# Standing Firm

Women- and Trans-Led Organisations Respond to Closing Space for Civil Society



### **Mama Cash**

Mama Cash funds and supports women's, girls' and trans people's rights organisations and initiatives around the globe that challenge the root causes of injustice. Mama Cash's role is to provide the money and support that will enable our grantee-partners to strengthen their organisations, build their bases of support, shape agendas for change and collaborate with others to build collective movements for change. We mobilise resources from individuals and institutions, make grants to women's, girls' and trans people's organisations, and help build the partnerships and networks needed to successfully defend and advance women's, girls' and trans rights globally.

### **Urgent Action Fund**

Urgent Action Fund for Women's Human Rights is a global women's fund that protects, strengthens and sustains women and transgender human rights defenders at critical moments. UAF intervenes quickly when activists are poised to make great gains or face serious threats to their lives and work. We use online, text and mobile funding applications to respond to requests from women human rights defenders within 72 hours and have funds on the ground within 1-7 days.

### **Credits**

Commissioned by Mama Cash and Urgent Action Fund, generously funded by Levi Strauss Foundation

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# 'When they shut the door, we come in the window'.

- Russian activist

# **Foreword**

# By Zohra Moosa, Executive Director, Mama Cash, and Kate Kroeger, Executive Director, Urgent Action Fund

As feminist funds, Mama Cash and Urgent Action Fund know that collective action by women, girls, and trans people is changing the world. Today, the global political and social landscape is becoming increasingly repressive, xenophobic, patriarchal and extremist. It is urgent to provide support to unapologetically progressive and feminist movements led by those most excluded and impacted.

In the discourse on closing space for civil society, we have observed that analyses and discussions do not consistently incorporate a gendered lens. We also know that repressive and violent reactions to their change agendas are not a new experience for the groups we support. Indeed, it is by the very act of speaking out and challenging the status quo that women, girls, and trans people have become the targets of conservative forces and developed the tactics and strategies to resist them. This is particularly true for those raising contested issues and working to secure fundamental rights that are criminalised in their specific contexts. These activists have critical expertise and recommendations to share with the broader field. It is in this spirit that we commissioned this research on the gendered aspects of closing space, as a contribution to the philanthropic space and as a tool for other activists to use as they continue to navigate this restricted landscape.

It goes without saying that it took a village to see this project to fruition. We are grateful for the generous support of the Levi Strauss Foundation in funding this initiative. A special thanks to our grantee-partners for their time and contributions - we are inspired daily by your determination, clarity and vision. Also thanks to the funders, networks, organisations and individuals who contributed their insights and expertise to this project. This report would also not have been possible without the contributions of Mama Cash, UAF and UAF-Africa staff. We are grateful to Jennifer Radloff and Jac sm Kee of the Association for Progressive Communications for their brilliant training on feminist principles of digital security during our convening. To Sandra Ljubinkovic, for beautifully facilitating our convening and reminding us that self-care and well-being are fundamental to our movements. Finally, special thanks are due to our researcher and writer, Kate Bishop-who beautifully wove together the stories, analysis and voices of the activists interviewed in this report.

We offer this report as a tool, resource, and testimony to inform the understanding of how closing space, in all its forms, has a gendered impact. Our aim is for this report to bring value to the conversations and collaborations around the closing space phenomenon.

Not surprisingly, the activists we work with emphasised that closing space is not a passing trend, but rather the current and future reality of our political, social and economic landscape. This requires us all to think differently, understand more deeply how our systems are broken, and intentionally apply a human rights lens to our work. In the words of one Russian activist interviewed for this project, "When they shut the door, we come in the window".

Thank you for your commitment to listening to the voices of women, girls and trans people and for supporting their activism at this critical time in our world.

We stand with them, and invite you to, too.

# Executive summary

The global phenomenon of 'closing space for civil society' has accelerated over the past several years. 'Closing space' is characterised by state-sponsored restrictions on the fundamental rights of freedom of expression, freedom of association and freedom of peaceful assembly.<sup>2</sup>

Closing space includes actions that curtail democracy and human rights activism, such as efforts to restrict access to foreign funding for organisations working on these issues. To date, efforts to understand the drivers, enablers, and impact of what has become a global trend have not consistently applied a gendered analysis.<sup>3</sup> This report seeks to contribute to the current discourse by addressing this gap.

The report is based on fifteen interviews with activist groups led by women and trans people working from a feminist perspective in six countries where closing space is a pressing reality: China, Egypt, India, Russian Federation, Turkey and Uganda. All activists interviewed are grantee-partners of either Mama Cash or the Urgent Action Fund. Following individual interviews, the activists later came together in a separate convening to review and validate the findings and develop shared analysis and recommendations. As such, the report documents the perspectives and experiences of these women's rights and trans rights activists, and provides examples of the gendered impact of closing space. The report includes activists' recommendations to the funding community on ways to support their organising and counter the closing space trend, and shares lessons and strategies that may be useful to other activist groups facing threats.

### **Three key findings**

Closing space for civil society is a gendered phenomenon. All groups reported that their organising has been restricted or repressed in ways that are related to the activists' gender and/ or because of the gendered-focused nature of their work. In addition, and significantly, the ways in which they are targeted are also gendered.

The majority of the activists stated that the cumulative impact of formal and informal state interventions to control civil society, as well as lack of state action to defend activists and protect rights, has a disproportionate impact on the political voice of women and trans people. Existing discrimination within society not only affects their experience of civil society restrictions, but also makes them easy targets for state crackdowns. The varied application of legislation and policy in the six countries included in this research has shown that laws and policy are not neutral bureaucratic tools, but mechanisms for the state to silence critical voices and reinforce the social status quo—which is characterised by the systematic political marginalisation of women and trans people. Activists spoke of the closure and retrenchment of many women's and trans organisations. Most significantly for women activists, womenled organisations, and women human rights defenders, the use of sexualised violence to silence or intimidate them is a virtually universal experience.

Societies with restricted civil society space actively promote patriarchal values and traditional gender identities and roles as part of conservative, nationalist **rhetoric.** Activists in all six countries report that increasingly conservative political forces openly frame women's rights and LGBTQI (Lesbian, Gay, Bisexual, Trans, Queer and Intersex) rights as products of 'Western interference'. Traditional binary gender identities and roles are promoted as part of nationalist rhetoric, and women's bodies and behaviours are expected to function as repositories of conservative ideas about society's culture and morality. This trend in political framing is not new, but for many of the activists interviewed it is clear that they experience closing civil society space as being driven, at least in part, by an increase in state-sponsored rhetoric that prescribes and enforces narrow patriarchal and heteronormative gendered behaviour and sexual identity, and which is maintained through violence, threats and stigma.

<sup>&</sup>lt;sup>1</sup> For a useful discussion, including reflections on why this term is contested, see the Transnational Institute's framing paper: On "shrinking space"

<sup>&</sup>lt;sup>2</sup> CIVICUS, Carnegie Endowment for International Peace, Fund for Global Human Rights, and the Ariadne European Funders for Social Change and Human Rights, among others, have all made considerable contributions to this conversation and to understanding the nature of closing space. For example, the new Funders' Initiative for Civil Society (FICS) has set out to facilitate and coordinate a response by private philanthropy to the closing of civil society space.

With a few exceptions, including the excellent analysis by Global Philanthropy Project - Global Philanthropy Project (2016) The Perfect Storm: The closing space for LGBT civil society in Kyrgyzstan, Indonesia, Kenya and Hungary, Global Philanthropy Project, New York, and the report Tightening the Purse Strings: What Countering Terrorism Financing Costs Gender Equality and Security carried out by the International Human Rights Clinic at Duke University School of Law and the Women Peacemakers Program, 2017.

The history of exclusion and repression that women and trans people have experienced has built their political analysis and savvy - assets that equip them to creatively resist closing space. Most women- and trans-led groups have deep experience of having been pushed to the margins in their communities. This history provides them with vital experience and expertise in navigating restrictions and political marginalisation. In the current, challenging context, feminist activists continue to employ creative solutions to new challenges, and hone their strategies to mitigate risks. They engage in strategic advocacy, national and international collaboration and networking, targeted use of international legal norms and frameworks, and inventive use of the media. For example, activists who work in a community center have filed a complaint in the relevant local courts to expose the use of defamation campaigns and sexual assault by law enforcement personnel. Another feminist group has filed a local lawsuit against a national security commission for raiding its office. Activists are also taking local issues to international human rights bodies, such as UNGASS and the UN Human Rights Commission. Protective strategies include financial planning, physical and digital security measures, and self-care and mutual support.

These are all important findings, and the research suggests that more can be done to bring these lessons learned, good practices, and expertise to the fore in both civil society and the funding community.

survive crackdowns, invest in security and wellbeing, as well as strategise around future political struggles.

Recommendations also focused on the need for funders to adapt funding approaches and mechanisms to better support particularly marginalised sections of civil society, whose voices are increasingly being targeted and silenced. The need for genuine partnerships with groups led by women and trans people to support locally-driven change emerged as a key priority. Activists seek dialogue; they call on donors to share some of the risks that they face and to go beyond focusing primarily on 'good stories and numbers' to prove the impact of funding support.

Finally, activists highlight the importance of resourcing networking and convening to create spaces of exchange and mutual support between activists as a strategy to counteract the fragmentation of civil society. This fragmentation is fostered by states applying a 'divide and rule' strategy as part of their efforts to close space. As a result, intentional support for movement building and for building constituencies of support for citizen-led<sup>5</sup> alternatives to current power structures and ideologies are seen as urgently needed. At the same time, activists shared that they need funders to recognise and support the safety of individual activists by funding personal and organisational security measures, raising international awareness of and support for their activist work, and respecting activists' request for anonymity.

### **Recommendations**

The message from activists is clear: it is crucial that donors continue funding in difficult contexts. The so-called 'strategic withdrawal<sup>34</sup> of funders that activists have observed is strategic only in the short-term, and seems out of step with the widely shared assessment that the phenomenon of closing space is here for the foreseeable future. The activists interviewed stated that they expect feminist activism will be further stigmatised in the current global political landscape. They expressed concerns that the rise of conservative, rightwing and populist forces will continue to negatively impact not only the level of the funding they receive to support their work, but also their personal and organisational security. They look to donors to stand with them in these challenging times and to maintain their funding.

