. Other training is ad hoc and offered at the request of donors or CSOs with dedicated funding. Networks and coalitions offer their members limited training when donor resources for that purpose are available. CSOs need advanced specialized training in areas such as strategic management, financial management, fundraising, and volunteer management, but this is rarely available. The Zambia Institute of Directors provides training in corporate governance.

CSOs worked in a number of formal and informal partnerships with the government, private sector, and media in 2018. For example, Musika cooperated with the private sector to develop social enterprises focused on pig farming; PMRC offered technical research support to the Ministry of Finance; NGOCC addressed gender-based violence in collaboration with the Ministry of Gender; and TIZ reviewed the anti-corruption strategy put forth by the Anti-Corruption Commission. MISA Zambia and the Zambia Bloggers worked with the Ministry of Information on the access to information and cyber-security bills.





## PUBLIC IMAGE: 4.4



CSOs' public image improved slightly in 2018 as they were consulted more often as leading voices on a number of issues, especially public debt and legal reforms. Because of the government's inertia in providing timely information and the misinformation posted on many social media platforms, CSOs served as trusted and reliable sources of analysis, especially if their work was backed up by studies and research. For example, CUTs, CTPD, JCTR, CSPR, AAZ, and Oxfam produced policy papers to inform debate on public debt in the absence of government data.

CSOs continued to receive coverage in government-controlled and private media at local and national levels in 2018. Service-providing CSOs are usually covered positively in private and government-controlled media,

while CSOs working on governance, democracy, and human rights are covered positively by private media and negatively or not at all by government-controlled media. Independent media that covered critical viewpoints could experience threats and indirect censorship, according to the U.S. State Department's 2018 Report on Human Rights Practices in Zambia. Coverage appears in both traditional and online formats. The majority of independent online media are privately owned and cover both advocacy and service-providing CSOs. In certain instances, depending on their biases, media outlets may publish misinformation to convey negative or positive assessments of the role and nature of CSOs. This tendency is averted when CSOs' place paid coverage to be reported or advertised as given, which is a common practice.

The public has a mixed perception of CSOs. People who support the ruling party accuse some advocacy CSOs of acting as surrogates for the opposition or as agents of imperialism, while people who support the opposition have positive perceptions of some advocacy CSOs but accuse those that support the government's agenda of being appendices of the ruling party. Overall, the public tends to misunderstand the concept of CSOs but is supportive of their activities.

The business sector and local and central government officials also have mixed perceptions of CSOs. Some companies openly support CSOs engaged in service provision, such as Habitat for Humanity and World Vision, but are reluctant to work with advocacy CSOs for fear of losing government contracts or jeopardizing their relationships with their boards. The government similarly has more positive perceptions of service-providing CSOs than advocacy organizations. Both the government and businesses rely on CSOs as community resources and sources of credible information and expertise. Government officials sometimes officiate at CSOs' events, including report launches, commemorative events, and policy panel discussions.

A number of CSOs raise awareness about their activities and promote their public image. Many CSOs develop productive relationships with journalists to encourage positive coverage, and they effectively use social media platforms, such as WhatsApp, Facebook, and Twitter, for public outreach. PMRC, IAPRI, CTPD, Hivos, and several other organizations organized media awards in 2018 to recognize the efforts of the media to highlight their work, especially on national policy.

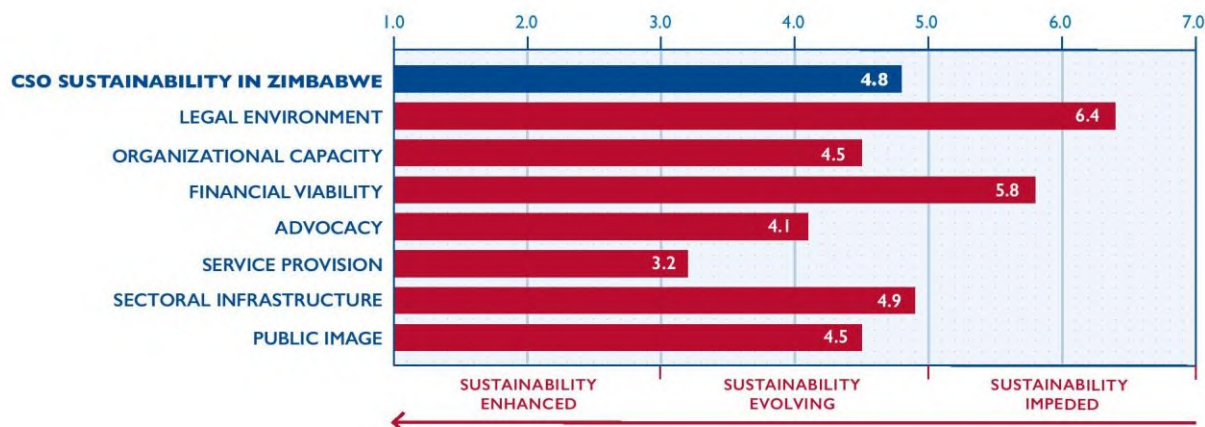
Some larger CSOs, including JCTR, CSPR, NGOCC, and Caritas, operate in a transparent manner, conduct independent financial audits, share their annual reports and financial statements with the Registrar of Societies and other CSOs, and post their reports on their websites. In a bid to enhance CSO transparency and accountability, the Council of NGOs in Zambia has urged CSOs to adopt a code of ethics, which is being drafted under its auspices.



# ZIMBABWE

Capital: Harare  
Population: 14,030,368  
GDP per capita (PPP): \$2,300  
Human Development Index: Low (0.535)  
Freedom in the World: Not Free (30/100)

## OVERALL CSO SUSTAINABILITY: 4.8



The appointment of interim president Emmerson Mnangagwa to replace Zimbabwe's long-term president Robert Mugabe in November 2017 continued to be controversial in 2018, with the public debating whether the change had been part of a coup or a "military-assisted transition." Mnangagwa eventually scheduled an election for July 30 to legitimize his position. Prior to the election, CSOs worked mostly unhindered as they educated voters and called for electoral reforms, including the demilitarization of the Zimbabwe Electoral Commission (ZEC) and transparency in electoral processes. When the ruling party, the Zimbabwe African National Union–Patriotic Front (ZANU-PF), won the election, the opposition questioned the credibility of the voting results. On August 1, protests erupted in the capital city, Harare, and the army shot and killed six people and injured close to 300 more in the central business district. A government-appointed commission of inquiry blamed the military for the deaths but accused the opposition and CSOs of fomenting violence in the election's aftermath. Following the unrest, the government launched an intense verbal attack on CSOs.

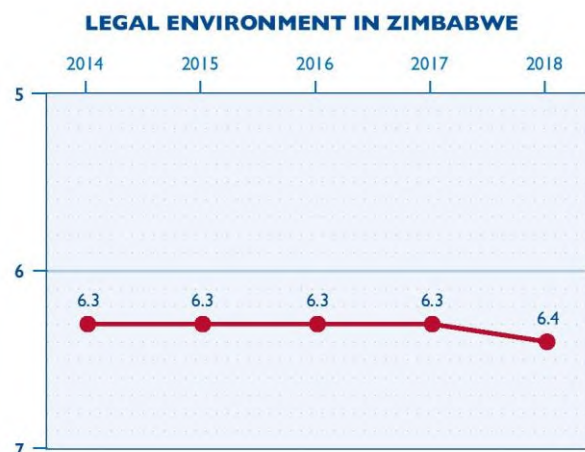
Instability ravaged Zimbabwe's economy in 2018. The unemployment rate continued to rise, and the price of basic goods and services increased as much as 500 percent. Businesses closed down or removed goods from their shelves and were often unable to pay for essential imports, such as fuel, medicine, and flour. The lack of transparency in the government's management of domestic debt prompted civic groups to allege that state funds were being used to finance the patronage networks of the ZANU-PF, and they called for an independent debt audit. The country's poor economic performance resulted in limited government investment in basic social services, and more than 4 million people in rural areas faced food insecurity. In addition, the government was unable to control a cholera outbreak in September, which it said claimed nearly 100 lives, although Harare Metropolitan Residents Forum estimates that the figure was closer to 500. In October, the government launched its so-called Transitional Stabilization Program, which aims to stabilize the financial sector, introduce necessary policy and institutional reforms, and stimulate growth through 2020.

Despite the political turmoil, overall CSO sustainability in Zimbabwe was stable in 2018. The legal environment was slightly worse as the authorities clamped down on CSOs and prepared potentially restrictive amendments to several laws. CSOs' organizational capacity declined slightly as a result of decreases in funding, which caused some CSOs to downsize and exacerbated difficulties covering core costs. Advocacy improved as CSOs engaged in many efforts to help shape the national agenda and mobilize citizens. All other dimensions were stable.

According to the National Association of Non-Governmental Organizations (NANGO), the official coordinating body for CSOs, there were 993 private voluntary organizations (PVOs) in Zimbabwe in 2016, the most recent

year for which statistics are available. Estimates suggest that at that time there were also more than 5,000 trusts and common-law organizations known as universitas.

## LEGAL ENVIRONMENT: 6.4



The legal environment for CSOs deteriorated slightly in 2018 as the authorities clamped down on CSOs following the election and prepared amendments to several laws that CSOs feared would introduce new restrictions.

PVOs register with the PVO Registration Board under the PVO Act; trusts register with the Registrar of Deeds under the Deeds Registries Act; youth-focused organizations register with the Zimbabwe Youth Council; and universitas are recognized as common-law entities and excluded from registering under the PVO Act. Although PVO status provides benefits such as allowing CSOs to enter more easily into memoranda of understanding with local authorities, it also exposes their operations, accounts, and documents to inspections by the government at any time. The process of registering

as a PVO is cumbersome and costly. The PVO Registration Board includes members of the Office of the President, including the Central Intelligence Organization, who are appointed by the president, and denies registration to CSOs deemed critical of the government. For these reasons, many organizations register as trusts, which is an easier process. However, in December 2017, the government circulated a memo instructing all CSOs to register as PVOs or face closure. Although the directive was not enforced, it caused CSOs to question the sincerity of the government's intention to uphold their fundamental right to free association.

In 2018, the government began to work on amending the PVO Act. CSOs feared that, once amended, the act will increase government control of their operations, undermine their ability to hold the state to account, and, in the case of organizations working on democracy, governance, and human rights, be used to deregister them to stop their operations. The government also proposed amendments to the Public Order and Security Act (POSA), Access to Information Protection and Privacy Act, Broadcasting Services Act, and Cybercrimes Act, although the bills were not introduced for parliamentary debate in 2018. CSOs viewed the amendment of acts dealing with freedom of expression as long overdue but want to ensure that any revisions protect constitutional obligations and secure a deeper, expanded democratic space. The parliament is expected to debate the proposed amendments in 2019.

