CONSULTATION REPORT:

HOW TO CREATE AND MAINTAIN CIVIL SOCIETY
SPACE. WHAT WORKS?
MIDDLE EAST AND NORTH AFRICA

November 2015

CIVICUS

Who We Are

CIVICUS is a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS strives to promote marginalised voices, especially from the Global South, and has members in countries throughout the world.

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1. Introduction

1.1. Background

As part of a series of regional consultations, CIVICUS, under the auspices of the Civic Space Initiative (CSI), convened a civil society consultation from 29-30 October 2015 in Beirut, Lebanon. A diverse group of 20 civil society representatives from across the Middle East and North Africa attended the consultation. They were from Algeria, Egypt, Iraq, Iran, Jordan, Kuwait, Lebanon, Libya, Morocco, Palestine, Saudi Arabia, Syria and Tunisia. The participants represent a broad spectrum of civil society practitioners working on a range of human rights issues including poverty alleviation, women's rights, environmental protection, human rights defenders (HRDs), media monitoring and civic space. 13 of the 20 participants were women. Due to security concerns of some participants, we decided to refrain from disclosing the names of the participants or the organisations that were present.

Based on the survey developed by the UN Office of the High Commissioner for Human Rights (OHCHR) and mandated by UN Human Rights Council resolution 27.31 adopted in September 2014, participants were encouraged to engage actively and lead the discussions on practical recommendations for the promotion and protection of civil society space.[1] The participants gave short overviews of civic space in specific country contexts and examined the following questions:

- What elements need to be in place to have an enabling environment to "create civic space"?
- How can civic space be protected and promoted at the national, regional and international level?
- How can civic space be promoted within particularly restrictive environments?

The reflections and inputs arising from this consultation reflect the diversity of experiences and contexts in which the participants operate. Therefore, particular attention was given to identifying practical strategies to tackle the issues that participants experience in an increasingly restrictive space for civil society in the Middle East and North Africa (MENA) and how an enabling environment for civil society can be created, maintained and protected.

1.2. Rules and expectations

After introducing themselves and their organisations, the participants discussed certain rules they would like to have in place during the consultation for everyone to feel safe to express themselves. The participants decided on the following rules:

- No use of social media during the consultation.

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[1] UN Human Rights Council, 27th Session, "Civil society space," A/HRC/27/L.24, 23 September 2014. http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G14/168/57/PDF/G1416857.pdf?OpenElement

- No sharing of the participant list. While some participants expressed that there is a need to preserve the safety of the participants, there is also a need to ensure that the recommendations resulting from the consultation are submitted and considered. The decision was made that there would be confidentiality of the participants but not on the concrete recommendations.
- Equal sharing of experiences and openness to different opinions.

1.3. Expectations by participants on themes to address during the consultation

The participants were asked to clarify their expectations of the consultation and the issues they would like to address:

- The difficulties in establishing CSOs in the region;
- The difficulties experienced by individual activists;
- The sustainability of CSO engagement with donors;
- Mechanisms that promote the protection of activists, digital security and how to manage risks;
- How to support emerging CSOs;
- How to cooperate in the area of digital security of CSOs and activists;
- The need to write well-defined and well-researched recommendations, which entail concrete details and will be used by the UN as intended by the participants.
- The expectation of a follow-up to this consultation and opportunities for networking.
- How to improve mechanisms by the UN to prevent conflicts in ways which are more aligned to experiences on the ground. Participants expressed that there are many organisations working at the national level, which work with the UN, but they are not effective on the ground. A discussion is needed on practical tools that the UN could use at the regional, national and subnational level, building on the achievements of the local CSOs.
- How to enhance the effectiveness of the UN HRC in order to better protect human rights and support civil society.
- Elaborate on how to address some of the laws that restrict civil society, building on experiences of other CSOs and discuss how CIVICUS can help to support CSOs to have a stronger voice at the international level and help to construct a report with practical implications.
- Underline the differences and similarities between countries in the Arab region and other regions and how to engage with UN mechanisms when human right violations take place in countries in MENA.