The report presents a series of interlinked recommendations developed by these activists for donors to consider in their responses to the closing space phenomenon. Activists highlight the urgency not only of increasing funding to autonomous feminist organising, but also of making sure that this funding is core, long-term and flexible. Adopting this approach to funding allows activists to adapt to rapidly changing contexts, strengthen their organisations, networks and movements in order to swiftly respond to and

### **Conclusions**

Donor support for feminist organising is arguably more important now than ever. Mama Cash and Urgent Action Fund see increasing numbers of our grantee-partners experiencing state repression of their activism and being targeted as feminist advocates of women's rights and gender justice. This research, including a convening of activists, has supported our learning of how to better support activists working in challenging circumstances. Listening to activists sharing their experiences of closing space as well as their suggestions of how donors can be good allies and stand with them has contributed valuably to our learning.

As funders, it is important that we continue to take steps to understand the gendered enablers, narratives and impact of closing space for civil society in different contexts. Deepening our understanding of the gendered dimensions of closing space for civil society will help the funding community provide strategic and effective support that is responsive to the local needs of women's and trans groups and activists, supporting their work and contributing to their safety in challenging years ahead.

<sup>&</sup>lt;sup>4</sup> The practice of withdrawing from funding an issue or geographical area in anticipation of problems in order to avoid state scrutiny and protect long-term interests.

<sup>&</sup>lt;sup>5</sup> By use of the term 'citizen-led', we include all people in a country or particular location, not limited to those possessing formal citizenship.

# Glossary of terms

### Civil society organisation (CSO)

CSOs can be defined to include all non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain. Examples include communitybased organisations and village associations, environmental groups, women's rights groups, farmers' associations, faith-based organisations, labour unions, co-operatives, professional associations, chambers of commerce, independent research institutes and the not-for-profit media. (OECD DAC)

### **Feminism**

A range of theories and political agendas that aim to eliminate all forms of discrimination against women due to sex and gender as well as class, race, ethnicity, ability, sexual orientation, geographic location, nationality, or other forms of social exclusion. (Feminist Movement Builders Dictionary: JASS 2013)

### Heteronormativity/ heterosexism

The individual, institutional, and societal/cultural beliefs and practices based on the belief that heterosexuality is the only normal and acceptable sexual orientation. (Feminist Movement Builders Dictionary: JASS 2013)

### Intersectionality

Intersectionality refers to how different forms of oppression overlap and interact. These forms can include, but are not limited to, gender, sexual identity and orientation, race, religion, ability and class. In practice, intersectionality calls on feminists to recognise the varying backgrounds, perspectives and needs of women from all walks of life and to accept that a singular understanding of feminism will never be sufficient. Gendered discrimination, like women themselves, is multidimensional. (Crenshaw: 1989)6

### Non-governmental organisation (NGO)

NGOs are a subset of CSOs, albeit with no clear boundaries, generally understood to be engaged in development cooperation. (UNDP: 2013) The groups discussed in this report are mostly human rights organisations, i.e. NGOs advocating human rights through, among other things, documenting human rights violations; collection of incident data; analysis and publication; promotion of public awareness while conducting institutional advocacy, and lobbying to halt these violations.

### **Patriarchy**

Systemic societal structures that institutionalise male physical, social and economic power over women. (Reeves and Baden: 2000)<sup>7</sup>

### **Social norm**

An informal rule that governs social behaviour. In practice, a social norm is a pattern of behaviour to which individuals prefer to conform, on the condition that they believe that most people in their relevant network conform to it, or that most people in their relevant network believe they ought to conform to it. (Mackie, Moneti et al: 2015)<sup>8</sup>

### **Trans people**

'Trans' is an inclusive umbrella term referring to those people whose gender identity and/or gender expression differs from the sex they were assigned at birth. The term trans includes, but is not limited to: men and women with transsexual pasts, and people who identify as transsexual, transgender, transvestite/crossdressing, androgyne, polygender, genderqueer, agender, gender variant or with any other gender identity and/or expression which is not standard male or female and express their gender through their choice of clothes, presentation or body modifications, including undergoing multiple surgical procedures. (ILGA Europe)9

### **Women's funds**

Women's funds are philanthropic organisations that work to realise the power of women, girls, and trans people around the world. (Prospera - International Network of Women's Funds)<sup>10</sup> They are public foundations that mobilise resources and disburse grant funding to organising by women, girls and trans people. Women's funds also provide non-financial support, including support in the form of capacity building.

### Women human rights defenders (WHRDs)

Women human rights defenders are both female human rights defenders, and any other human rights defenders who work in the defence of women's rights or on gender issues. (OHCHR)<sup>11</sup>

### Women's Rights Organisations (WRO)

Women-led organisations working to advance gender equality and women's rights (Esplen: 2013)<sup>12</sup>

- <sup>6</sup> K. Crenshaw, 'Demarginalizing the intersection of race and sex: a black feminist critique of anti-discrimination doctrine, feminist theory and antiracist politics', *University of Chicago Legal Forum 140*, 1989, pp.139-167.
- <sup>7</sup> H. Reeves and S. Baden, 'Gender and development: concepts and definitions', *BRIDGE report no. 55*, 2000, p. 30. Available at: http://www.bridge.ids.ac.uk/sites/bridge.ids.ac.uk/files/reports/re55.pdf (accessed 13 June 2016).
- G. Mackie, F. Moneti, H. Shakya and E. Denny, 'What are social norms? How are they measured?' UNICEF/Center on Global Justice, University of California, San Diego, 2015. Available at: http://www.unicef.org/protection/files/4\_09\_30\_Whole\_What\_are\_Social\_Norms.pdf (accessed 13 June 2016).
- 9 http://www.ilga-europe.org/what-we-do/our-advocacy-work/trans-and-intersex/trans
- 10 http://www.prospera-inwf.org/#!/-womens-funds/
- 11 http://www.ohchr.org/EN/Issues/Women/WRGS/Pages/HRDefenders.aspx
- 12 E. Esplen, 'Leaders for change: why support women's rights organisations?', Womankind Worldwide, 2013. https://www.womankind.org.uk/docs/default-source/resources/briefings/leadersforchange-final.pdf

# Introduction

The three fundamental rights that delineate civil society's space to act are the right to freedom of association, the right to freedom of peaceful assembly and the right to freedom of expression.<sup>13</sup> Across the world, in different types of regimes and in all regions, these rights are being increasingly eroded.<sup>14</sup>

'Closing space for civil society' is characterised by increasingly restrictive legislation designed to control the activities of civil society organisations (CSOs) by blocking foreign funding, and by close state scrutiny in an atmosphere of intimidation and vilification. The trend has been documented and analysed for over three years by global civil society networks, international funders and academic think tanks, and is now recognised as a global paradigmatic shift in state-civil society relations.<sup>15</sup>

Analysis of the impact of closing space shows that it threatens the existence of civil society groups working on topics that do not enjoy the support of the ruling political parties, and 'blunts the leading political edge of human rights and democracy'. 16 This analysis speaks clearly to the work of women and trans human rights defenders and feminist activism which is often working at the 'leading political edge' and, as a result, comes into conflict with ruling political parties. However, to date there has been little effort to understand the gendered nature of closing space. This report starts to fill this gap by bringing a gender lens to assessments of the drivers, enablers, rhetoric and impact of closing space, which has so far been missing. 17

The reason for doing so is to understand whether, why and how feminist groups experience closing space for civil society differently, and therefore whether current donor responses to support feminist groups operating in contexts of closing space are adequate or are reinforcing its differential impacts. A gendered analysis can also start to illuminate the likely long-term impacts of closing space on the diversity and health of civil society, which is a critical part of an inclusive, participatory democracy.

This report looks at closing civil society space from the perspective of women- and trans-led groups in China, Egypt, India, Russian Federation, Turkey and Uganda. It aims to examine their experiences and understand the trend of closing space from their standpoints, as well as reflecting on what this means for how funders can adapt to support them better. In doing so, it also documents the political sophistication, creativity and determination of women's groups and individual women and trans activists operating in extremely challenging contexts. Finally, it seeks to channel the recommendations of activists directly to funders and the wider international community, and to highlight commonalities and lessons that other activists can draw on.

<sup>&</sup>lt;sup>13</sup> Civil Society Watch Report 2016, CIVICUS, Johannesburg, 2016.

<sup>&</sup>lt;sup>14</sup> T. Carothers, & S. Brechenmacher, Closing Space: Democracy and Human Rights Support Under Fire Carnegie Endowment for International Peace, Washington D.C.; CIVICUS, Civil Society Watch Report 2016, CIVICUS: Johannesburg, 2016.

<sup>&</sup>lt;sup>15</sup> Civil Society Watch Report 2016, CIVICUS, Johannesburg, 2016. P. Joshi, Challenging the Closing Space for Civil Society: A Practical Starting Point for Funders, Ariadne, International Human Rights Funders Group, European Foundation Centre, 2016. T. Carothers, & S. Brechenmacher, Closing Space: Democracy and Human Rights Support Under Fire, Carnegie Endowment for International Peace, Washington D.C, 2014.

<sup>&</sup>lt;sup>16</sup> T. Carothers, & S. Brechenmacher, Closing Space: Democracy and Human Rights Support Under Fire, Carnegie Endowment for International Peace: Washington D.C, 2014.

With a few exceptions, including the excellent analysis by Global Philanthropy Project - Global Philanthropy Project (2016) The Perfect Storm: The closing space for LGBT civil society in Kyrgyzstan, Indonesia, Kenya and Hungary, Global Philanthropy Project, New York, and the report Tightening the Purse Strings: What Countering Terrorism Financing Costs Gender Equality and Security carried out by the International Human Rights Clinic at Duke University School of Law and the Women Peacemakers Program, 2017.

# Methodology and scope

Research for the report was carried out through desk reviews of existing literature on closing space and on women and trans human rights defenders; and through interviews conducted with 15 grantee-partners of Mama Cash, Urgent Action Fund and Urgent Action Fund-Africa (UAF-Africa), and five funders working closely with women- and trans-led organisations and activists in the same countries.

The draft report went through a process of validation by the activists that were interviewed, in order to verify that their contribution was faithfully reported, that they could see their recommendations reflected in the text, and, most importantly, that the report itself posed no security threat to them, their contacts and their work. The views and work of grantee-partners have been made anonymous in the report for security reasons. For the same reason, a decision was taken in several cases not to connect specific examples and events to one country and as a result, some countries are named in the report less often than others.

The report does not aim to be comprehensive, but to consider the broad issue of feminist organising in the context of closing space for civil society with the aim of catalysing further research and analysis in this area, and providing funders with information and ideas on some ways that they can provide support.

The decision to interview two or three groups in each of the six countries was taken in order to explore the differences in their experiences and to avoid representing women as a homogenous group in any context. This meant limiting the number of countries covered by the report, and led to the exclusion of some important regions and sub-regions, most notably Latin America.