Following CSOs' condemnation of the post-election killings and their calls on the government to return to constitutional order and implement the recommendations of the commission of inquiry, the government threatened to shut down CSOs purportedly involved in politics in 2018. The government in part blamed CSOs for the violence and accused them of having trained young people abroad to create chaos in the event of an opposition loss. The government also accused foreign media houses of peddling falsehoods about the shootings, and security forces assaulted local and international journalists. Archaic laws such as the POSA were used to arrest journalists employed by CSOs, and several arrested journalists reported torture by the police. By December, the attacks were unrelenting and included efforts to tarnish the image of foreign nationals who had taken part in a training for CSOs on transitional justice. The government alleged that the training was actually a meeting to devise a plot to unseat the constitutionally elected government, and it attacked board members of the organization hosting the meeting, the Crisis in Zimbabwe Coalition (CiZC), a consortium of more than eighty CSOs. A manhunt for CiZC's leaders began at the end of December, and the CiZC chairperson was subsequently charged with treason in 2019.

The POSA requires organizers to notify the police in advance of all public gatherings. If an event proceeds without police approval, the organizers can be arrested for contravening the POSA. Before the election, approvals were relatively easy to obtain, but were still sometimes denied. For instance, the police denied permission to CiZC to hold a demonstration on electoral reforms, on the grounds that the demonstration would violate the rights of users of the road. After CiZC appealed the ban in court, it was declared unconstitutional. The police arrested

more than eighteen members of the Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ) in Harare and Marondera for failing to notify the authorities in advance about a march of hundreds of teachers to protest poor remuneration.

There were no major changes in tax laws in 2018. CSOs continued to pay income tax and value-added tax. If the government has a memorandum of understanding with a foreign donor, grantees of that donor can claim tax rebates on goods and services acquired with the donor's funding. The government announced a tax amnesty ending in June 2018, which benefitted, among others, CSOs that had failed to meet their tax obligations or had tax debt.

All CSOs may engage in income-generating activities provided they meet statutory obligations, such as acquiring vendor numbers to use when issuing tax-compliant invoices and receipts.

CSOs continued to access legal services from the Zimbabwe Lawyers for Human Rights (ZLHR) in 2018. Following the August 1 shootings, ZLHR, Abammeli Lawyers for Human Rights, and Zimbabwe NGO Human Rights Forum offered legal assistance to human rights defenders and ordinary citizens.

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## ORGANIZATIONAL CAPACITY: 4.5

CSOs' organizational capacity declined slightly in 2018. As is always the case during an election year, increased funding from international development partners and donors temporarily boosted the operations and output of CSOs focused on the election. But funding decreased once the election was over, causing some CSOs to downsize and exacerbating difficulties covering core costs such as staffing and office space.

CSOs continued to engage effectively with their communities in 2018. In particular, they helped build beneficiaries' capacity to demand accountability from local governments. For instance, the Center for Community Development in Zimbabwe trained citizens in Murehwa to hold public office bearers to account, and in Masvingo, the Community Tolerance, Reconciliation, and Development Trust used theater performances to empower communities to demand accountability from local authorities. The internet was an important tool for CSOs seeking to mobilize audiences on a community level. For example, the Magamba Network used its Twitter and Facebook accounts on a weekly basis to raise awareness about current issues.

Most CSOs have clear missions and visions. After the 2018 election, the Zimbabwe Election Support Network (ZESN), Zimbabwe NGO Human Rights Forum, CiZC, and other organizations revised their strategies to better respond to the changed political environment and declines in funding. Many CSOs, including Habakkuk Trust, Women in Leadership and Development, Wadzanai Community Development Trust, and Basilwizi Trust, began to develop sustainability strategies adapted to the new context, in which funding is no longer as readily available as a decade ago. Their strategies include investing in capital assets and selling publications and consultancy services to generate income for overhead costs and reduce their reliance on donor funding.

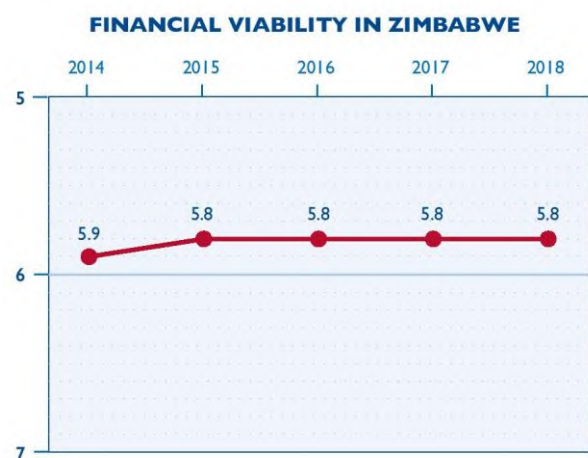
Most CSOs have functioning, well-developed policy and procedural manuals. In 2018, a number of CSOs adopted policies dealing with fraud and theft, gender, and women's rights, since more funding partners were stressing the importance of such policies. About ten partners of Norwegian People's Aid adopted sexual harassment policies.

Overall CSO staffing levels declined in 2018. Some CSOs such as the Community Tolerance, Reconciliation, and Development Trust lacked sufficient funding to hire professional staff and relied on interns. Other organizations reduced their permanent staff and changed full-time contracted employees to a part-time basis. The Zimbabwe Human Rights Association (ZimRights) reduced its staff and operated with volunteers when its funding decreased.



Because of a lack of funds, some organizations, such as Heal Zimbabwe Trust and Women and Leadership for Political Excellence Union, shared offices to cut costs. Other organizations, such as Zimbabwe Poets for Human Rights and Youth Alliance for Democracy, began to operate virtually. Zimbabwe has good internet connectivity, and many CSOs in Zimbabwe have an extensive online presence. However, internet charges can be high, and some organizations were unable to invest in good internet services because of funding limitations in 2018.

## FINANCIAL VIABILITY: 5.8



CSOs' overall financial viability did not change in 2018. Funding from foreign donors increased before the election for projects in such areas as voter education and mobilization. However, once the election was completed, most funding returned to previous levels.

CSOs continued to receive the bulk of their funding from foreign donors in 2018. Major donors included USAID, United Kingdom's Department For International Development (DFID), Norwegian People's Aid, European Commission, and National Endowment for Democracy. A great deal of donor funding was available for short-term election-related activities. Humanitarian organizations continued to receive funding for water and sanitation services and the purchase of medicines and other consumables. A significant amount of funding was

available to provide legal support to victims of human rights violations by the state after the August 1 shootings. New funding opportunities included a fund launched by the Civic Engagement for Accountable Democracy in Zimbabwe.

PVOs are entitled to funding from the Department of Social Services. However, many CSOs continued to refuse to accept funding directly from the government in 2018. In any case, the government has failed to develop a model for funding CSOs and in recent years has not made budget allocations to support them. Donors such as the United Nations Development Program sometimes require the government to work with CSOs on particular programs.

Zimbabwean CSOs use various means to generate their own income. While the concept of membership fees is still largely unexplored, membership-based organizations, including the Vendors Initiative for Social and Economic Transformation and ARTUZ, are able to collect fees from members to partly cover their costs. Some organizations offer paid consultancy services. For instance, in 2018, the Center for Applied Legal Research continued to provide paid consultancy services to the government by drafting model laws to help align old laws with the constitution, and Savanna Trust offered paid services in the use of theater as a civic education tool. Although the amounts they raise are not significant, CSOs such as HelpAge Zimbabwe and National Age Network of Zimbabwe increasingly use online fundraising platforms such as GoFundMe or local events such as musical concerts to raise funds. CSOs also continued to raise funds using the Business and Good Society model, which includes charging fees for events or running event management units in their organizations. Organizations with more office space than they need rent space to other CSOs to generate income. For example, in 2018, CiZC rented space at its new offices to other CSOs at below-market rates. The Southern Africa Political Economy Series (SAPES) Trust generates income by renting out its conference facilities at competitive rates to businesses, political parties, and other CSOs.

Most donors require grantee organizations to have solid financial policies and controls. More established CSOs have sound financial management systems. In 2018, three key CSOs involved in the election—ZimRights, Election Resource Center, and Counseling Services Unit—faced award terminations because of violations of agreements. Smaller organizations that have not yet fully developed their own financial systems and cannot manage funds on their own often use grant management services offered by other well-established organizations. For instance, in 2018, CiZC managed grants for ARTUZ.



## ADVOCACY: 4.1

In 2018, advocacy improved as CSOs engaged in many efforts to help shape the national agenda and mobilize citizens to act on economic, political, and governance issues.

CSOs have access to formal channels of engagement with the national government as well as regional and international bodies. For example, the Women's Coalition coordinated meetings with the Ministry of Gender and Women's Affairs on ending the practice of child marriage. CSOs also engage in ad hoc efforts to address issues needing rapid attention. For example, CSOs petitioned the ZEC to address key concerns related to administration of the elections, and CiZC submitted a petition to parliament in March demanding electoral reforms ahead of the elections. A number of CSOs, including CiZC and ZESN, worked with the Southern Africa Development Community (SADC) to pressure the Zimbabwean government to introduce electoral reforms and resolve the post-election conflict. The Election Resources Center worked on a similar issue with the SADC secretariat in Botswana.



CSOs played a crucial role in educating voters and mobilizing citizens to register and participate peacefully during the 2018 election. CiZC convened at least fifteen public discussions focused on electoral reform, political party dialogue, and the participation of youth, women, and vulnerable groups. CiZC also convened a meeting in South Africa so that political parties could present their platforms to the Zimbabwean diaspora. Youth Empowerment for Transformation Trust took part in public and radio discussions of youth participation in the election, and the Electoral Resource Center teamed up with Heal Zimbabwe Trust and ZimRights to mobilize young people and first-time voters to register to vote. Other CSO election-related campaigns included the Ballot Buddies, 13 Million Voices for Peace, 10 x 10 Voter Mobilization, Go Zim, and the Feya Feya Campaign Reloaded. After ZimRights, Election Resource Center, and Counseling Services Unit lost funding in 2018, CSOs that had relied on partnerships with them to advance their work in communities had to scale back their efforts.

CSOs promoted credible elections in other ways as well. Faith-based organizations such as the Zimbabwe Council of Churches, Evangelical Fellowship of Zimbabwe, Ecumenical Support Services, and Zimbabwe Catholic Bishops Conference encouraged citizens to participate in the election and worked with political parties and the government to ensure that the election was peaceful. The Election Resource Center initiated public interest litigation to bar traditional leaders from attempting to influence the voting of their subjects. Organizations such as the ZESN, Heal Zimbabwe Trust, Zimbabwe Pace Project, and ZLHR challenged political parties to desist from violence. Key interest groups and groups representing vulnerable populations such as young people, women, people with disabilities, and the elderly sought, with mixed success, to ensure their inclusion in the electoral process. Team Pachedu, a social movement composed of skilled volunteers, including human rights defenders, data and technology experts, lawyers, and journalists, analyzed the biometric voting process and gathered data on the entire electoral process. The team identified anomalies in ZEC's biometric voters roll and, using Twitter and Facebook, generated intense debate among policy makers, ZEC, CSOs, and the public. In the humanitarian sector, CAFOD, Hope Tariro Trust, and other CSOs managed to embed electoral issues in their core mandate of humanitarian support.