The nature of the grants made by Mama Cash, Urgent Action Fund and UAF-Africa means that the majority of the grantee-partners interviewed are small and medium-sized groups working locally and nationally. The majority are not formally registered organisations. Their experiences are necessarily different to those of larger, registered NGOs working on mainstream issues that affect women. This report does not provide a comprehensive look at the impact of closing space on gender equality work more broadly or on large women's organisations.

During the course of interviewing activists and funding allies, it became apparent that women- and trans-led groups and activists are affected by closing space for civil society, and more broadly closing political and democratic space, even where restrictions on NGO activity are not in place, or not applicable to the activists in question. 'Closing space' is therefore used to mean the space for political expression by citizens, as well as by organised groups including NGOs, media and activists. Wherever possible, the use of the term 'closing space' will be qualified to make its meaning as clear as possible.

# '...we know that the state is going to use all its force to silence us'.

- Indian activist

### Part 1

# Challenges faced by women's and trans groups in the context of closing space

### The gendered nature of closing space

The UN High Commissioner for Human Rights has outlined the five conditions of open civil society, namely: a robust legal framework compliant with international standards and a strong national human rights protection system that safeguards public freedoms and effective access to justice; a political environment conducive to civil society work; access to information; avenues for participation by civil society in policy development and decision-making processes; and long-term support and resources for civil society.<sup>18</sup>

In societies where the 'openness' of the state is constantly negotiated, an individual's or group's experience of how open it is will depend on their identity. Some members of society are better able to take advantage of these five conditions, where they exist, due to the social hierarchies and informal rules – or social norms – that govern social behaviour, including gender roles. In addition, the formal rules – laws and policies – may be explicitly discriminatory. In Uganda, for example, homosexuality is punishable by law with a prison sentence.

Given that the playing field is not level for different sections of civil society – be they trans activists in Russia, Dalit women in India or sex workers in Uganda - we need to ask what, if any, the gendered impact of closing space is on women's and trans people's organising? Do the widespread legal restrictions by states aimed at controlling civil society activity maintain the internal status quo of civil society that reflects the wider

society? Do they disproportionately impact the voice and participation of women and trans people, because of their unequal position in society?

The literature on women human rights defenders also suggests that feminist organising may be affected by closing space in a gendered way. This literature identifies particular risks posed by the fact of being women as well as working on women's rights. It particularly highlights the dangers of working in contexts that: are strongly patriarchal and heteronormative, are characterised by fundamentalist discourses, are driven by neo-liberal agendas and globalised trade, and face crises of democracy and governance.<sup>19</sup> Analysts of the closing space trend have observed that restrictions to civil society are often accompanied by the intensification of fundamentalist discourse on national identity and traditional patriarchal values, the crises of democracy and governance at the national level, and a resurgence in neoliberal economic policies and globalisation at the international level.<sup>20</sup> It is to be expected then that the global trend in closing space is dangerous for women and trans activists and groups.

The majority of the activists interviewed expressed the view that the cumulative impact of formal and informal state interventions to control civil society, as well as state inaction to defend activists and protect their rights, has a disproportionate impact on the political voice of women and trans people.

Annual report of the United Nations High Commissioner for Human Rights, *Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned*, 2016, (A/HRC/32/20).

<sup>&</sup>lt;sup>19</sup> Women Human Rights Defenders International Coalition, 'Gendering Documentation: A Manual for and about Women Human Rights Defenders', 2015.

Report of the UN Special Rapporteur on Freedoms of Peaceful Assembly and Association, Fundamentalism and its impact on the rights to freedom of peaceful assembly and of association, 2016, A/HRC/32/36. Available at: http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/AnnualReports.aspx (accessed 14 September 2016). Annual report of the United Nations High Commissioner for Human Rights (2016), Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned (A/HRC/32/20); Carothers, T. & Brechenmacher, S. (2014), Closing Space: Democracy and Human Rights Support Under Fire, Carnegie Endowment for International Peace: Washington D.C.

Most significantly, in the case of women activists, women-led organisations and women and trans human rights defenders, the use of sexualised violence to silence or intimidate them is a near universal experience. In highly patriarchal societies where there is also a lack of access to justice, gendered attacks – especially those involving the use of gender-based violence – are highly effective in silencing women and trans activists whose voices are already marginalised, reinforcing women's inferior social status and discriminatory social norms around gender behaviour and roles. Gender-based violence silences their voices through fear, as well as by undermining the support of their families or communities for their public role.

What about the drivers and narratives of closing space? In many countries, increasingly conservative political forces openly associate women's rights and LGBTQI<sup>21</sup> rights with Western interference. Traditional binary gender identity and roles are promoted as part of nationalist rhetoric, and women's bodies and behaviours are expected to function as repositories of the culture and morality of a society. Of course, this is nothing new, but many of the activists interviewed see a clear correlation between the dramatic shift in the last three to five years in state repression of civil society, and the increase in state-sponsored rhetoric which prescribes and enforces narrow patriarchal and heteronormative gendered behaviour and sexual identity. These binary roles and identities are reinforced through direct violence, threat, stigma and discrimination against those who do not conform to expected behaviours, or who speak out against them. A few examples include the remarks by the Turkish President Recep Tayyip Erdoğan in 2016 condemning birth control as a Western plot against Turkish society and an outdated concept that needs to be abolished, which attracted public support in some sections of society.22

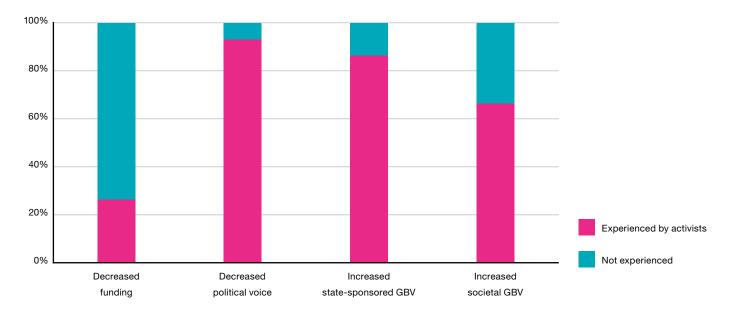
## Activists' experience of closing space

'Today I may die, I may be arrested, or I may be fired from my job' – Turkish woman activist

The chart below shows the experiences of 'closing space' that activists identified as gendered. An overwhelming majority of the activists who were interviewed perceived a disproportionate impact on the silencing of women's and trans people's voices compared to those of other civil society actors. Similarly, most experienced heightened levels of state-sponsored gender-based violence, harassment and intimidation, and higher levels of societal gender-based violence and discrimination. Many activists drew direct links between state and societal gender-based violence and the decreasing voice and participation of women and trans people.

Most activists stated that funding levels have always been low for locally-led feminist organising and that funding is a critical issue for sustainability. However, the majority did not identify closing space as having a gendered impact on funding levels. Given that many women- and trans-led groups are already operating with limited resources, it can be expected that the reduction of foreign funding may have a greater impact on their survival. Indeed, activists expressed fears about the possible impact of new and possibly more restrictive legislation on their ability to survive.





<sup>&</sup>lt;sup>21</sup> Lesbian, Gay, Bisexual, Trans, Queer, and Intersex people.

<sup>&</sup>lt;sup>22</sup> BBC (2016) 'Turkey's Erdoğan warns Muslims against birth control' http://www.bbc.co.uk/news/world-europe-36413097 (accessed 14 November 2016).

Violence, harassment and intimidation are a constant source of insecurity for activists - affecting them personally and constraining their ability to continue organising. In Uganda, a female opposition politician was stripped naked in public by the police during a peaceful public protest.<sup>23</sup> In Turkey, changes in the law through statutory decrees under the state of emergency imposed after the July 2016 coup attempt mean that if activists are arrested they can be subject to invasive strip searches, including internal examination, and can be held for five days without access to a lawyer. The fear of what might happen in detention with no means of protection and recent reports of torture and rape by state agents is a strong deterrent to public protest.<sup>24</sup> In India, women's rights activists have recorded spikes in violence, rape and sexual assault when an extractive industry company comes into an area. They have reported violence and intimidation from state agents and from private corporations – particularly where the interests of the two coincide. The perpetrators are often unidentified and operate with impunity, making the violence impossible to trace. However, activists clearly see the violence as intended to intimidate the population and to undermine their ability to confront the combined power of the state and the companies.

Activists have always been at risk when they are critical of the state. While some women's rights issues such as women's health and women's economic empowerment have made it onto political agendas and are unchallenged as mainstream human rights work, feminist organising around women's and trans people's participation and voice, or around issues that challenge state power, quickly become targets. One activist noted that 'work on women's political participation or sexuality could get you killed.' Attacks on groups that challenge state power may be a threat to all civil society organisations, but as CIVICUS notes, groups that have been historically excluded or experienced social discrimination are often targets of both state and non-state silence, repression and threats.<sup>25</sup>

In China, where human rights are seen as a tool for Western interference in the rule of the Communist state, feminist activists have been arrested to stop them from holding public events. In this instance, the ideology may not be new, but it is being reinforced by new tools to maintain the status quo for those in power by closing down civil society in response to the perception of its growing influence. In other contexts, nationalist ideologies are employed as part of the justification for and means of state control. In Russia, the Foreign Agent's Law, introduced in 2012 to control civil society, works by creating barriers to funding for Russian organisations alongside shaming and undermining public support for those organisations by designating them as foreign agents. In addition, organisations doing any activity deemed political can be listed as foreign agents, including those doing work to educate women about their rights.

The findings of our research show that groups led by women and trans people experience intimidation and harassment from state agents, but also from broader society. In contexts of discriminatory state rhetoric and where violence is used with impunity, activists are experiencing an increase in tolerance of repressive, conservative political agendas which allow for the normalisation and legitimisation of gender-based violence and impunity. Egyptian activists, as women-run groups not conforming to 'modest' dress codes, have faced verbal attacks and physical threats at their offices from members of the public, forcing them to relocate. In India, activists working for the rights of marginalised women have stopped doing factfinding missions because of the risk of violence from local right-wing political groups who operate with total impunity. In Russia, sex workers face violence from the police, but also from right-wing gangs who organise their own raids of brothels in order to 'protect public morality' in collusion with the police.

Activists and groups also face threats and abuse online, as well as digital attacks and censorship. This is less of a problem for those groups that are not taking foreign funds, or are not registered as NGOs and are therefore not already under surveillance. Nonetheless, such groups still report being hacked and having computers holding sensitive information stolen in office break-ins. For those more publically critical of the political ruling party, a range of online attacks and censorship, such as having social media accounts shut down, and Twitter and Facebook posts 'disappearing', is common. Activists also report a barrage of personal attacks through social media discrediting, humiliating and threatening them personally.

The incessant threat to individual activists and organisations is compounded by the increasing needs of the populations they work with for the services, support and advocacy they provide, as violations of rights and freedoms multiply with closing space. The combination of threats received and increased workloads creates an immense burden for activists, with the majority of interviewees stating that they have reached their personal mental, physical and financial limits of being able to sustain their activism.

<sup>&</sup>lt;sup>23</sup> http://www.voanews.com/a/female-ugdandan-politician-stripped-in-public-by-police/3005250.html

Amnesty International, 'Turkey: Independent Monitors must be allowed to access detainees amid torture allegations', 2016. https://www.amnesty.org/en/latest/news/2016/07/turkey-independent-monitors-must-be-allowed-to-access-detainees-amid-torture-allegations/?utm\_source=inshorts&utm\_medium=inshorts\_full\_article&utm\_campaign=inshorts\_full\_article (accessed 17 November 16).

<sup>&</sup>lt;sup>25</sup> CIVICUS, Civil Society Watch Report 2016, CIVICUS, Johannesburg, 2016

### **Restrictive legislation and policy**

Whilst legislative restrictions apply to the whole of civil society, activists recognise that restrictions on funding in particular can have a disproportionate impact on women- and trans people-led groups. Funding has always been gendered, with women's organisations chronically underfunded; activists highlighted the even greater funding challenges when working at the intersections of traditionally siloed issues - such as caste and gender or technology and women's rights.<sup>26</sup> Any new restrictions that reduce donors' willingness to fund issues that are seen as politically sensitive, or restrictions on the foreign funding on which politically marginalised groups often rely, are likely to have a significant impact on organisations led by women and trans people. This is especially true where they are working on issues perceived to be politically sensitive by the state, or are already working with the minimum resources required to survive. A number of the activists interviewed expected new legal restrictions and intimidation of donors to lead to the closure of their organisation in the next one to three years.

A body of research on funding for feminist organising confirms the gendered nature of funding.<sup>27</sup> Research by the OECD found that just 0.5% – \$192m (£144m) – of the billions of dollars allocated to promote gender equality in poorer countries in 2014 was reported as going to women's rights organisations. The figure was down from 1.2% in 2011.<sup>28</sup> A survey of 340 trans and intersex groups globally showed that all groups are operating with scarce resources and no significant financial sustainability. At the time of the survey (2013) more than half had an annual budget of less than \$10,000.<sup>29</sup> This lack of funding for excluded groups is compounded by restrictions on foreign funding for civil society.

Activists experience other legislative and policy challenges that have considerable impact on their ability to operate, such as NGO registration laws. While they feel that many laws and policies are not gendered in their design, the application of legislation and policy in all countries shows that these laws are not neutral bureaucratic tools, but rather mechanisms for the state to silence critical voices and reinforce the status quo. Seemingly neutral legislation and policy can have a gendered impact. For example, organisations working on issues that challenge social norms with respect to patriarchal values and women's sexuality - such as LGBTQI rights groups, or sex workers' groups - are a challenge to the status quo and find the law more assiduously applied to them. In this way, broadly defined laws can and are used to maintain gender inequality and discrimination. Other laws are explicitly discriminatory such as the so-called 'anti-gay propaganda law'30 in Russia, and the Anti-Pornography Act in Uganda, which provides the tools to openly target sex workers.

<sup>&</sup>lt;sup>26</sup> 'Resourcing Women's Rights', AWID, https://www.awid.org/publications/beyond-investing-women-and-girls-mobilizing-resources; Mama Cash, Untapped Potential: European Foundation Funding for Women and Girls, 2011.

<sup>&</sup>lt;sup>27</sup> 'Resourcing Women's Rights', AWID, https://www.awid.org/publications/beyond-investing-women-and-girls-mobilizing-resources; Mama Cash, Untapped Potential: European Foundation Funding for Women and Girls, 2011. http://www.mamacash.org/publications/report-untapped-potential/

<sup>&</sup>lt;sup>28</sup> See Donor support to southern women's rights organisations OECD FINDINGS, November 2016.

<sup>&</sup>lt;sup>29</sup> J. Eisfeld, S. Gunther and D. Shlasko, *The State of Trans\* and Intersex Organizing: A case for increased support for growing but under-funded movements for human rights*, Global Action for Trans\* Equality and American Jewish World Service, New York, 2013.

<sup>30</sup> The Russian federal law for the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values.

### **Political marginalisation**

Alongside state control of civil society through legal means and abuse of state power, activists have also spoken about systematic political marginalisation. For some, this has been through legislation that prohibits political activity by NGOs specifically, pushing them towards service-provision roles and preventing them from holding their own governments to account. For others, this has happened through increasing exclusion from political dialogue and decision-making with government bodies or in mainstream media. In Turkey, government bodies have held dialogue on social issues but only invited CSOs supportive of government positions; in Russia, ministry officials have refused to attend CSOorganised conferences; and in Uganda, CSOs' research on social issues affecting marginalised populations has been discredited as political and anti-government. For those activists working directly with communities on political participation, broader disillusionment of the public as a result of repression and betrayal by political elites has made it hard to mobilise people to participate.

Several activists spoke about a lack of women's voices in the media and a lack of public debate on women's rights issues, especially where mainstream media is a key tool of a repressive state. In the rare instances where women's voices are heard, they only express views that do not conflict with the government's position, and are considered by the activists interviewed to be 'of low quality', leading to a lack of public information around women's rights. This is compounded by the closing of many women's rights organisations due to repressive legislation leaving a dearth of spokespeople to interpret new policies or laws from a feminist perspective; and by the mainstream state-sponsored media targeting women's groups in order to misrepresent them as anti-government or unpatriotic. In the case of women's and trans groups, this is a historic problem that preceded recent trends of closing space. but activists have noted a dramatic increase over the last few years in line with other aspects of closing space for civil society and political expression.

The activists engaged in this research spoke about the lack of support for women's and trans voices from within civil society. Women and trans activists often feel isolated in their efforts because male-dominated civil society does not take them seriously as leaders, and views issues of gender equality and sexuality as secondary to concerns such as democracy or broader political struggles that are interpreted as gender neutral. In addition, cisgender male activists tend to be more respected and visible than women and trans activists. Whereas their arrest or imprisonment can make them 'heroes', women doing the same thing can attract less support, or even vilification for stepping outside of prescribed gender roles. Lesbian and bisexual women can be unsupported by mainstream women's organising.

Some activists stated that women's organisations are more likely to take principled and uncompromising positions in their political advocacy, as opposed to male-dominated CSOs being willing to negotiate compromises that give them some power within the existing order. Women's organisations can therefore be more explicit in confronting the state, and this further isolates them from broader civil society. Activists also identified the fragmentation of civil society as a deliberate goal of state actions to inhibit civil society. With every organisation fighting to survive, divisions are deepening between human rights and women's rights, established male-led organisations and women-led groups, registered and unregistered groups, and feminist elites and low-caste or otherwise marginalised women.

### **Funding approaches**

Activists were also clear that the funding modalities and frameworks used by donors are not neutral in their impact. For some, funding for women's rights issues had been significantly reduced as donors have reframed their support for gender equality as a cross-cutting issue within other donor priorities. This makes it difficult to raise money for critical stand-alone work on issues such as women's participation, voice and leadership or combatting gender-based violence. Decreases in funding are happening just at the moment when this work is becoming more critical in contexts of state repression and increasing violations of women's rights. Many activists said that donors are withdrawing from funding sensitive issues in order to protect other aspects of their work by avoiding negative state scrutiny, or funding only well-established groups more likely to survive crackdowns. This is leaving the most marginalised sections of society without resources or allies.

Activists agreed that the greater availability of short-term and project-based funding puts strain on their organisations. They take on multiple projects in order to keep both projects and the organisation viable and to cover core operational costs. As a result, they must regularly reapply for funding. This diverts them from strategic work and the ability to work with a long-term vision. This has long been an issue for small groups, but in the context of closing space where additional pressures such as online attacks, arrests of staff, and government checks are reducing their ability to achieve social change, these donor pressures compound rather than ease their problems.

# '...work on women's political participation or sexuality could get you killed'.

South Asian activist

### Part 2

# Resisting and responding: activists' creativity, resilience and courage in the face of closing space

The activists supported by Mama Cash and Urgent Action Fund work on politically sensitive agendas from a feminist perspective.

For that reason, the closing space phenomenon is an exacerbation of problems they were already facing - neither funding nor political space have ever been easily accessible for them. Possibly for that reason, their responses to deepening and more widespread shrinking space for political voice, association and peaceful assembly are politically sophisticated and show great resilience and strategic determination.

For some though 'creativity is not enough' – they have seen allies closing down around them, funding drying up, and levels of personal insecurity increasing to life-threatening levels. Most of the activists interviewed concede that new strategies enable them to keep working, but at a slower pace and with less impact. Even for activists in extreme situations, where their work may be put on hold, they continue to build solidarity with other women across political divides and build networks on which to base future action and hope for social change.

Activists' responses to closing civil society space broadly fall under two categories. Firstly, all of them use creative and politically sophisticated strategies to continue organising in relation to their issues, finding ways to work around the legal and practical challenges posed by closing space. Secondly, they employ protective strategies to mitigate the risk to individual activists, staff members and organisations in order to ensure that their activism survives. In each instance, context is key and responses are tailored to the particularities of politics, geography, and issue.

### **CREATIVE SOLUTIONS**

'When they shut the door, we come in the window'.

- Russian activist

The vast majority of activists interviewed talked about the need to be politically smart in their advocacy work, including through national and international collaboration and networking, through strategic use of international legal norms and frameworks, and through strategic use of the media.

### **Being politically smart**

An Indian women-led organisation spoke about circumventing closing space for advocacy at the local level, where intimidation and violence overwhelm the possibility of voice through peaceful protest, and instead bringing the issues they work on to the national level where there is more scrutiny of the corporate behaviour they are challenging. Where it is not possible to contest violations of rights at the national level because of government support for corporate actors, feminist groups have in the past gone directly to the UN. By contrast, a Ugandan group aims to mitigate national level restrictions on political training by building local level relationships with district officials and increasing the group's ownership of work to promote gender equality in decision-making.

Negotiating the gaps between different government agencies can provide entry points for influencing. Ugandan groups build alliances at the national government level in Uganda and support better governance. For example, rather than raising their voice on government failings to enact gender equality legislation and policy, they work with the Ugandan Equal Opportunities Commission urging them to lead challenges to the government. They also work with Ugandan institutions such as the Uganda Human Rights Commission, which is supportive of protection for civil society space.