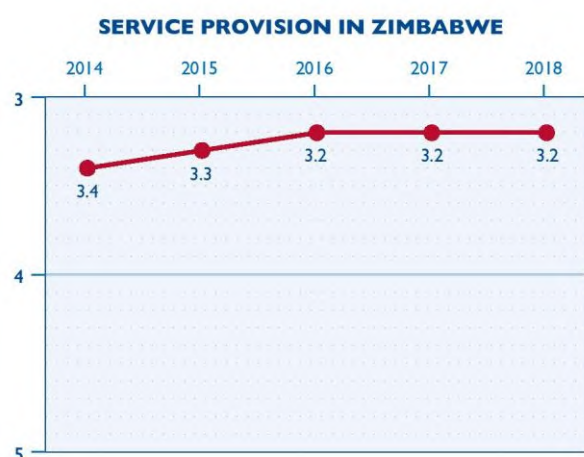
In other advocacy in 2018, the Media Institute of Southern Africa called for the de-politicization of media. Social movements such as #Tajamuka and #ThisFlag, which were formed in 2016, were no longer as vibrant in 2018 after a lack of institutionalization and sharp divisions among their leaders caused them to lose traction. However, more institutionalized CSOs that had formed at the same time continued to expand their operations. For instance, the Vendors Initiative for Social and Economic Transformation and the Bulawayo Vendors and Traders Association pushed for enactment of the Street Vendors Bill, which would make vending a legal, regulated form of employment. Although the bill was not passed in 2018, it was placed on the legislative agenda. CSOs in the humanitarian sector advocated for women's economic empowerment, improved access to water and sanitation



services, birth registration, and governance reform at the local level. In response to CSOs' advocacy, the government rolled out a program to register undocumented citizens through the Registrar General. ARTUZ staged a march to raise concerns about the poor working conditions of rural teachers. CSOs also raised concerns with the Zimbabwe Human Rights Commission on the criminalization of human rights work and engaged with numerous diplomatic missions to raise the same issue.

Since the government did not release the texts of its proposed amendments to POSA, Access to Information Protection and Privacy Act, Broadcasting Services Act, and Cyber Crimes Act in 2018, CSOs' work on these laws was mostly postponed until 2019.

## SERVICE PROVISION: 3.2



CSOs continued to provide services at about the same level in 2018. CSOs work in areas ranging from health, water, and sanitation to economic development, environmental protection, and renewable energy. International development agencies such as Action Aid Zimbabwe, World Vision, and Catholic Relief Services provide funding and skills development opportunities to help develop climate-resilient agriculture, while domestic groups such as Community Working Group on Health, Padare Ekundleni, and Zimbabwe National Network for People Living with HIV and AIDS help strengthen the health-care delivery system. The National Association for the Care of the Handicapped, National Age Network of Zimbabwe, and other organizations support vulnerable groups on the local level.

To better respond to community-specific needs, CSOs usually conduct needs assessments or use research conducted by other groups. For instance, the Young Journalists Association undertook a baseline study to examine the professional needs of their members in 2018. The participation of local residents in awareness-raising efforts conducted by Harare Metropolitan Residents Forum helped stem the cholera outbreak in 2018. CSOs in the humanitarian sector provided food relief and educated communities on sustainable agriculture to help them survive the drought in the Masvingo and Matabeleland provinces during the year. Residents' associations and community-based organizations such as the Bulawayo Progressive Teachers Union and Chitungwiza and Manyame Rural Residents Association increased the participation of local communities in development work.

CSOs provide most services for free. In a relatively new practice in Zimbabwe, some CSOs have begun to sell publications online, primarily to foreigners living outside of the country.

The government does not offer financial support to CSOs.

## SECTORAL INFRASTRUCTURE: 4.9

The infrastructure supporting the CSO sector was largely unchanged in 2018. CSOs can access materials on service provision and other topics at a number of resource centers, including the Zimbabwe Women's Resource Center and Network, Women's Coalition of Zimbabwe (WCoZ), Youth Empowerment and Transformation Trust, Zimbabwe NGO Human Rights Forum, and NANGO. Many centers offer training on grants management, project planning, management, and monitoring and evaluation. In 2018, several intermediary support organizations (ISOs) such as the National Democratic Institute provided CSOs with research materials about the election, as well as follow-up reports that helped CSOs develop their post-election strategies.

A number of ISOs provide funding to CSOs. The main ISOs offering grants are Pact Zimbabwe and the Transparency, Responsiveness, Accountability, and Citizen Engagement program funded by DFID. The International

Republican Institute made funding available to CSOs for the Go Zim campaign, which encouraged citizens to register to vote and turn up on Election Day.

CSOs in Zimbabwe coordinate their work through a number of coalitions, networks, and consortiums. Donors generally prefer to fund groups of CSOs focused on common agendas rather than invest in single organizations. Prominent platforms in 2018 included the National Working Group on Transitional Justice and the Election Situation Room. The Matabeleland Collective, a new coalition based in the western part of Zimbabwe, emerged to promote the interests of citizens in the region in 2018. Another emerging initiative, the Magamaba Network, is involved in incubating a number of organizations, including Bus Stop TV. Long-established coalitions, such as CiZC, WCoZ, NANGO, Zimbabwe Coalition of Debt and Development, and National Association of Youth Organizations, continued to function effectively in 2018. These platforms seek to coordinate activities among their members, reduce competition, and amplify members' voices on the national and international stage. For instance, in 2018, CiZC supported a visit by CSO leaders to Namibia, where they met with the SADC chairperson and appealed for SADC's intervention to resolve the economic, political, and governance crises facing Zimbabwe.

CSOs have access to training, mainly from ISOs. For example, in 2018, the Transparency, Responsiveness, Accountability, and Citizen Engagement project offered training on operating situation rooms to enhance CSOs' engagement in the electoral process, and Interpeace facilitated training on transitional justice in the post-election period. Zimbabwean CSOs also have access to local trainers, who are particularly competent in monitoring and evaluation.

Synergies between CSOs and the business community are limited, since most businesses are hesitant to partner with CSOs for fear of being deregistered. However, business associations and umbrella bodies attend CSOs' meetings. For instance, the Zimbabwe National Chamber of Commerce often makes presentations at CSO meetings on the economy. In 2018, Econet Wireless partnered with the Traffic Safety Council and the Passengers Association of Zimbabwe to raise awareness about road safety. CSOs also partner with the government, largely in the area of social service delivery. In 2018, CSOs provided capacity building to government officials.

#### SECTORAL INFRASTRUCTURE IN ZIMBABWE



## PUBLIC IMAGE: 4.5

#### PUBLIC IMAGE IN ZIMBABWE



The public image of CSOs was more or less stable in 2018. The government continued its effort to tarnish the image of CSOs working on democratization, good governance, and human rights, while public perceptions of CSOs remained mixed.

Prior to the election, coverage of CSOs in the state media was fairly positive. However, in the post-election period, state media served as the government's mouthpiece in condemning CSOs. The Herald, Chronicle, and other state media outlets carried a number of articles labeling CSOs stooges of western countries and agents of regime change. Private media's coverage, on the other hand, was positive, and they often offered CSOs opportunities to share their perspectives on the country's instability.

For the first six months of 2018, the government pursued good working relationships with CSOs. However, it began to attack CSOs verbally after the election, when CSOs openly condemned the killing of six civilians by the

police on August 1. The government partly blamed CSOs for the violence and accused foreign media houses of peddling falsehoods about the shootings. By December, the attacks were unrelenting and included efforts to tarnish the image of foreign nationals who had trained CSOs on transitional justice. To reinforce its efforts to smear CSOs, the state co-opted a group of CSOs and former leaders of social movements to create the Church and Civil Society Forum, a pro-government platform. The government used the forum to accuse CSOs of working for regime change. On numerous occasions, leaders of the forum were on state-owned media to make the same allegation.

Because of the country's extreme political polarization, the public tends to believe either that the CSOs operate for the good of the country or are agents of regime change seeking to ruin Zimbabwe's image. The latter view is mainly focused on advocacy CSOs. The public largely has positive perceptions of service-providing organizations, especially in times of emergency. The business community does not publicly express either positive or negative opinions of CSOs.

CSOs pursued a number of initiatives in 2018 to improve their public image. For instance, a number of coalitions and civic leaders released statements to the media correcting propaganda disseminated by the state through the Herald and Zimbabwe Broadcasting Corporation Television Network.

Many CSOs publish annual reports detailing their work and administrative status. No initiatives promoted CSO self-regulation in 2018, but CSOs usually have internal policies to ensure that transparency and accountability are maintained.

# ANNEX A: CSO SUSTAINABILITY INDEX METHODOLOGY

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## INSTRUCTIONS FOR CSOSI IMPLEMENTING PARTNERS

### 2018 CSO SUSTAINABILITY INDEX

#### I. INTRODUCTION

USAID's Civil Society Organization Sustainability Index (the Index or CSOSI) reports annually on the strength and overall viability of CSO sectors in Africa, Asia, Middle East and North Africa (MENA), Central and Eastern Europe and Eurasia, and Mexico. The CSO Sustainability Index is a tool developed by USAID to assess the strength and overall viability of CSO sectors in countries around the world. By analyzing seven dimensions that are critical to sectoral sustainability, the Index highlights both strengths and constraints in CSO development. The Index allows for comparisons both across countries and over time. Initially developed in 1997 for Central and Eastern Europe and Eurasia, the CSO SI is a valued tool and methodology used by non-governmental organizations (NGOs), governments, donors, academics and others to better understand the sustainability of the civil society sector. USAID is continually striving to ensure the cross-national comparability of the Index scores, and to improve the reliability and validity of measurements, adequate standardization of units and definitions, local ownership of the Index, transparency of the process of Index compilation, and representative composition of panels delivering the scores.