Some activists, in India, Uganda and Egypt, are able to make use of legal spaces that are still protective to challenge the government to uphold or implement its own laws, and thus position themselves as upholding rather than contesting state authority. This may enable them to delay exploitative extractive projects, halt evictions of communities from their land, force a proper community consultation process, or prosecute state agents for violations of rights. Activists in these countries noted that justice systems still hold the possibility of redress for rights violations, with the judiciary retaining a level of independence from the government.

Activists recognise that nuanced language can contribute to avoiding state scrutiny. Feminist groups work to frame their advocacy in ways that will resonate within their communities. For example, a group which promotes the rights and livelihoods of sex workers has developed a narrative around minimising the spread of disease and enhancing women's capacity in the community, so that they look after their children better. This helps the group find support for its work. Other groups have removed all references to influencing, advocacy and human rights from their public communications, often reframing their work as community education or community building. In India, 'child rights' provides an entry point to advocate women's rights as child rights enjoy the government's incontrovertible support. In Uganda, 'good governance' and 'accountability' critiques of government changes to the constitution have been used to challenge government efforts to undermine LGBTQI rights.

In negotiating restrictions, some activists are forced to selfcensor by choosing less confrontational or direct approaches, for example by not challenging the government publicly, or by minimising the information available online about their work. Whilst they are still operating, it is within tighter limitations.

## Solidarity, networks and coalition building

Alliances and solidarity networks are very important to all activists, both to help them continue their work and find new ways to respond to closing space, but also as a protective mechanism in threatening situations. An Egyptian group has built alliances with cyber-knowledge and knowledge accessibility communities, who do not share all their values but support their broader aim. A group supporting marginalised women's rights and organising in India joins its voice with national lobbies on women's rights, but also against mining, on child rights, and on food security, trying to make links and build civil society's strength to respond across different issues.

For a Ugandan group working through regional organisations or leveraging external voices to speak on their behalf, as well as mounting challenges to closing civil society space, is a key strategy. Similarly, for a coalition of trans activists in Russia bringing the issues they are facing to international attention and drawing on international norms is critical to their struggle. A group working to support sex workers reported that building a movement would not be possible without foreign funding as support for sex workers is very low domestically.

## Using social media to get the message out

A small number of activists were able to use the mainstream media to gain coverage for their issues. An Indian group does this by building relationships with individuals in the mainstream media and using opportunities when the agenda of certain media outlets coincides with theirs. Many activists, however, are not able to access mainstream media coverage and thus use social media to campaign and hold public debate. A Turkish women's group was unable to find a media outlet willing to carry messages about an event they held leading them to stream their own event live on social media sites Facebook and Periscope.

In Uganda, where public protest requires permission, social media provides an alternative channel to remain vocal on contentious issues. Another group uses many different means to educate sex workers and the wider society about sex workers' rights, such as cartoons, paintings and theatre shows on sex workers' lives, but cautions sex workers it supports not to speak to mainstream media who are likely to demonise them.

### **Working with restrictions**

Another common form of response to closing space by activists is to find creative new ways to work that bypass legal and practical constraints, such as setting up and working under new or multiple entities, or by creating new funding channels of their own.

The strategies used by groups that are carrying out activities that their government does not approve of, or has banned, or groups which are unregistered or are not allowed to receive foreign funding, vary depending on the specifics of the context. The innovative strategies designed to circumvent restrictions include: working through fiscal agents to mask the activist's identity as the end recipient; setting up parallel entities which comply with regulations and receive funds (which are then channelled to support the political activities of separate entities); having no legal entity and therefore avoiding scrutiny and surveillance; registering as a company rather than an NGO to avoid restrictive NGO laws; receiving funds into personal bank accounts rather than an NGO account; taking multiple small grants that do not trigger scrutiny because of their size; operating out of a parallel organisation outside the country which receives foreign funding, buys goods and pays salaries; and decreasing transparency in expressing organisational objectives when registering with the government.

### **MITIGATING RISK**

'With or without funding, the resistance is on... we know that the state is going to use all its force to silence us' – Indian women-led group

As well as proactive strategies to respond to closing space and to continue doing their work in new and creative ways, activists employ protective strategies to mitigate the risk to individual activists and staff members, and to groups themselves.

## Financial planning for a sustainable future

Financial security is a major concern for most of the activists involved in this research, and funding shortfalls threaten their existence. Many are implementing cost-saving measures, sometimes increasing their insecurity, and are actively looking at ways to plug gaps in core funding to pay staff salaries and support safe physical spaces to operate from. For several of them, donors' unwillingness to provide core funding means that the only way to cover core costs is to run larger numbers of programmes and share resources and core assets such as equipment, space or staff between them; or even to work in different jobs and invest their salaries back into their organisations, or take personal loans. Running multiple projects puts additional pressure on staff who are constantly overstretched in order to make ends meet. One Egyptian group reported working holidays and weekends to manage the paperwork for additional project funding in order to fully fund activities, as each grant on its own is insufficient to cover the true costs.

Other activists are becoming more politically savvy about who they accept money from, seeking donor partners that will support core costs and are supportive of women's organising and the challenges they face. However, the ability to be selective was not an option for all activists. Others are looking at alternative ways to meet their own funding needs rather than follow donor priorities. Indian activists are requesting community contributions in kind from the populations they work with – such as food and accommodation – to reduce their expenses.

A small number of activists were tackling sustainability by setting up their own foundations or women's funds to fill funding gaps experienced by the community-based groups and activists they support. These foundations would be able to circumvent foreign funding restrictions and provide urgent, rapid support to survivors of violence, fellowship grants to activists, and long-term support to small CBOs led by women from marginalised communities.

## Physical security, digital security, building networks and sustaining activism

Sustaining activism and resistance is about security, but it is also about sustaining physical health and emotional and mental well-being. Activists are continually battling against those with more power and resources and often experience elevated levels of stress from personal and professional threats.

### 'That night I was very sure I would die. I didn't, but a couple of days later I was fired from my job for signing a petition for peace'. – Turkish activist

Activists viewed strong alliances and networks as critical for survival, sustaining morale in the face of abuse and public denigration. Being well networked also creates protection in the face of physical threat or the threat of organisational closure. In some contexts, notably Uganda, international frameworks, institutions and mechanisms provide some level of protection from the state, and groups see increased value in links with external actors in the context of 'shrinking space'. In India, activists rely on strong solidarity networks within the country, in South Asia and internationally to ensure they are not isolated in a crisis, but can draw on emotional support and get information into the public domain as a protective measure. Visibility and alliances can reduce vulnerability to extrajudicial violence and intimidation, but in other contexts visibility, and particularly links outside the country, can increase vulnerability to state-sponsored attacks.

Physical security is a higher concern in some contexts than others. One group is careful not to publish any information about staff online. Office security includes alarm buttons connected to a security agent and cameras allowing them to view what is happening outside on the street. Staff have also had to change their place of residence for security reasons. An Indian activist has sent her family to live in another area to ensure their safety. Another Indian group has changed its protocol for conducting fact-finding visits into violations of marginalised women's rights, cancelling trips to some areas altogether, and ensuring fact-finding is always done in a mixed team with a lawyer or journalist present and always with local support. An Egyptian group conducts thorough background checks on anyone applying to attend their seminars.

Digital attacks are one of the main threats to groups' work, undermining their ability to operate and exposing sensitive information. Many have undergone training on information and communication security measures such as encryption, and have upgraded hardware and software to use more defendable operating systems and protect them from malware. One group interviewed has recently been hacked and is now trying to find funds for improving digital security by cutting small amounts from other areas of spending. In Uganda, numerous incidences of break-ins to civil society organisations and theft of computer hardware has made groups aware of the need to increase measures to protect digitally stored information. Many are also alive to the need for precautions online, such as masking their real identities on social media, avoiding language that authorities see as inflammatory and minimising information published online. For some groups, the ability to comply with laws governing civil society offers some protection from state interference where legal institutions are independent of government, and so strict adherence to accounting, documentation and legal compliance is important.

Finally, groups and individual activists are speaking about and trying to address issues of physical and emotional well-being to ensure they are able to continue their activism. A network supporting lesbian, bisexual and trans activists provides training on self-care for its network members and, like many others, ensures mutual support is available to its members when needed. Others are working to establish new networks of solidarity with women across the political spectrum to create a foundation for future activism at a time when the political context becomes more conducive to their activism. They see this as a way to 'fight their own depression' about their ability to have a voice in a rapidly deteriorating context.

# 'I was fired for signing a petition for peace'.

- Turkish activist

### Part 3

# The role of funders

Interviews with activists have shown that women's participation and voice is disproportionately impacted by closing of civil society space largely due to pre-existing gender discrimination, but also because the state targets women- and trans people-led organisations and instrumentalises women's rights issues to further polarise public opinion.

Women and trans people whose identities intersect with other axes of discrimination, such as sexual orientation and ethnicity, find it even harder to keep organising for these same reasons. In contexts of closing space for freedom of expression, association and peaceful assembly, those who had the least access to power and influence in the first place are often the first voices to be silenced.

When donors walk away from contexts of deteriorating political space because of the challenges of funding, or fail to adapt their funding strategies to meet the realities on the ground, the most politically marginalised are likely to suffer more heavily. Women-led organisations working on issues that are viewed as less threatening by the state may not be affected to the same extent, but – depending on the context – women raising their voices about political participation, sexual orientation, transphobia, or Indigenous women's land rights become further marginalised and threatened without international support. Equally importantly, organisations' and movements' ability to prepare for the future and maintain their activism in the long term is weakened as many organisations will not survive.

Sustainable transformative change for women and trans people requires their participation in social movements for change, their voice in decision-making and their presence in political institutions. Research shows women's informal organising is a key means of building skills, networks and experience to influence decision-making.<sup>31</sup> Therefore, there is a need to fund women- and trans people-led organisations to exist for the long term, not just to deliver services to populations that governments are not willing or able to reach.

Activists report that donors too often look to women- and trans people-led organisations as an alternative development delivery mechanism to achieve their own organisation's gender equality priorities. In their experience, this approach instrumentalises activist groups and ignores the legitimacy of locally developed agendas. It also overlooks the importance of ensuring a healthy and robust civil society as an important end in itself. In interviews, activists expressed the view that donors should be looking to support their existence through providing core funding to support salaries, offices, security and equipment. This type of support will allow local groups to build long-term strategies and presence in contexts where their public voice and presence is coming under increasing threat. Activists argue that a key goal of funding civil society must be to ensure a diverse, healthy civil society and to provide support to movements for social justice. This is particularly important because social change is often, if not always, underpinned by social movement organisations who are rooted in the communities they represent.32

P. Domingo et al, 'Women's Voice and Leadership in Decision Making', Overseas Development Institute, 2015. https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/9636.pdf (accessed 16 November 2016).