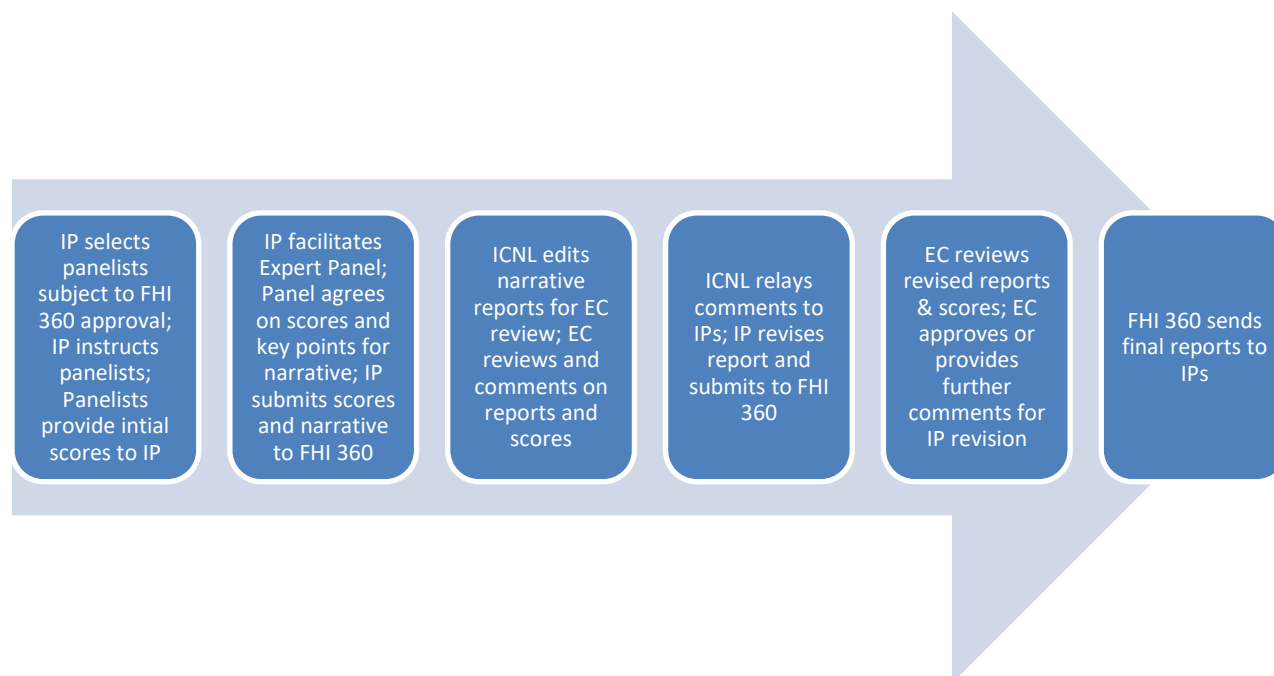
Beginning with the 2017 Index and for the following four years, FHI 360 and the International Center for Not-for-Profit Law (ICNL) are managing the coordination and editing of the CSOSI. A senior staff member from both FHI 360 and ICNL will serve on the Editorial Committee as will one or more senior USAID/Washington officials. FHI 360 will provide small grants to local CSOs to implement the CSOSI methodology in country, while ICNL will be primarily responsible for editing the reports. Local Implementing Partners (IPs) play an essential role in developing the CSO SI and need a combination of research, convening, and advocacy skills for carrying out a high quality CSOSI.

#### **Local Implementing Partners should please remember:**

- Panels must include a diverse range of civil society representatives.
- Panelists should formulate initial scores for dimensions and justifications individually and in advance of the Panel Meeting.
- Discuss each indicator and dimension at the Panel Meeting and provide justification for the proposed score for each dimension.
- Compare the score for each dimension with last year's score to ensure that the direction of change reflects developments during the year being assessed.
- Note changes to any indicators and dimensions in the country report to justify proposed score changes.
- The Editorial Committee will request additional information if the scores are not supported by the report. If adequate information is not provided, the EC has the right to adjust the scores accordingly.

## II. METHODOLOGY FOR THE IMPLEMENTER

The following steps should be followed by the IP to assemble the Expert Panel that will meet in person to discuss the status of civil society over the reporting year, determine scores, and prepare a country report for the 2018 Civil Society Organization (CSO) Sustainability Index.



**I. Select Panel Experts.** Carefully select a group of at least 8-10 civil society representatives to serve as panel experts. Panel members must include representatives of a diverse range of CSOs and other stakeholders, such as:

- CSO support centers, resource centers or intermediary support organizations (ISOs);
- CSOs, community-based organizations (CBOs), and faith-based organizations (FBOs) involved in a range of service delivery and/or advocacy activities;
- CSOs involved in local and national level government oversight/ watchdog/ advocacy activities;
- Academia with expertise related to civil society and CSO sustainability;
- CSO partners from government, business or media;
- Think tanks working in the area of civil society development;
- Member associations such as cooperatives, lawyers' associations and natural resources users' groups;
- Representatives of diverse geographic areas and population groups, e.g. minorities;
- International donors who support civil society and CSOs; and
- Other local partners.

It is important that the Panel members be able to assess a wide spectrum of CSO activities in various sectors ranging from democracy, human rights and governance reforms to the delivery of basic services to constituencies. CSOs represented on the panel must include both those whose work is heavily focused on advocacy and social service delivery. To the extent possible, panels should include representatives of both rural and urban parts of the country, as well as women's groups, minority populations, and other marginalized groups, as well as sub-sectors such as women's rights, community-based development, civic education, microfinance, environment, human rights, and youth. The Panel should to the extent possible include an equal representation of men and women. If two or more representatives of the same CSO participate in the Panel, they can only cast one vote. It is recommended that at least 70 percent of the Expert Panel be nationals of the country that is being rated.

In some instances, it may be appropriate to select a larger group in order to better reflect the diversity and breadth of the civil society sector in the country. For countries where regional differences are significant, implementers should incorporate, to the greatest extent possible, differing regional perspectives. If financial



constraints do not allow for in-person regional representation, alternative, low cost options, including emailing scores/ comments, teleconferencing/Skype, may be used.

**If there is a USAID Mission in the country, a USAID representative must be invited to attend the panel.** USAID representatives that attend are welcome to provide some words of introduction to open the event, as it is funded by USAID, and they are welcome to observe and participate in the discussion. However, they will not have the ability to cast their vote in terms of scores.

**Please submit to FHI 360 for approval the list of the Panel members who you plan to invite at least two weeks before the meeting is scheduled to occur using the form provided in Annex A.** It is the responsibility of the IP to ensure that the panel composition, and the resulting score and narrative, are sufficiently representative of a cross-section of civil society and include the perspectives of various types of stakeholders from different sectors and different areas of the country.

**2. Prepare the Panel meeting.** Ensure that panel members understand the objectives of the Panel, including developing a consensus-based rating for each of the seven dimensions of civil society sustainability covered by the Index and articulating a justification or explanation for each rating consistent with the methodology described below. We encourage you to hold a brief orientation session for the

panelists prior to the panel discussion. This is particularly important for new panelists, but is also useful to update all panelists on methodology and process changes. Some partners choose to hold a formal training session with panel members, reviewing the methodology document and instructions. Other partners provide a more general discussion about the objectives of the exercise and process to the panelists.

The overall goal of the Index is to track and compare progress in the sector over time, increasing the

ability of local entities to undertake self-assessment and analysis. To ensure a common understanding of what is being assessed, the convener shall provide a definition of civil society to the panel members. The CSOSI uses the enclosed definition to ensure the report addresses a broad swath of civil society.

In order to allow adequate time to prepare for the panel, distribute the instructions, rating description documents and a copy of the previous year's country chapter to the members of the Expert Panel a minimum of three days before convening the Panel so that they may develop their initial scores for each dimension before meeting with the other panel members. It is critical to emphasize the importance of developing their scores and justifications before attending the panel. It is also important to remind panel members that the scores should reflect developments during the 2018 calendar year (January 1, 2018, through December 31, 2018).

We also recommend you encourage panelists to think of concrete examples that illustrate trends, since this information will be crucial to justifying their proposed scores.

Lastly, it is highly recommended to compile and send to panelists data and information sources to guide them as they score. Recommendations of information sources are listed below under #4.

We are very interested in using the preparation of this year's Index to track lessons learned for use in improving the monitoring process in upcoming years. In addition, we will solicit feedback through regional debrief meetings, and will create an online forum where IPs can share best practices, ask questions, and submit their comments or suggestions. These methods will be supplemented by brief satisfaction surveys that will be used to help evaluate the success of methodological and process innovations.

*Definition of CSO:*

Civil society organizations are defined "broadly as any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice. Both member-serving and public-serving organizations are included. Embraced within this definition, therefore, are private, not-for-profit health providers, schools, advocacy groups, social service agencies, anti-poverty groups, development agencies, professional associations, community-based organizations, unions, religious bodies, recreation organizations, cultural institutions, and many more."

- *Toward an Enabling Legal Environment for Civil Society, Statement of the 16th Annual Johns Hopkins International Fellows in Philanthropy Conference, Nairobi, Kenya. The International Journal of Not-for-Profit Law, Volume 8, Issue 1, November 2005.*

### 3. Convene a meeting of the CSO Expert Panel.

**3.a.** We do not require panelists to score individual indicators but only overall dimensions. For each dimension, allow each panel member to share his or her initial score and justification with the rest of the group. (Note: If two or more representatives of the same CSO participate in the Panel, only one vote can be cast on their behalf.) Although scoring will not take place at the indicator level, please be sure that panel members discuss each indicator within each dimension of the CSOSI and provide evidence-based, country-relevant examples of recent or historical conditions, policies, and events within each of the dimension narratives. Please take notes on the discussion of each indicator and dimension, detailing the justification for all dimension scores, in the template provided. These notes must be submitted to FHI 360 with the first draft of the narratives (they do not have to be translated to English if not originally written in English).

At the end of the discussion of each dimension, allow panel members to adjust their scores, if desired. Then, for each dimension, eliminate the highest score and the lowest score (if there are two or more of the highest or lowest scores, only eliminate one of them) and average the remaining scores together to come up with a single score for each dimension. Calculate the average or arithmetic mean<sup>1</sup> of these scores for a preliminary score for the dimension. Please keep all scores on record, making sure that personal attribution cannot be made to individual panel members. Use a table similar to the one provided below to track panel members' scores without personal attribution.

Panel Member	Legal Environment	Organizational Capacity	Financial Viability	Advocacy	Service Provision	Sectoral Infrastructure	Public Image
1							
2							
3							

**3.b. Once a score is determined for a dimension, please have panel members compare** the proposed score with last year's score to ensure that the direction and magnitude of the change reflects developments during the year. For example, if an improved score is proposed, this should be based on concrete positive developments during the year that are noted in the report. On the other hand, if the situation worsened during the year, this should be reflected in a worse score (i.e. a higher number on the 1-7 scale).

A change of 0.1 should generally be used to reflect modest changes in a dimension. Larger differences may be warranted if there are more significant changes in the sector. The evidence to support the scoring change must always be discussed by the panel and documented in the dimension narrative. See **CSOSI Codebook – Instructions for Expert Panel Members** for more details about this scoring scale.

In addition, for each dimension score, review the relevant description of that dimension in “CSOSI Codebook – Tiers and Scores: A Closer Look.” Discuss with the group whether the score for a country matches that rating description. For example, a score of 2.3 in organizational capacity would mean that the civil society sector is in the “Sustainability Enhanced” phase. Please read the “Sustainability Enhanced” section for Organizational Capacity in “Ratings: A Closer Look” to ensure that this accurately describes the civil society environment.