<sup>&</sup>lt;sup>32</sup> M. Htun and L. Weldon, 'The Civic Origins of Progressive Policy Change: Combating Violence against Women in Global Perspective, 1975–2005', American Political Science Review, Cambridge University Press and the American Political Science Association, 2012.

### **Recommendations from activists**

### 1. Fund self-led groups

Funding long-term social change for women and trans people – rather than short-term results that cannot always be sustained and do not address the underlying issues – involves supporting women's and trans people's own collective initiatives to claim their rights and make positive changes in their communities. Social change that is truly empowering and inclusive is led by people speaking for themselves and representing their own interests. Moreover, self-led change has also been shown to be effective in securing lasting structural change in, for example, laws, and social norms.<sup>33</sup>

The continued existence of women- and trans peopleled groups as part of a diverse and healthy civil society is particularly critical in contexts of 'closing space' where women's and trans people's voices are being increasingly silenced, and where there is a clear need for counter-narratives from within civil society that can push back on growing discrimination against women and trans people.

### 'Donors should be interested in supporting the project to build for the future. Most funders don't care if you sustain yourselves or not'. – Egyptian group

Funding strategically for social change that lasts beyond the timeframe of donor support means funding self-led groups who have a stake in that change, and ensuring their long-term existence by investing in their institutional capacity and future sustainability. As self-led groups are often underfunded, and therefore may have only basic structures in place, this means being prepared to accept a level of risk in funding groups that are not yet well-established.

Activists expressed frustration that many donors are not interested in supporting groups to grow and achieve long-term sustainability. One cited the example of a donor that funded the rental, rather than purchase, of key equipment in case the group did not continue working beyond the life of the project funding.

### 2. Support local priorities and agendas

Supporting local priorities and agenda setting is closely linked to funding self-led groups to pursue long-term change. Activists urged donors to review their own priorities and to think about how their funding can support initiatives on the ground to build local constituencies and movements. To successfully do this, activists encouraged donors to dialogue with them, and to make sure that their funding supports local expertise and knowledge, rather than donor priorities that may have been formulated without consulting local partners. In contexts of closing space, responding to local needs can be the difference between groups surviving or shutting down. Keeping lines of communication open through dialogue and convenings makes an important contribution to helping donors align their agendas with those of activists and creating space for valuable exchange.

### 'I wish donors were more open to supporting what the group needs at this moment, rather than what they are interested in supporting'. – Egyptian group

Activists also noted that many donors prefer to fund campaigning rather than community building, which increasingly conflicts with what is possible in contexts characterised by closing democratic space. Activists viewed community building as more important in closing societies, and in some cases the only option, in order to lay the foundations for future campaigning when the environment to do so is more promising.

Further, activists request support to engage in conversations with donors about what funding is needed in their contexts for particular groups. In contexts of closing space, rapid change and deepening political challenges, local groups are best placed to determine the needs, the opportunities and tactics. They look to **funders** to acknowledge, support and amplify their analysis and agendas.

Hun and Weldon 'Supporting women's rights organisations ... to make change and build strong and inclusive social movements is the most effective mechanism for ensuring sustainable change in the lives of women and girls', *UK Department for International Development*, 2012, as quoted in 'Womankind Worldwide, Leaders for Change: Why support women's rights organisations?', March 2013. See also 'Comic Relief Review: What added-value do organisations that are led and managed by women and girls bring to work addressing the rights, needs and priorities of women and girls?', Comic Relief, July 2012.

### 3. Fund flexibly

Activists are interested in donors being flexible in terms of what they are prepared to fund (e.g., the types of expenses, the issues, etc.), but also in terms of the kind of funding they provide, so that grant money can be used to respond to changing needs. In contexts of closing space, flexibility includes supporting groups to work safely by funding them in ways that allow them to set their own agendas and decide for themselves which 'tools' to use, for example whether to go out on the streets or advocate online, as well as to respond to sudden security threats, or react to unexpected opportunities.

They also expressed a need for 'safe' money – i.e. money that avoids state scrutiny by using funding mechanisms that are more suitable to the situations groups find themselves in. Examples include transferring the grant money, in the form of regular small amounts, into personal accounts rather than only through registered NGO accounts, through intermediary organisations, and via enterprise counterparts. They were grateful for donors who did not require receipts, since unregistered groups are unable to obtain receipts and doing so would compromise their need for anonymity. They urged donors to recognise that many groups use multiple identities – online campaigns, legal entities, sister organisations – in order to keep themselves safe, and to work to find ways of funding them.

Smaller groups experience the inaccessibility of funding as a key issue and recommend rethinking grant application processes to make them simpler and proportionate to the size of grants and applicants. Funding unregistered organisations was also considered as a very positive practice for groups operating in a context of closing space. One activist has set up a local social enterprise for women which could be supported by donors, avoiding legal restrictions to foreign funding for NGOs, and could in time turn a profit to support women's rights groups that are unable to get funding from outside the country.

Rapidly changing situations that often associated with closing space require that groups be able to respond to changes in order to stay relevant and effective. Flexible funding allows them to agree and implement changes once the programme is underway. Activists spoke about flexibility allowing them to respond to the most urgent needs of communities, for example changing use of funds from peace-building to humanitarian assistance when war breaks out. Their ability to change focus to address the most pressing need is based on an in-depth understanding of the situation on the ground.

### 4. Fund core costs and provide long-term grants

Core funding is an essential part of supporting long-term sustainable change and locally-led priorities. Activists also spoke about the particular value of core funding to them in negotiating closing space, and in particular improving their chances of surviving beyond the next one to two years.

An activist delivering services to sex workers and advocating on their behalf sees core funding as a means to own office space, giving the group greater financial security and removing the constant threat of eviction which drains energy and resources. The importance of allowing activist groups to invest in property was echoed by several interviewees, as it allows them to build capital assets and avoid the risk of being evicted, which often has an impact on their ability to implement their activities.

For Indian and Ugandan activists engaged in this research, core funding can support institutional strengthening and professionalism, thus ensuring, for example, that the organisation has been properly audited, that legal documentation is in order, and that staff receive salaries and social security on a regular basis. Strict legal compliance is a good prevention against state harassment in certain contexts where legal institutions are independent of the state. A Ugandan activist spoke about 'professionalism' supported by core funding also helping the group's credibility, which in turn helps them to build alliances. Being seen as credible encourages other civil society groups to affiliate with the organisation, for example by inviting them to participate in civil society events and coalitions, and making other groups comfortable to visit the group's offices. This is important where the group is building support for populations who are socially isolated.

Building staff skills was another cost which is critical to the effectiveness of organisations and particularly to their ability to build networks beyond their borders. In threatening contexts, this allows them to communicate human rights violations externally, and feed their perspectives and experiences into international movements.

Several activists spoke about the paradox of having projects funded that will be running next year, but no money to pay staff to run them. To be effective they need to be able to afford staff with the right skills. They noted that lack of core funding hits small women- and trans people-led groups hardest, and that international non-governmental organisations (INGOs) manage to support 'a huge number of staff', but that smaller groups are often unable to find any donor who is willing to support salary payments. Donor project funding that restricts spending on core costs often applies the same limits on, for example, administrative costs and numbers of staff across all sizes of organisations. This disproportionately affects the growth and capacity of small organisations as they are working with limited infrastructure such as staff and equipment, and are unable to cover any unfunded core costs associated with projects. Furthermore, in a context of closing space, states often impose stricter administrative and bureaucratic requirements on CSOs. Core funding can therefore support organisations' compliance with administrative requirements and ensure their survival.

Long-term funding is also key to ensuring the sustainability of women- and trans people-led groups and their ability to focus on strategic work. For all activists interviewed, who are already doing work that is difficult to find funding for, closing space brings additional funding challenges. In these difficult times, long-term funding is even more vital. In addition, seeking funding can divert time and energy from critical work. Instead of paying attention to political issues, groups under increasing political pressure are busy fundraising for the survival of the organisation.

'We are busy looking for money to pay staff, for money to pay rent, and for money to survive as an organisation ... and that takes you away from the strategic work you should be doing to make sure that the state doesn't clamp down on women's rights organising'.

### - Ugandan organisation

Women's and trans groups and activists need long-term unrestricted funding that is designed to sustain their organising by including funding for security mitigation and response (i.e., office move in case of eviction), digital security training, and budget lines for rest and recuperation of staff that are being actively targeted. The possibility of funding these types of costs with a grant should be made available not only after an attack on the group or a case of staff burn-out makes the need for these measures evident; this type of security funding should be a flexible part of the grant itself, that can be activated at any time, as a preventive measure that can ensure the long-term sustainability of a group's activism.

### 5. Follow a partnership funding model

Funding flexibly, helping build organisations' capacity and sustainability, and supporting their priorities are all aspects of creating genuine partnerships with women- and trans people-led groups. Many activists spoke about the value of donor relationships built on mutual respect and trust - trust that organisations have the best knowledge of reality on the ground and are best placed to decide how to respond, and trust that donors are not going to exacerbate the difficulties they are facing by insisting on particular strategies or requiring excessive reporting. Activists are in fact sometimes reluctant to present all aspects of their work because of their duty of care to their staff and the security risks inherent even in private communications with donors. They value donors making an effort to understand what is achievable for a group with more basic structures in place, rather than assuming that they can work in the same way as a better-funded group, or that they can use a strategy that has been effective in a different context.

'If there is not good understanding and capacity-building on both sides [with a donor] funding can limit you more than it helps you achieve your goals'. – Egyptian group

Models of reporting that activists felt reflected a partnership approach were those that required a reduced level of paperwork appropriate to the size of the organisation and scale of the grant, rather than applying standard reporting requirements that add to the burden of work of already stretched organisations. Valuing the group's own assessment of their work and their responses to new challenges was also seen as important rather than relying solely on quantitative results. Activists also spoke about the need for strategic patience, particularly in difficult and rapidly changing contexts, and the need for trust of local partners if results are not achieved quickly.

Activists are looking for active communication with donor partners, not just a financial relationship. They want donors to view reporting as an information exchange rather than a 'grilling', to show an interest in their safety, and the challenges to their work, and to back up their advocacy through their own influencing channels. Activists also felt that partnerships with donors that were most valuable to them also brought non-financial resources to the partnership, such as networks, research, advice and introductions to other donors. Some activists, despite their circumstances, say that are beginning to be selective about donors they will work with and look for genuine partnerships, rather than what can feel like extractive relationships.