If the panel does not feel that the proposed score is accurate after these two reviews, please note this when submitting proposed scores in your narrative report, and the Editorial Committee will discuss whether one or more scores needs to be reset with a new baseline. Ultimately, each score should reflect consensus among group members.

**3.c. Discuss each of the seven dimensions of the Index and score them in a similar manner.** Once all seven dimensions have been scored, average the final dimension scores together to get the overall CSO sustainability score. Please submit the table with the scores from the individual panelists together with the narrative report. Panelists should be designated numerically.

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<sup>1</sup> Arithmetic mean is the sum of all scores divided by the total number of scores.

**3.d. Please remind the group at this stage that reports will be reviewed by an Editorial Committee (EC) in Washington, D.C.** The Editorial Committee will ensure that all scores are adequately supported and may ask for additional evidence to support a score. If adequate information is not provided, the EC may adjust the scores.

**4. Prepare a draft country report.** The report should focus on developments over the calendar year 2018 (January 1, 2018, through December 31, 2018).

The draft report should begin with an overview statement and a brief discussion of the current state of sustainability of the civil society sector with regard to each dimension. In the overview statement, please include an estimated number of registered and active CSOs, as well as a description of the primary fields and geographic areas in which CSOs operate. Also include a brief overview of any key political, economic, or social developments in the country that impacted the CSO sector during the year. If this information is not provided, the editor will request it in subsequent rounds, which will require additional work from you.

The report should then include sections on each dimension. Each of these sections should begin with a summary of the reasons for any score changes during the year. For example, if a better score is proposed, the basis for this improvement should be clearly stated up front. These sections should include a discussion of both accomplishments and strengths in that dimension, as well as obstacles to sustainability and weaknesses that impact the operations of a broad range of CSOs. Each indicator within each dimension should be addressed in the report.

The report should be written based on the Panel members' discussion and input, as well as a review of other sources of information about the CSO sector including but not limited to analytical studies of the sector, statistical data, public opinion polls and other relevant third-party data. Some international sources of information and data that should be considered include the following:

- CIVICUS Civil Society Index - <http://csi.civicus.org/index.php>
- CIVICUS Monitor -- <https://monitor.civicus.org/>
- World Giving Index - <https://www.cafonline.org/about-us/publications>
- Varieties of Democracy (V-Dem) - <https://www.v-dem.net/en/analysis/analysis/>
- Media Sustainability Index - <https://www.irex.org/projects/media-sustainability-index-msi>
- Nations in Transit - <https://freedomhouse.org/report-types/nations-transit#.VdugbqSFOhI>
- Freedom in the World - <https://freedomhouse.org/report/freedom-world/freedom-world-2017>
- Freedom of the Press - <https://freedomhouse.org/report/freedom-press/freedom-press-2017>
- ITUC Global Rights Index: <https://www.ituc-csi.org/ituc-global-rights-index-2017?lang=en>
- ITUC Survey of Violations of Trade Union Rights: <https://survey.ituc-csi.org/>
- U.S. Department of State Human Rights Report: <https://www.state.gov/j/drl/rls/hrrpt/>
- ICNL Civic Freedom Monitor: <http://www.icnl.org/research/monitor/>
- Carnegie Endowment for International Peace: <https://carnegieendowment.org/regions>
- Afro-Barometer: <http://www.afrobarometer.org/>

Please limit the draft reports to a maximum of **ten pages in English**. Please keep in mind that we rely on implementers to ensure that reports are an appropriate length and are well written.

While the individual country reports for the 2018 CSO Sustainability Index must be brief, implementers may write longer reports for their own use to more fully describe the substance of the panel meetings. Longer reports may include additional country context information or examples and could be used for a variety of purposes, including advocacy initiatives, research, informing project designs, etc.

Please include a list of the experts who served on the panel using the form provided. This will be for our reference only and will not be made public. Also, **please remember to provide the individual panelists' ratings for each dimension** (with the names replaced by numbers).

**Submit the draft country reports** with rankings via email to FHI 360 by the date indicated in your grant's Project Description.

**5. Initial edits of the country report.** Within a few weeks of receiving your draft report, FHI 360 and its partner, ICNL, will send you a revised version of your report that has been edited for grammar, style and content. As necessary, the editors will request additional information to ensure that the report is complete and/or to clarify statements in the report. Please request any clarification needed from the editor as soon as possible, then submit your revised report by the deadline indicated.

**6. Editorial Committee review.** In Washington, an Editorial Committee (EC) will review the scores and revised draft country reports. The EC consists of representatives from USAID, FHI 360, ICNL, and at least one regional expert well versed in the issues and dynamics affecting civil society in the region. A USAID representative chairs the EC. If the EC determines that the panel's scores are not adequately supported by the country report, particularly in comparison to the previous year's scores and the scores and reports of other countries in the region, **the EC may request that the scores be adjusted, thereby ensuring comparability over time and among countries, or request that additional information be provided to support the panel's scores.** Further description of the EC is included in the following section, "The Role of the Editorial Committee."

**7. Additional report revision.** After the EC meets, the editor will send a revised report that indicates the EC's recommended scores, and where further supporting evidence or clarification is required. Within the draft, boxes will be added where you will note whether you accept the revised scores or where you can provide further evidence to support the original proposed score.

The report should be revised and returned to the editor within the allotted timeframe. The project editor will continue to be in contact with you to discuss any outstanding questions and clarifications regarding the scoring and the report's content. Your organization will be responsible for responding to all outstanding comments from the EC, as communicated by the project editor, until the report is approved and accepted by USAID.

**8. Dissemination and promotion of the final reports.** After the reports are approved by USAID and final formatting is conducted, the country reports will be grouped into regional reports. Each Implementing Partner will be responsible for promoting both the final, published country report and the regional report. Your organization will conduct activities to promote the Index's use and its visibility. This may include organizing a local public event, panel discussion, or workshop and by making the report available electronically by web posting or creating a social network page for the country report and through the other methods described in your Use and Visibility Plan. Documentation that you have conducted these activities as described in that Plan must be submitted to FHI 360 before it will authorize the final payment.

### III. THE ROLE OF THE EDITORIAL COMMITTEE

As an important step in the CSO Sustainability Index process, all country reports are reviewed and discussed by an Editorial Committee composed of regional and sector experts in Washington, DC, and an expert based in the region. This committee is chaired by a USAID Democracy Specialist and includes rotating members from USAID (past members have included experts from regional bureaus, the USAID Bureau for Democracy, Conflict and Humanitarian Assistance's Center of Excellence on Democracy, Human Rights and Governance (DCHA/DRG), the USAID Bureau for Economic Growth, Education and the Environment's Local Solutions Office, and USAID Democracy, Human Rights and Governance foreign service officers). The committee also includes civil society experts from FHI 360 and ICNL.

The Editorial Committee has three main roles. It reviews all reports and scores to ensure that narratives are adequate and compelling from the standpoint of supporting the proposed score and to determine if the proposed change in score is supported by the narrative. A compelling narrative demonstrates that a score results from evidence of systematic and widespread cases and is not based on one or two individual cases. For example, a country environment characterized by a growing number of CSOs with strong financial management systems that raise funds locally from diverse sources is a compelling justification for an elevated financial viability score. A country in which one or two large CSOs now have the ability to raise funds from diverse sources is not. The Editorial Committee also checks that scores for each dimension meet the criteria described in "Ratings: A Closer Look," to ensure that scores and narratives accurately reflect the actual stage of CSO sector development. Finally,

the Editorial Committee considers a country's score in relation to the proposed scores in other countries, providing a regional perspective that ensures comparability of scores across all countries.

CSOs are encouraged to remind their panels from the outset that the Editorial Committee may ask for further clarification of scores and may modify scores, where appropriate. **While implementing partners will have the chance to dispute these modifications by providing more evidence for the scores the panel proposed, the USAID Chair of the EC will ultimately have the final say on all scores.** However, by asking panels to compare their scores with last year's scores and "Ratings: A Closer Look" (which is essentially what the Editorial Committee does), it is hoped that there will be few differences between proposed scores and final scores. Ensuring that the narrative section for each dimension includes adequate explanations for all scores will also limit the need for the Editorial Committee to ask for further clarification.



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## INSTRUCTIONS FOR CSOSI EXPERT PANEL MEMBERS

### Introduction

USAID's Civil Society Organization Sustainability Index (the Index or CSOSI) is a tool developed by USAID to assess the strength and overall viability of the CSO sectors. By analyzing seven dimensions that are critical to sectoral sustainability on an annual basis, the Index highlights both strengths and constraints in CSO development.

The Index allows for comparisons both across countries and over time. Initially developed in 1997 for Central and Eastern Europe and Eurasia, the CSOSI is a valued tool and methodology used by non-governmental organizations (NGOs), governments, donors, academics and others to better understand the sustainability of the civil society sector. In 2018 the CSOSI was implemented in 72 countries.

Beginning with the 2017 Index and for the following four years, FHI 360 and the International Center for Not-for-Profit Law (ICNL) are managing the coordination and editing of the CSOSI. To develop the Index each year, FHI 360 provides small grants to local CSOs to serve as implementing Partners (IPs) that implement the CSOSI methodology in country. ICNL is primarily responsible for editing the country reports once they are drafted by IPs. A senior staff member from both FHI 360 and ICNL serves on an Editorial Committee that reviews all reports, as do one or more senior USAID/Washington officials.

The expert panel members for whom this Codebook is designed participate in in-country panel discussions on the seven dimensions of sustainability covered by the Index. The IP convenes these panel discussions annually to assess the situation of civil society in their countries and determine scores based on an objective analysis of the factual evidence.

The CSOSI team is continually striving to ensure the cross-country and cross-year comparability of the Index's scores, as well as to improve the reliability and validity of measurements, standardization of definitions, local ownership of the Index, and transparency of the Index's methodology and processes.

Therefore, FHI 360 has created this Codebook to inform and guide expert panel members through the scoring process. The Codebook provides definitions of the key concepts used to assess the overall strength and sustainability of the civil society sector in a given country, explains the scoring process, and standardizes the scale to be used when proposing score changes.

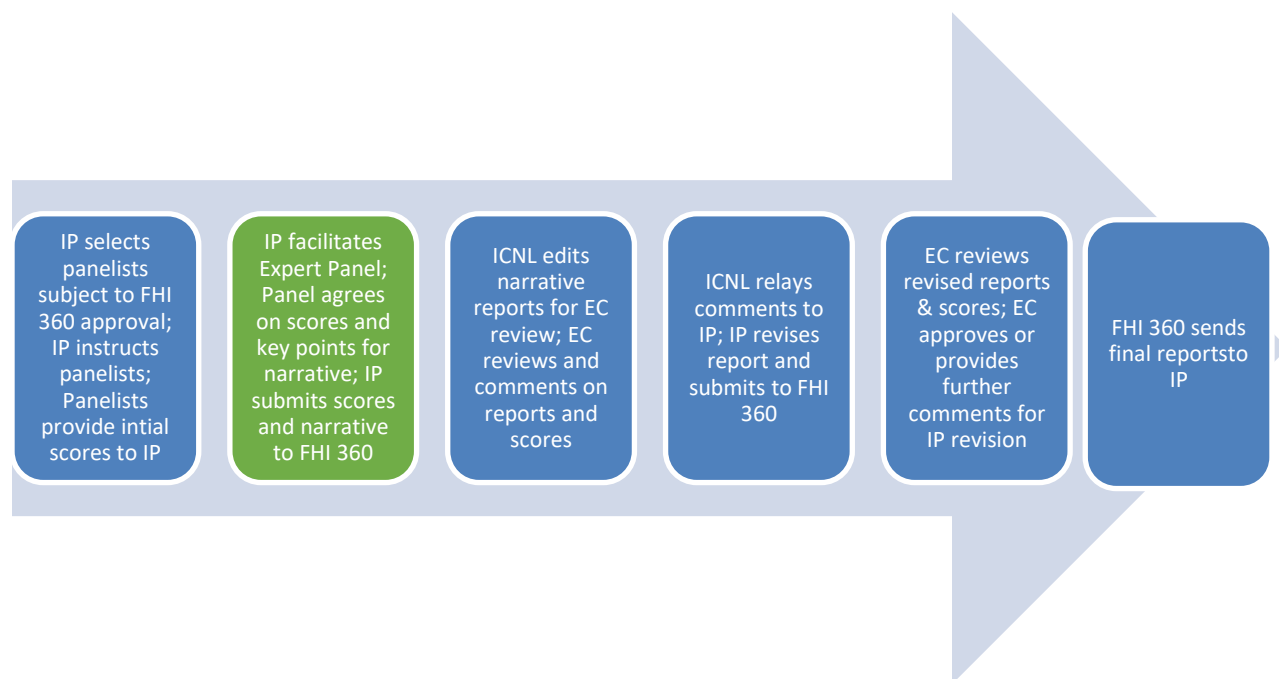
This is the first part of the Codebook, providing an overview of the concepts and processes that guide the expert panel members' role in the CSOSI's methodology. The second part of the Codebook provides descriptions, or vignettes, of each score for each dimension, to standardize expert panel members' understanding of the scoring scale and to assist them in ensuring that scores are accurate.

### CSOSI Methodology

The CSOSI measures the sustainability of each country's CSO sector based on the CSOSI's seven dimensions: legal environment, organizational capacity, financial viability, advocacy, service provision, sectoral infrastructure, and public image. Its seven-point scoring scale mirrors those used by Freedom House in its publications "Nations in Transit" and "Freedom in the World."

The Implementing Partner (IP) in each country leads the process of organizing and convening a diverse and representative panel of CSO experts. Expert panels discuss the level of change during the year being assessed in each of the seven dimensions and determine proposed scores for each dimension. The scores are organized into three basic "tiers" representing the level of viability of the civil society sector: *Sustainability Impeded*; *Sustainability Evolving*; and *Sustainability Enhanced*. All scores and narratives are then reviewed by a Washington, D.C.-based

Editorial Committee (EC), assisted by regional civil society experts. The graph below summarizes the approach and process.



## Definition of Concepts

The overall goal of the Index is to track progress or regression in the CSO sector over time, increasing the ability of local entities to undertake self-assessment and analysis. To ensure a common understanding of what is being assessed, panel members need a shared understanding of the key concepts underlying their assessment.

## Civil Society Organization

Civil society organizations are defined:

*“...As any organizations, whether formal or informal, that are not part of the apparatus of government, that do not distribute profits to their directors or operators, that are self-governing, and in which participation is a matter of free choice. Both member-serving and public-serving organizations are included. Embraced within this definition, therefore, are private, not-for-profit health providers, schools, advocacy groups, social service agencies, anti-poverty groups, development agencies, professional associations, community-based organizations, unions, religious bodies, recreation organizations, cultural institutions, and many more.”<sup>1</sup>*

This definition of CSO includes informal, unregistered groups and movements, but to be included in the CSOSI, the movement must possess the structure and continuity to be distinguished from a single gathering of individuals and from personal or family relationships. In many countries political parties and private companies establish and support CSOs, but these entities are usually either public, for-profit, or not self-governing.

<sup>1</sup> Toward an Enabling Legal Environment for Civil Society, Statement of the 16th Annual Johns Hopkins International Fellows in Philanthropy Conference, Nairobi, Kenya. The International Journal of Not-for-Profit Law, Volume 8, Issue 1, November 2005.

## Seven Dimensions of Sustainability

The CSOSI measures sustainability across seven dimensions by analyzing a series of indicators related to each dimension.

### **1- LEGAL ENVIRONMENT:** The legal and regulatory environment governing the CSO sector and its implementation

<i>Registration – Legal procedures to formalize the existence of a CSO</i>
<i>Operation – The enforcement of the laws and its effects on CSOs</i>
<i>State Harassment – Abuses committed against CSOs and their members by state institutions and groups acting on behalf of the state</i>
<i>Taxation – Tax policies that affect CSOs</i>
<i>Access to Resources – Legal opportunities for CSOs to mobilize financial resources</i>
<i>Local Legal Capacity – Availability and quality of legal expertise for CSOs</i>

### **2- ORGANIZATIONAL CAPACITY:** The internal capacity of the CSO sector to pursue its goals

<i>Constituency Building – Relationships with individuals or groups affected by or interested in issues on which CSOs work</i>
<i>Strategic Planning – Organizational goals and priorities for a set timeframe</i>
<i>Internal Management – Structures and processes to guide the work of CSOs</i>
<i>CSO Staffing – Quality and management of human resources</i>
<i>Technical Advancement – Access to and use of technology</i>

### **3- FINANCIAL VIABILITY:** The CSO sector's access to various sources of financial support

<i>Diversification – Access to multiple sources of funding</i>
<i>Local Support - Domestic sources of funding and resources</i>
<i>Foreign Support – Foreign sources of funding and resources</i>
<i>Fundraising – CSOs' capacity to raise funds</i>
<i>Earned Income – Revenue generated from the sale of products and services</i>
<i>Financial Management Systems – Processes, procedures and tools to manage financial resources and operations.</i>

### **4- ADVOCACY:** The CSO sector's ability to influence public opinion and public policy

<i>Cooperation with Local and Central Government – Access to government decision-making processes</i>
<i>Policy Advocacy Initiatives – Initiatives to shape the public agenda, public opinion, or legislation</i>
<i>Lobbying Efforts – Engagement with lawmakers to directly influence the legislative process</i>
<i>Advocacy for CSO Law Reform – Initiatives to promote a more favorable legal and regulatory framework for the CSO sector</i>

### **5- SERVICE PROVISION:** The CSO sector's ability to provide goods and services

<i>Range of Goods and Services – Variety of goods and services offered</i>
<i>Responsiveness to the Community – Extent to which goods and services address local needs</i>
<i>Constituencies and Clientele – People, organizations and communities who utilize or benefit from CSOs' services and goods</i>
<i>Cost Recovery – Capacity to generate revenue through service provision</i>
<i>Government Recognition and Support – Government appreciation for CSO service provision</i>

### **6- SECTORAL INFRASTRUCTURE:** Support services available to the CSO sector

<i>Intermediary Support Organizations (ISOs) and CSO Resource Centers – Organizations and programs that provide CSOs with training and other support services</i>
<i>Local Grant Making Organizations – Local institutions, organizations or programs providing financial resources to CSOs</i>
<i>CSO Coalitions – Cooperation within the CSO sector</i>
<i>Training – Training opportunities available to CSOs</i>
<i>Intersectoral Partnerships – Collaboration between CSOs and other sectors</i>

## 7- PUBLIC IMAGE: Society's perception of the CSO sector

<i>Media Coverage – Presence of CSOs and their activities in the media (print, television, radio and online)</i>
<i>Public Perception of CSOs – Reputation among the larger population</i>
<i>Government/Business Perception of CSOs – Reputation with the government and business sector</i>
<i>Public Relations – Efforts to promote organizational image and activities</i>
<i>Self-Regulation – Actions taken to increase accountability and transparency</i>

### How to Score

The CSO Sustainability Index uses a seven-point scale from 1 to 7. **Lower numbers indicate more robust levels of CSO sustainability.** These characteristics and levels are drawn from empirical observations of the sector's development in the region, rather than a causal theory of development. Given the decentralized nature of civil society sectors, many contradictory developments may be taking place simultaneously. The levels of sustainability are organized into three broad clusters:

*Sustainability Enhanced (1 to 3)* - the highest level of sustainability, corresponds to a score between 1.0 and 3.0;

*Sustainability Evolving<sup>2</sup> (3.1 to 5)* - corresponds to a score between 3.1 and 5.0;

*Sustainability Impeded (5.1 to 7)* – the lowest level of sustainability, corresponds to a score between 5.1 and 7.0.

Sustainability Enhanced	Sustainability Evolving	Sustainability Impeded
1.0 – 3.0	3.1 – 5.0	5.1 – 7.0

### Scoring Process

The primary role of the expert panel is to provide an assessment of the CSO environment based on the seven dimensions mentioned above. During the panel discussion, panel members are tasked with discussing their initial scores for each dimension, including their evidence for these scores, and determining their final proposed scores for each dimension. The overall score for the country will be an average of these seven scores. Below are the steps to be followed by members of the expert panel:

**Step 1:** Please start by reviewing last year's report and other sources of information about sectoral developments from the last year of which you are aware. Then, rate each dimension on the following scale from 1 to 7, with a score of 1 indicating a very advanced civil society sector with a high level of sustainability, and a score of 7 indicating a fragile, unsustainable sector with a low level of development. Fractional scores to one decimal place are encouraged. See "Scoring based on Level of Change" on page 8 below for guidance on how to determine proposed scores.

When rating each dimension, please remember to consider each indicator carefully and make note of any specific, country-relevant examples of recent or historical conditions, policies, or events that you used as a basis for determining this score.

**Step 2:** Review your proposed score for each dimension to ensure that it makes sense in comparison to last year's score given the weight of the impact the developments will have at the sector level and the scoring guidance below. In determining the level of change, look at the evidence of change and the various factors over the year being assessed that led to those changes (events, policies, laws, etc.).

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<sup>2</sup> The 'Sustainability Evolving' categorization does not assume a direct or forward trajectory. Dimension and Overall Sustainability scores that fall within this category may represent both improvements and regressions.

**Step 3:** Once you have scores for each dimension, average these seven scores together to arrive at an overall CSO sustainability score and provide all these scores to the Implementing Partner before you attend the Expert Panel discussion.

**Step 4:** Attend the Expert Panel discussion. Listen to other experts describe the justification for their scores. After discussing each indicator in a dimension, you will have the opportunity to revise your proposed score. The Implementing Partner will use the consensus score as the final proposed score. If consensus is not reached during the discussion, the Implementing Partner will average the Expert Panelists' scores, removing one instance of the highest and lowest scores, to arrive at the final scores that will be proposed to the Editorial Committee.