Donors can play a role in bringing the voices of their partners to wider audiences, through linking them with media, and through inviting and funding them to attend international conferences to represent the populations they work with or to participate in global movement building.

### 6. Increase funding for feminist organising

Research into funding trends has shown that women's rights organisations – led by women and working from a feminist perspective – are under-resourced and receive only a small proportion of donor funding made available for work on women's rights and gender equality.<sup>34</sup> Research on trans and intersex organising similarly finds that trans and intersex groups are under-resourced, especially when led by trans and intersex people.<sup>35</sup> Finally, research on funding trends for lesbian, bisexual, and queer (LBQ) women's organising analysing 2013 and 2014 shows that only a small part of the total funding to LGBTQI was directed to LBQ-led groups.<sup>36</sup> <sup>37</sup>

In countries where space is closing, it is important to maintain funding for feminist organising. This means that donors should avoid granting bigger amounts to fewer organisations that are considered safer from state interference due to their political stance. Instead, greater efforts should be made to maintain the accessibility of funding to larger numbers of organisations, including feminist groups, that are in conflict with patriarchal power structures for challenging nationalist narratives that are inherently sexist and heteronormative.

In addition to the need for greater resources for feminist organising, several of the activists involved in this research are deeply concerned and affected by falling levels of funding for work on women's rights issues, particularly in countries that have previously received development funding for women's rights and gender equality work.

For Indian activists engaged in this research, the overall reduction in levels of development funding to India is deeply worrying. It fails to recognise the human rights violations and inequality at the heart of India's development, and the poverty, discrimination and human rights abuses that some populations experience. As these rights abuses increase in a context of closing space, the reductions in levels of international funding leave marginalised people isolated. In addition, the Indian activists reported the withdrawal of INGO development funding for marginalised women - poor, low caste, and ethnic-minority women - who had previously been funded to mobilise for their rights. Funding for work with these women has particularly dropped and is now at negligible levels according to one activist, and is directly linked to 'strategic withdrawal' by donors. Donors close down work that might be viewed as contentious, rather than risk being expelled from the country by conflicting with new restrictions in a context of 'closing space'.

Similarly, funding for women's rights in Uganda is decreasing and instead donor approaches are looking to 'mainstream' support. Activists noted that stand-alone work on women's rights – such as women's leadership programmes – is incredibly difficult to fund through mainstreamed programmes. The extent to which closing space is driving the decrease in funding for women's rights, as opposed to other possible reasons for such decreases, is unclear to activists. At the same time, they do link donors' decreased willingness to invest in more politically charged and therefore risky initiatives to the closing space phenomenon.

<sup>&</sup>lt;sup>34</sup> J. Miller, A. Arutyunova, & C. Clark, New Actors, New Money, New Conversations: A Mapping of Recent Initiatives for women and Girls, AWID.

<sup>&</sup>lt;sup>35</sup> J. Eisfeld, S. Gunther and D. Shlasko, *The State of Trans\* and Intersex Organizing: A case for increased support for growing but under-funded movements for human rights*, Global Action for Trans\* Equality and American Jewish World Service, New York, 2013.

A more updated research on funding trends for lesbian, bisexual, and queer (LBQ) women and gender-non conforming (GNC) people is in the making as part of the Astraea Lesbian Foundation for Justice and Mama Cash's project on Philanthropic Advocacy for LBQ Women's and LBQ Gender Non-Conforming Peoples'

<sup>&</sup>lt;sup>37</sup> Global Philanthropy Project and Funders for LGBTQ Issues, 2013-2014 Global Resources Report: Philanthropic and Government Support for Lesbian, Gay, Bisexual, Transgender, and Intersex Communities, (2016).

### 7. Fund convenings, networking and alliance building

Funding convening, networking and alliance building was universally important to activists, and was cited as a coping strategy in the face of closing space, bringing a variety of tangible benefits.

A key reason for supporting national networking and convening of activists and organisations is to support movement building, broadening public support for and engagement in citizen-led alternatives to current power structures and ideologies. This is particularly expensive to do when closing space requires that convening takes place outside of the country in order to ensure the safety of participants. As well as providing a space for participants to discuss alternatives for the future, meetings can also provide an opportunity for joint strategising and learning about how to resist and respond to closing space itself, including with donors.

International convenings can facilitate learning across borders about resisting and responding to closing space between groups who have long experience and groups for whom restrictions are emerging. It can also strengthen international movements on issues such as LGBTQI rights and sex workers' rights, and bring local perspectives to bear on strategies for international advocacy.

Convening and networking are also mentioned as tools to counteract the fragmentation of civil society that is fostered by states applying a 'divide and rule' strategy as part of their closing space efforts. Providing groups with the resources to build alliances can be a powerful way to foster movement building. And when groups are not in the position of organising these spaces autonomously, donors can play an important role as space-builders provided that they are respectful of and responsive to the needs identified by the groups themselves.

Participating in international gatherings is also mentioned as an important way to build the confidence and skills of activists to protest and challenge rights' violations in their own countries. It also gives them an empowering channel to make their voices heard globally. At the same time, it is protective against attacks on them as activists in their own countries by bringing global attention to their experiences and building supportive alliances. Depending on the context, however, it can also do the reverse, increasing the risk to activists by drawing attention to them and their international links. Donors should trust activists' risk assessment when proposing their participation in international spaces, and invest sufficiently to ensure that their participation does not jeopardise their security. Building links with international bodies through collaboration on research was also regarded as a way of strengthening the evidence base for local- and national-level advocacy.

Local-level networking between smaller and emerging civil society groups was important in order to share and build skills in fundraising, to pursue joint projects which could not be achieved individually, and for protection. One activist noted that small groups are particularly at risk.

'For a young group, we can simply disappear and no one knows anything about us. Being well known gives you a little bit of protection. Small groups disappear and become just one of the stories that we share on social media all the time'. – Egyptian group

At all levels, activists and groups expressed the view that they are fighting powerful vested interests (the state, the church, corporates or non-state armed gangs); often these groups collude to protect their power. Activist groups are at a disadvantage in every regard, and the only way they can tackle existing power structures is by coming together. This needs to be funded.

### 8. Support individual activists

Women and trans activists, whether working in organisations or loose networks, reported being under an enormous amount of strain which is greatly compounded by closing space. It not only presents additional challenges to their organising, but also puts additional pressure on the populations they are working with, leading to greater demands on them such as responding to increasing gender-based attacks against women and trans people.

Supporting individuals to stay safe through funding personal and organisational security measures, building international support and visibility for their work, and supporting them to build local alliances with other groups for mutual support, can help them to keep organising in the face of intimidation in some contexts. However, as noted above this can also increase the insecurity of individuals. A specific measure mentioned by one activist was to facilitate long-term entry visas into safe countries. In the past, this has saved the lives of activists who can flee at short notice. Making funding available specifically for security mitigation and response can be life-saving, such as relocating offices or homes in the event of death threats, or providing legal support to those arrested or imprisoned. Importantly, this security funding should be available also for in-country measures, instead of only for emergency evacuation abroad, to allow activists to stay in their countries and carry on their work.

Supporting activists is not only about security, but also about investing in their skills. Small organisations often thrive against the odds because of dynamic leadership. Individuals who drive organisations and movements can be change-makers for whole communities. Investing in them as leaders through training, leadership skills and reliable salaries can make a long-term impact, enabling them to sustain their activism alongside family life rather than be forced or pressured into leaving human rights work to pursue other livelihoods.

Activists talked about the impact of growing pressures of state-sponsored restrictions and intimidation. For many, even those who felt physically safe in the immediate term, there is a recognition that their physical and mental health is being undermined by the long-term strain they are under. Self-care for activists becomes of paramount importance to ensure that they can sustain themselves and others in their activism. Support for activists in danger of 'burning out' in stressful situations is recommended. Measures included donor partners checking in with them to provide moral and practical support in the event of sudden political upheaval in their country; moral support through recognition of their work, such as putting them forward for international awards; and financial support to individuals such as funding healthcare, which many of them have an increased need for as a result of their work.

In addition, a large number of individuals recommended supporting activists to restore and recharge themselves through occasional breaks from their work outside of their own countries allowing them to meet with other activists and offer mutual emotional support to each other.

Given that the strain on activists is a result of threat, but also of workloads and maintaining their activism on the margins of organisational survival, the other recommendations above, particularly concerning core and long-term funding, can help to reduce the pressure on activists and ensure they are physically and mentally able to sustain their organising. Donors should explicitly offer the possibility of funding self-care activities with their grant to support the mental and physical health of activists

### Reflections and further recommendations to the donor community

Reflecting on the recommendations from the activists and conversations with a number of funders working closely with groups affected by closing space, some key recommended practices and actions emerged. The aims of restrictions on foreign funding and of other legal restrictions are to shut down civil society or control it by fragmenting it and isolating groups from their support networks. It is critical that funders do not react to increasing challenges by 'strategic withdrawal', but work to find ways to continue funding and supporting activists for as long as possible. In doing so, it is important to have an increased awareness of activists' security needs and the possibility of putting them at risk, even inadvertently.

Philanthropic funders, such as women's funds, and private and public foundations, that are working directly with women- and trans people-led organisations, can:

- Equip activists with the ability to deal with pushbacks by ensuring legal compliance and correct documentation in line with the requirements indicated by activists themselves, as far as possible. This gives them confidence to do the riskier work, knowing they are on solid footing if they get investigated;
- Increase the flexibility of their funding, accepting a level of risk, to fund unconventional arrangements that can reach feminist groups organising on the margins of society, and to make funding adaptable to rapid contextual changes;
- Raise and allocate unrestricted funding with which to fund the difficult issues, the most marginalised groups, core support, advocacy work and movement building.

### Bilateral donors and multilateral agencies, can:

- Work with foreign policy counterparts in their own governments to combine influence with funding, by speaking out or sanctioning restrictions on freedom of expression, association and peaceful assembly, and challenging abuses against women human rights defenders;
- 2. Move towards more core support and longer-term funding;
- 3. Disburse more funding for women's rights and gender equality through intermediaries, such as women's funds, who have genuine links with, and can fund, self-led grassroots organisations, and who disburse significant funding in the global South, prioritising the agendas of these movements;
- 4. Influence other international and regional funders to appreciate the importance of supporting women- and trans people-led groups, and leverage networks to bring support to under-funded issues and populations;
- Analyse which groups are no longer directly accessing funding – in which geographical areas and on which issues

   as a result of closing space. Look to continue support in different ways, or through intermediaries.