It is very important that the discussion includes specific examples and information that can be used to justify the Expert Panelist's scores. Therefore, please come prepared to share specific evidence of examples to support trends you have noted during the year. **If adequate information is not provided, the Editorial Committee has the right to adjust the scores accordingly.**

### *Scoring Based on Level of Change*

The level of change in a dimension from one year to the next is determined by assessing the impact of multiple factors including new policies and laws, changes in implementation of existing policies and laws, various organization-level achievements and setbacks, changes in funding levels and patterns, as well as contextual political, economic, and social developments. While individual examples may seem impactful on their own, ultimately a sector's long-term sustainability only changes gradually over time as the implications of these positive or negative developments begin to be felt and their long-term effects take hold. Therefore, dimension-level score changes each year should not in normal circumstances exceed a 0.5-point change from the previous year<sup>3</sup>.

When determining what weight to give different trends and developments in how they affect the scores, consider the relative scope of the changes and the duration of their impacts. Those trends and developments that will have larger and longer-term impacts on the sector as a whole should be weighted more heavily compared to those that affect only limited parts of the sector and are more likely to change from year to year. For example, a demonstrated increased capability to mobilize domestic resources (e.g. through corporate philanthropy or crowdfunding), or a new mechanism for long-term funding of CSOs (e.g. through a basket fund or a tax designation mechanism) would signal a longer-term change in a sector's financial viability than a one-year increase in donor funding to CSOs conducting work around national elections.

In determining how the level of change in the dimension of sustainability should translate into a change in score, the following scale can be used to assist expert panel members' decision making:

*What was the overall impact of the change(s) on the dimension?*

<b>Deterioration</b>	<b>Cataclysmic deterioration:</b> Trends and developments have had a completely transformative negative effect on at least one or two indicators in the dimension and significantly affected other dimensions as well.  Example: Legal Environment – A law has banned all international CSOs and their affiliates from the country, as part of the government's systematic crackdown on civil society organizations.	0.5 or greater
	<b>Extreme deterioration:</b> Trends and developments have had very important negative effects on at least one or two indicators in the dimension.	0.4

<sup>3</sup> **Note:** This scale has been adjusted for the 2018 CSOSI to more accurately reflect the scale at which trends and developments should impact a score given the definitions of the scoring scale above.



	<p>Example: Organizational Capacity – Economic depression and instability have led donor basket funds to close abruptly, leaving many major CSOs without funding for their activities. Outreach efforts to constituencies have been halted due to funding shortages and many major CSOs have lost their well-qualified staff members.</p>	
	<p><b>Significant deterioration:</b> Trends and developments have had important negative effects on at least one or two indicators in the dimension.</p> <p>Example: Public Image – The government conducts a relentless media campaign to discredit the image of CSOs by calling them agents of foreign actors seeking to destabilize the country. At the same, the government intimidates media outlets and threatens them with retaliation should they partner with or cover CSO activities without prior approval by the government.</p>	0.3
	<p><b>Moderate deterioration:</b> Trends and developments have had a somewhat negative impact in at least one or two indicators in the dimension.</p> <p>Example: Legal Environment – In an effort to increase public revenue, the government has decided to increase fees by 100% for some types of government services, including CSO registration renewal fees, which were already very high according to many CSOs. As a result, some CSOs, particularly community-based organizations (CBOs), had to delay or suspend their activities.</p>	0.2
	<p><b>Slight deterioration:</b> Trends or developments have had a slightly negative impact on a at least one or two indicators in the dimension.</p> <p>Example: Legal Environment – The government has decided that CSOs should submit their financial statement and annual activity report to the registration agency every year. This may have a long-term positive effect but in the short-term it has increased bureaucratic hurdles and the possibility of harassment by overzealous government officials.</p>	0.1
<b>No Change</b>	The country has not encountered any significant trends or developments in the dimension or developments have been both positive and negative in equal measure.	0
<b>Improvement</b>	<p><b>Slight improvement:</b> Trends or developments have had a slightly positive impact on a at least one or two indicators in the dimension.</p> <p>Example: Legal Environment – To facilitate CSO registration, particularly for those in rural areas, the government has decided its registration agency will allow the agency to take applications locally and process registration directly at the district level. Now, CSOs in rural areas are not required to travel to the capital to apply. However, this measure is accompanied with a small increase in the registration fee.</p>	0.1
	<p><b>Moderate improvement:</b> Trends and developments have had a somewhat positive impact in at least one or two indicators in the dimension.</p> <p>Example: Service Provision – To improve the effectiveness of public service delivery, the central government has decided that at least 10% of local government contracts for basic service delivery will be set aside for CSOs.</p>	0.2

	The law is lacking in specificity, particularly around the application process, but it reinforces CSOs' image as credible partners.	
	<p><b>Significant improvement:</b> Trends and developments have had important positive effects on at least one or two indicators in the dimension.</p> <p>Example: Public Image – There has been a net increase of CSO partnerships with businesses. CSOs have also agreed to and published a general code of conduct for the sector, reinforcing a positive trend of greater transparency and accountability.</p>	0.3
	<p><b>Extreme improvement:</b> Trends and developments have had very important positive effects on several indicators in the dimension.</p> <p>Example: Organizational Capacity – The government and international donors have launched a five-year multi-million dollar basket funds to support CSO-led activities and to strengthen CSO capacity, with a special focus on skills training for CSO staff members, particularly those from CBOs.</p>	0.4
	<p><b>Transformative improvement:</b> Trends and developments have had a completely transformative positive effect on at least one or two indicators in the dimension and will potentially affect other dimensions as well.</p> <p>Example: Legal Environment – A nonviolent revolution that toppled an authoritarian regime and installed a more democratic regime has produced sudden political and legal changes that will protect basic freedoms and human rights.</p>	0.5 or greater

## Instructions for Baseline Recalibration

## Background

To enhance its methodology, the Civil Society Organization Sustainability Index (CSOSI) incorporates recalibration as one of the pilot activities for 2018 CSOSI. Recalibration is introduced to adjust dimension-level scores that are not accurate, either because their baseline scores lack accuracy or because they have not moved significantly enough over time to reflect structural changes in the sector's sustainability. The goal of resetting these scores is to improve the cross-country comparability of scores and to increase the analytical usefulness of the CSOSI to its target audiences. The scores to be recalibrated have been selected after review by the Editorial Committee and verification by regional experts and have been finalized after consultation with the Implementing Partner (IP).

## Instructions

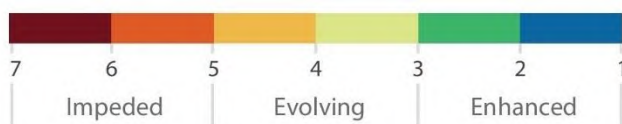
**1. Communicate with participating expert panel members** – The IP communicates to the expert panelists the purpose and the scores that have been selected for recalibration.

**2. Use *Sustainability Categories and Scores – A Closer Look* and a comparison to other scores in their region to determine new score(s)** – Instead of using the scoring guidance whereby proposed scores are determined by analyzing the level of change from the previous year, the scores identified for recalibration are determined by analyzing where they fall on the one-to-seven scoring scale, as well as a comparison with the other scores for that dimension in the other countries covered by the CSOSI in the region. The expert panelists should review the vignettes and illustrative examples in *Sustainability Categories and Scores – A Closer Look* to familiarize themselves with how various levels of CSO sustainability should correspond to the CSOSI's scoring spectrum. Scores should be proposed based on how well they match the descriptions of the various full-point scores listed in this codebook. To help narrow proposed scores to the tenth decimal point, experts can review other countries' scores listed for that dimension in the most recent regional report (which are provided to the IP with the other scores to be recalibrated removed to avoid confusion).

**3. Discuss evidence for recalibrated scores, as well as trends and developments in the past year that led to improvements and deterioration in the dimension** – The narrative report should be drafted the same as the other dimensions, reviewing the current situation and discussing what has changed over the previous year. A note will be included into the final report that clarifies that the new score for that dimension is based on a recalibration and should not be compared with the previous year's score to make assertions about improvement or deterioration.

# ANNEX B: STATISTICAL DATA

## 2018 SUB-SAHARAN AFRICA SCORES

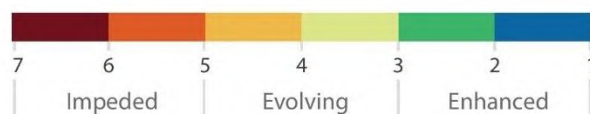


Country	CSO Sustainability	Legal Environment	Organizational Capacity	Financial Viability	Advocacy	Service Provision	Sectoral Infrastructure	Public Image
Angola	5.6	6.0	5.8	6.3	5.0	5.1	5.8	5.2
Benin	4.2	4.1	4.8	5.4	4.0	4.0	4.3	3.1
Botswana	4.1	4.0	4.1	4.7	3.7	3.6	4.8	4.1
Burkina Faso	4.2	3.3	5.3	6.0	3.1	4.0	4.6	3.4
Burundi	5.7	6.6	6.2	6.4	5.2	5.0	5.9	4.7
Côte d'Ivoire	4.9	5.4	5.1	5.2	4.7	3.7	5.4	5.1
DRC	5.0	5.6	5.1	5.7	3.9	4.5	5.5	4.9
Ethiopia	5.5	6.1	5.4	6.5	5.6	4.9	5.6	4.6
Gabon	5.4	6.3	5.4	6.3	4.9	5.1	5.2	4.9
The Gambia	5.1	5.5	5.2	6.2	4.4	4.6	5.1	4.5
Ghana	4.2	3.9	3.9	5.9	3.4	3.7	4.6	4.0
Guinea	5.2	4.9	5.6	6.2	4.8	5.0	5.5	4.6
Kenya	3.9	4.5	3.9	4.8	3.0	3.4	3.6	4.3
Liberia	4.8	5.0	5.1	6.0	3.6	4.6	4.8	4.7
Madagascar	4.4	4.9	4.4	5.1	3.5	4.2	4.3	4.1
Malawi	5.2	5.5	5.5	6.1	4.5	4.4	5.4	5.0
Mali	4.3	4.3	4.3	5.5	3.5	3.6	4.6	4.2
Mozambique	4.8	5.1	5.2	5.3	4.2	4.0	5.0	4.6
Namibia	4.3	3.6	4.3	5.8	3.8	4.1	4.7	3.9
Niger	4.8	5.2	5.1	5.0	4.2	4.3	5.2	4.3
Nigeria	4.4	4.9	4.8	5.5	3.2	3.9	4.8	3.8
Rwanda	4.8	4.9	5.0	5.8	4.1	4.2	5.1	4.4
Senegal	4.2	5.0	4.1	4.9	3.6	3.7	4.5	3.6
Sierra Leone	4.7	5.5	4.6	5.6	3.8	3.9	5.2	4.2
South Africa	3.6	3.3	3.8	4.6	2.9	3.3	3.8	3.7
South Sudan	5.5	6.8	5.5	6.3	4.7	4.8	5.7	4.9
Sudan	5.7	6.7	5.7	6.1	5.1	5.2	5.5	5.3
Tanzania	4.2	5.1	4.3	4.9	3.8	3.5	4.1	3.8
Uganda	4.4	5.6	4.1	5.2	3.6	3.6	4.4	4.2
Zambia	4.6	4.9	4.3	5.9	3.4	4.3	4.9	4.4
Zimbabwe	4.8	6.4	4.5	5.8	4.1	3.2	4.9	4.5

To further explore CSOSI's historical data and past reports, please visit - [www.csosi.org](http://www.csosi.org).



## COUNTRIES RANKED BY SCORE



### Legal Environment

#### SUSTAINABILITY ENHANCED

SUSTAINABILITY EVOLVING	
Burkina Faso	3.3
South Africa	3.3
Namibia	3.6
Ghana	3.9
Botswana	4.0
Benin	4.1
Mali	4.3
Kenya	4.5
Guinea	4.9
Madagascar	4.9
Nigeria	4.9
Rwanda	4.9
Zambia	4.9
Liberia	5.0
Senegal	5.0

Mozambique	5.1
Tanzania	5.1
Niger	5.2
Côte d'Ivoire	5.4
The Gambia	5.5
Malawi	5.5
Sierra Leone	5.5
DRC	5.6
Uganda	5.6
Angola	6.0
Ethiopia	6.1
Gabon	6.3
Zimbabwe	6.4
Burundi	6.6
Sudan	6.7
South Sudan	6.8

### Organizational Capacity

#### SUSTAINABILITY ENHANCED

SUSTAINABILITY EVOLVING	
South Africa	3.8
Ghana	3.9
Kenya	3.9
Botswana	4.1
Senegal	4.1
Uganda	4.1
Mali	4.3
Namibia	4.3
Tanzania	4.3
Zambia	4.3
Madagascar	4.4
Zimbabwe	4.5
Sierra Leone	4.6
Benin	4.8
Nigeria	4.8
Rwanda	5.0

Côte d'Ivoire	5.1
DRC	5.1
Liberia	5.1
Niger	5.1
The Gambia	5.2
Mozambique	5.2
Burkina Faso	5.3
Ethiopia	5.4
Gabon	5.4
Malawi	5.5
South Sudan	5.5
Guinea	5.6
Sudan	5.7
Angola	5.8
Burundi	6.2

### Financial Viability

#### SUSTAINABILITY ENHANCED

SUSTAINABILITY EVOLVING	
South Africa	4.6
Botswana	4.7
Kenya	4.8
Senegal	4.9
Tanzania	4.9
Niger	5.0

Madagascar	5.1
Côte d'Ivoire	5.2
Uganda	5.2
Mozambique	5.3
Benin	5.4
Mali	5.5
Nigeria	5.5
Sierra Leone	5.6
DRC	5.7
Namibia	5.8
Rwanda	5.8
Zimbabwe	5.8
Ghana	5.9
Zambia	5.9
Burkina Faso	6.0
Liberia	6.0
Malawi	6.1
Sudan	6.1
The Gambia	6.2
Guinea	6.2
Angola	6.3
Gabon	6.3
South Sudan	6.3
Burundi	6.4
Ethiopia	6.5

### Advocacy

#### SUSTAINABILITY ENHANCED

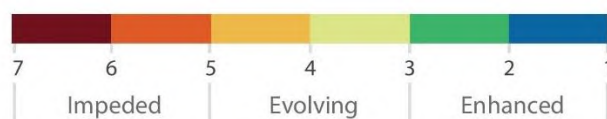
South Africa	2.9
Kenya	3.0

SUSTAINABILITY EVOLVING	
Burkina Faso	3.1
Nigeria	3.2
Ghana	3.4
Zambia	3.4
Madagascar	3.5
Mali	3.5
Liberia	3.6
Senegal	3.6
Uganda	3.6
Botswana	3.7
Namibia	3.8
Sierra Leone	3.8
Tanzania	3.8
DRC	3.9
Benin	4.0
Rwanda	4.1
Zimbabwe	4.1
Mozambique	4.2
Niger	4.2
The Gambia	4.4
Malawi	4.5
Côte d'Ivoire	4.7
South Sudan	4.7
Guinea	4.8
Gabon	4.9
Angola	5.0

Sudan	5.1
Burundi	5.2
Ethiopia	5.6



## COUNTRIES RANKED BY SCORE



### Service Provision

SUSTAINABILITY  
ENHANCED

SUSTAINABILITY EVOLVING	
Zimbabwe	3.2
South Africa	3.3
Kenya	3.4
Tanzania	3.5
Botswana	3.6
Mali	3.6
Uganda	3.6
Côte d'Ivoire	3.7
Ghana	3.7
Senegal	3.7
Nigeria	3.9
Sierra Leone	3.9
Benin	4.0
Burkina Faso	4.0
Mozambique	4.0
Namibia	4.1
Madagascar	4.2
Rwanda	4.2
Niger	4.3
Zambia	4.3
Malawi	4.4
DRC	4.5
The Gambia	4.6
Liberia	4.6
South Sudan	4.8
Ethiopia	4.9
Burundi	5.0
Guinea	5.0

Angola	5.1
Gabon	5.1
Sudan	5.2

### Sectoral Infrastructure

SUSTAINABILITY  
ENHANCED

SUSTAINABILITY EVOLVING	
Kenya	3.6
South Africa	3.8
Tanzania	4.1
Benin	4.3
Madagascar	4.3
Uganda	4.4
Senegal	4.5
Burkina Faso	4.6
Ghana	4.6
Mali	4.6
Namibia	4.7
Botswana	4.8
Liberia	4.8
Nigeria	4.8
Zambia	4.9
Zimbabwe	4.9
Mozambique	5.0

The Gambia	5.1
Rwanda	5.1
Gabon	5.2
Niger	5.2
Sierra Leone	5.2
Côte d'Ivoire	5.4
Malawi	5.4
DRC	5.5
Guinea	5.5
Sudan	5.5
Ethiopia	5.6
South Sudan	5.7
Angola	5.8
Burundi	5.9

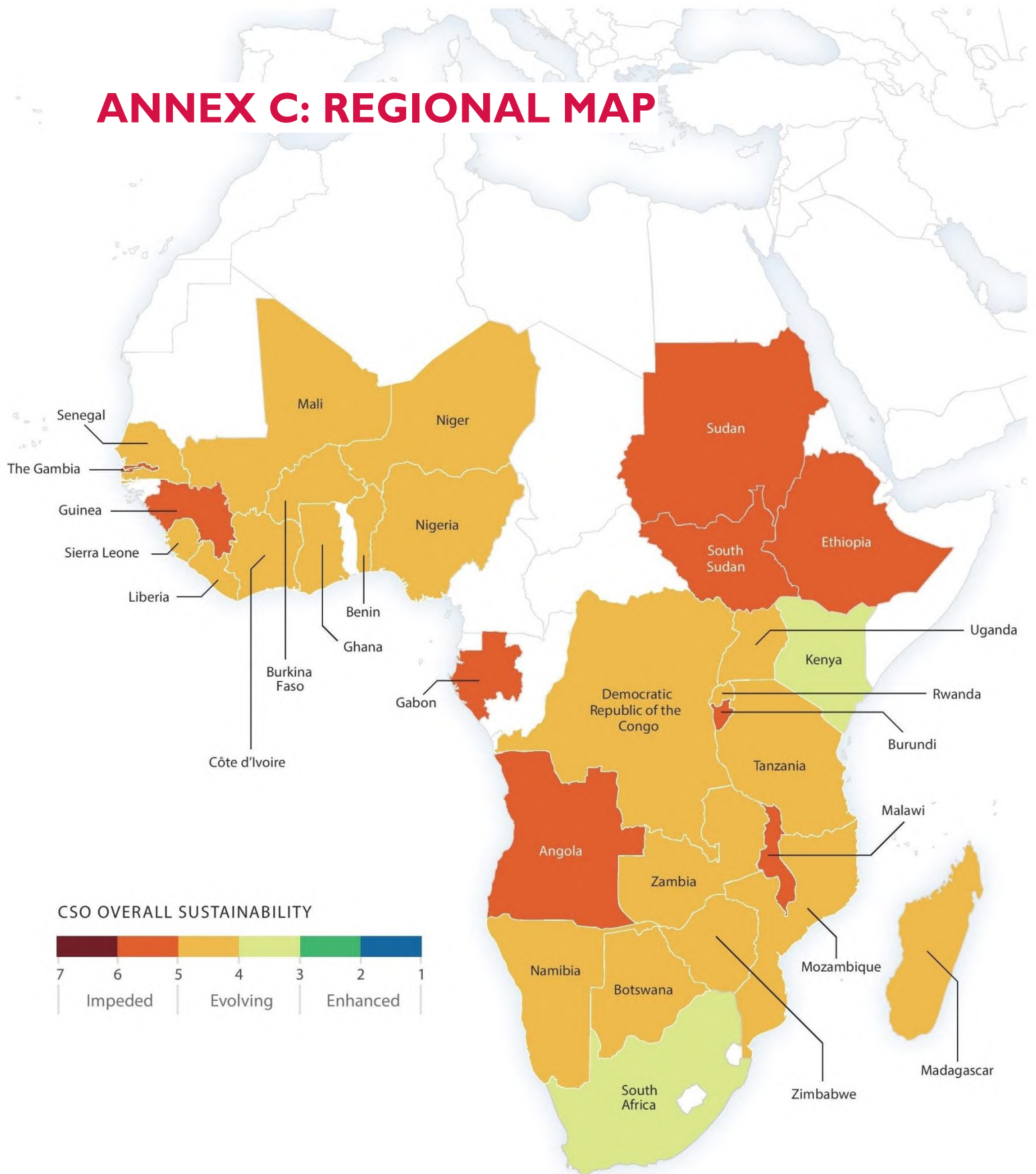
### Public Image

SUSTAINABILITY  
ENHANCED

SUSTAINABILITY EVOLVING	
Benin	3.1
Burkina Faso	3.4
Senegal	3.6
South Africa	3.7
Nigeria	3.8
Tanzania	3.8
Namibia	3.9
Ghana	4.0
Botswana	4.1
Madagascar	4.1
Mali	4.2
Sierra Leone	4.2
Uganda	4.2
Kenya	4.3
Niger	4.3
Rwanda	4.4
Zambia	4.4
The Gambia	4.5
Zimbabwe	4.5
Ethiopia	4.6
Guinea	4.6
Mozambique	4.6
Burundi	4.7
Liberia	4.7
DRC	4.9
Gabon	4.9
South Sudan	4.9
Malawi	5.0

Côte d'Ivoire	5.1
Angola	5.2
Sudan	5.3

# ANNEX C: REGIONAL MAP



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