### The funding community as a whole can:

- Work together to find practical ways to work around funding restrictions that make it difficult to reach groups under threat;
- Make grants more accessible and more flexible to reach smaller groups through simplifying application procedures – especially big funds aimed at women's organising, such as the UN Trust Fund to End Violence Against Women;
- 3. Work to fill research and knowledge gaps on the gendered nature and impacts of closing space for civil society – including by connecting and interrogating the analytical frames used in development, human rights and other fields;
- 4. Adapt funding strategies, mechanisms and frameworks to address the gendered drivers and enablers of closing space;
- Be aware of, and aim to mitigate rather than inadvertently reinforce, the fragmentation of civil society that is a deliberate outcome of closing space;
- Engage with local philanthropists and corporate funders on the importance of supporting human rights issues, and help to shift their paradigm of charity or service delivery-focused giving to rights-based giving.

### Further areas for research and knowledge gaps

In addition to the recommendations made by activists and the funders who regularly work in partnership with them, the research behind this report has pointed to a number of research and knowledge gaps on the gendered nature of closing space. Funders, academics and allies can work to fill and thereby enhance their strategies to respond to closing space.

These research and knowledge gaps include:

- The impact of general civil society restrictions on feminist organising, feminist leadership (or new models and approaches to transformational leadership and voice), and on the diversity of civil society as a whole.
- 2. The impact of closing space on LGBTQI groups, and especially the experience of trans activists and groups, needs further research and attention within response strategies.<sup>38</sup> Trans activists spoke of their marginal position within LGBTQI rights movements, and the need to understand transphobia independently of homophobia. Similarly, lesbian activists mentioned the need to increase the understanding of lesbophobia and its influence in the reduction of civic space and the distribution of funding for their activism.
- 3. The impact of closing space for civil society on national women's organisations and movements.
- 4. The increasing fragmentation of civil society as a result of closing space – what deliberate tactics are driving it, how can it be addressed, and what is the likely long-term impact on different sections of civil society, including the participation and voices of women and trans people.

<sup>38</sup> Notwithstanding excellent analysis by Global Philanthropy Project - Global Philanthropy Project, *The Perfect Storm: The closing space for LGBT civil society in Kyrgyzstan, Indonesia, Kenya and Hungary*, Global Philanthropy Project, New York, 2016.

# 'I wish donors were more open to supporting what the group needs at this moment...'.

- Egyptian activist

# Conclusion

# Feminist organising has always been challenging in patriarchal societies where women's voices and participation are marginalised and devalued.

For many women- and trans people-led groups, the current phenomenon of closing space for civil society is an extension of the challenges they have faced for decades. Their experience of negotiating exclusion and harassment through resourcefulness and determination stands them in good stead in developing ways to continue their organising in the face of shrinking political space.

However, the restrictions that accompany closing space come on top of already significant challenges; for some groups survival is uncertain. One challenge is the draining away of vital international donor support, as well as civil society support from within their own countries, for feminist organising. Additionally, many activists say that attacks on solidarity, networks and channels to make their voices heard has been more devastating than the loss of financial support. State actions that interfere and intimidate can push funders and CSOs alike to prioritise a narrower set of organisational interests and leave the most marginalised isolated.

Despite this challenging picture, activists expressed determination to keep organising on feminist agendas even if it means scaling back activities to smaller solidarity actions and building networks until political advocacy is once again possible. Women- and trans-led groups are best placed to defend women's and trans rights that are under increasing threat; supporting the survival of women- and trans-led groups can lay the foundations for broad-based social justice movements in the future.

What can funders do to support activists in these challenging circumstances? Activists are telling us that donor support for feminist organising is arguably more important than ever. The donor community is in a position to use its resources and networks to create greater understanding of the gendered enablers, drivers and impact of closing space for civil society in different contexts. Increasing awareness and understanding will enable donors to adapt their funding strategies and practices to better support those most under threat. Further gendered analysis can also provide a better understanding of the long-term risks of not supporting feminist organising for maintaining diverse and robust civil society.

The donor community can reflect on how, who and what they fund – and how that may be impacting civil society in different contexts. Donors can think about the results frameworks they use, paying attention to how activists define results and success, and bringing greater flexibility to monitoring and results assessment. Donors can strengthen their partnerships with activists by working to increase their flexibility and responsiveness in changing and challenging contexts. In all of these ways, donors are in a position to help share the risks and burdens of feminist activism in hostile and shrinking space.

'We are looking for money to survive as an organisation. ...and that takes away from the strategic work to ensure that the state doesn't clamp down on women's rights organising'.

Ugandan activist

# Bibliography

Practical recommendations for the creation and maintenance of a safe and enabling environment for civil society, based on good practices and lessons learned, Annual report of the United Nations High Commissioner for Human Rights, (2016), (A/HRC/32/20).

Challenging the Closing Space for Civil Society: A Practical Starting Point for Funders, Ariadne, International Human Rights Funders Group and the European Foundation Center, (2016).

Our Right To Safety: Women Human Rights Defenders' Holistic Approach to Protection, AWID, (2014).

Available at: http://www.awid.org/sites/default/files/atoms/files/Our%20Right%20To%20Safety\_FINAL.pdf.

Carothers, T. & Brechenmacher, S., 'Closing Space: Democracy and Human Rights Support Under Fire', Carnegie Endowment for International Peace, Washington D.C., (2014).

Carothers, T., 'The Closing Space Challenge: How are Funders Responding?', Carnegie Endowment for International Peace, Washington D.C, (2015).

Grantee and Applicant Perception Report, prepared for Mama Cash, Center for Effective Philanthropy, (2014).

Available at: http://www.mamacash.org/content/uploads/2015/06/CEP-Grantee-and-Applicant-Survey-Results-Full-Report.pdf.

Civil Society Watch Report 2016, CIVICUS, Johannesburg (2016).

Duke Law International Human Rights Clinic and Women Peacemakers Program, *Tightening the Purse Strings: What Countering Terrorism Financing Costs Gender Equality and Security* (2017).

Dupuy, K., Ron, J. & Prakash, A. (2016) 'What drives the crackdown on NGOs, and how can it be stopped?' openGlobalRights Debate: Closing space for civil society. Available at https://www.opendemocracy.net/openglobalrights/kendra-dupuy-james-ron-aseem-prakash/what-drives-crackdown-on-ngos-and-how-can-it-b.

Dupuy, K., Ron, J. & Prakash, A., 'Hands Off My Regime! Governments' Restrictions on Foreign Aid to Non-Governmental Organizations in Poor and Middle-Income Countries', World Development, (2016).

Eisfeld, J, Gunther, S and Shlasko, D., 'The State of Trans and Intersex Organizing: A case for increased support for growing but under-funded movements for human rights.', Global Action for Trans Equality and American Jewish World Service, New York, (2013).

Gilbert, C., 'Missing: an international response to the rising tide of impunity', openGlobalRights debate on closing space for civil society, (2016). Available at https://www.opendemocracy.net/openglobalrights/cathal-gilbert/missing-international-response-to-rising-tide-of-impunity.

The Perfect Storm: The closing space for LGBT civil society in Kyrgyzstan, Indonesia, Kenya and Hungary, Global Philanthropy Project, New York (2016).

Green, S., 'Responding to the Closing of Democratic Space', Center for Strategic and International Studies, Washington D.C, (2015).

'Closing Civic Space: Impact on Development and Humanitarian CSOs', Global Trends in NGO Law Vol 7. Issue 3, International Center for Not-for-Profit Law, (2016).

'Survey of Trends Affecting Civic Space: 2015 - 2016', Global Trends in NGO Law Vol 7. Issue 4, International Center for Not-for-Profit Law, (2016).

'Perspectives on the Shrinking Space for Civil Society and Human Rights Defenders', Kios Seminar Report, Kios Foundation, Helsinki, (2015).

Annual Report 2015, Mama Cash, (2016). Available at: http://www.mamacash.org/publications/annual-report/.

Mama Cash, (2015) Funding Feminist Activism: Strategic Plan 2015 -20.

Available at http://www.mamacash.org/publications/funding-feminist-activism-mama-cash-strategic-plan-2015-2020/.

Grant-making with a gender lens: Five feminist case studies, Mama Cash, (2015). Available at: http://www.mamacash.org/publications/grantmaking-gender-lens/.

Untapped Potential: European Foundation Funding for Women and Girls, Mama Cash, (2011).

Mendelson, S., 'Why Governments Target Civil Society and What Can Be Done in Response: A New Agenda', Centre for Strategic and International Studies, Washington D.C, (2015).

Mehtta, A., 'Are we being innovative in protecting civic space?', openGlobalRights Debate on closing space for civil society, (2016). Available at https://www.opendemocracy.net/openglobalrights/araddhya-mehtta/are-we-being-innovative-in-protecting-civic-space.

Miller, J., Arutyunova, A., & Clark, C., New Actors, New Money, New Conversations: A Mapping of Recent Initiatives for women and Girls, AWID.

OECD DAC Network on Gender Equality (GENDERNET) Donor Support to Southern Women's Rights Organisations: OECD Findings, (2016).

OECD, Social Institutions and Gender Index 2014 – Country profiles for Egypt, Russian Federation, Turkey, China, Uganda and India. Available at: http://www.genderindex.org/countries.

Fundamentalism and its impact on the rights to freedom of peaceful assembly and of association A/HRC/32/36, Report of the UN Special Rapporteur on Freedoms of Peaceful Assembly and Association, (2016). Available at: http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/AnnualReports.aspx.

Comparing States' Treatment of Business and Associations (A/70/266), Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association (2015). Available at: https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/242/64/PDF/N1524264.pdf?OpenElement.

Threats to the rights to freedom of peaceful assembly and of association for groups most at risk A/HRC/26/29, Report of the UN Special Rapporteur on Freedoms of Peaceful Assembly and Association (2014). Available at http://www.ohchr.org/Documents/Issues/FAssociation/A-HRC-26-29\_en.pdf.

Walker, D., 'How Can We Help You?', State of Civil Society Report, Ford Foundation, 1–7, (2015). Available at: http://civicus.org/images/SOCS2015\_ESSAY27\_HowCanWeHelp.pdf.

'Gendering Documentation: A Manual for and about Women Human Rights Defenders', Women Human Rights Defenders International Coalition (WHRD-IC), (2015). Available at http://www.defendingwomen-defendingrights.org/wp-content/uploads/2015/12/WHRD-IC-Gendering-Documentation-Manual-1.pdf.