1.4. Opening statement by ANND

The Arab NGO Network for Development 's (ANND) regional perspective on creating and maintaining an enabling environment is based on the experiences of ANND members across the region.

While the state is responsible for assuring freedom of assembly and expression, globally the struggle of civil society should be based on a stronger paradigm shift. Austerity measures and other forms of socioeconomic injustice are limiting the space for civil society. We have

two primary challenges ahead of us. Firstly, in September 2015 the Global Committee adopted a new development agenda, known as the Sustainable Development Goals to address poverty and inequality. However, at the same time that there is decreasing space for civil society, a growing role is being given to the private sector to create and generate growth without a strong emphasis on a rights-based approach. Most of their support to civil society is for humanitarian assistance and not advocacy groups. In this global environment, the enhancement and role of CSOs should no longer be contested: during the last High Level Forum on Aid Effectiveness in Busan it was agreed to enhance an enabling environment for civil society.

For ANND, there are three practical recommendations: 1) An enabling environment should respect the diversity of civil society. This diversity should be respected and diverse voices should be heard instead of being selected by certain sectors. 2) The issues that civil society endeavours to address are equally diverse: trade, tax, and social protection among others. Civil society participation should be enhanced in all these areas, not only in selected areas. 3) Mutual accountability and diverse stakeholder accountability is necessary. We should all be accountable for an enabling environment, which is the key to pluralistic democracy. These three recommendations will only be possible if there is a strong political will and should be complemented by efforts of regional and global networks. Such recommendations should include robust follow-up mechanisms with channels for monitoring and further advocacy.

2. Country examples of space for civil society

As discussion of the different country contexts were robust and comprehensive there is not adequate space in this report to fully articulate the presentation in full detail. For this reason, we have compiled a *MENA Country Context Document,* which outlines the specific details of all individual presentations. Below is a summary of what was presented regarding the country contexts in Jordan, Yemen, Egypt, Palestine, Iran, Morocco, Libya, Saudi Arabia and Iraq.

2.1. Jordan

The Law on Associations imposes restrictions on the freedom of association, as it requires prior approval by the government before an organisation can be formed. Freedom of expression is also compromised, as a group of citizens or CSOs who want to hold a meeting or march are required to notify the local authorities 48 hours prior to the planned activity. There are several known cases where political parties, CSOs and citizens were not allowed to exercise their right of assembly. Severe restrictions also exist in practice concerning freedom of expression where, for example, the Constitutional Committee has accused several bloggers of defamation. The government is also reportedly planning to introduce new restrictions on civic space including full government control of the operation of CSOs. Sources of funding, types of activities and other details of CSOs will require approval by the government. Such restrictions would render CSOs to becoming government entities forcing them to fully adhere to the development priorities of the government. This would severely threaten the different freedoms necessary to create an enabling environment for civic society. While on the surface, the environment for CSOs might seem better than in other countries, there are other several cases and problems that CSOs face in Jordan. Public opinion is that it is a democratic state. In terms of its administration, there is a tendency for some officials to be conservative and others non-conservative. The conservatives are developing these restrictive laws and there is a difference between the laws and their application.

2.2. Yemen

After the revolution, several coalitions were created. We noticed some interest in freedom of association and assembly by the government. Civil society organisations were a source of pride in Yemen. Some CSOs, however, are now encouraging war. In brief, we can identify only a small number of effective CSOs. There is not a strong voice of women in the current war in Yemen. We were well organised and tried to start a dialogue in the beginning, but government officials did not respect the dialogue. While we agreed to a certain participation rate for women, and talked about other violations, we were not heard. We did not want any conflict or war and this is why our voices were not heard. Unfortunately, there is now only the power of arms and weapons.

Due to the war, we now have a division within civil society: there are CSOs that support the war, and others who do not. We have internal fights and conflicts. There are several violations of human rights resulting from the war. Some citizens and neighbourhoods are used as human shields. Neighbourhoods are being destroyed, bombed, and hundreds of

women and children are dying. War crimes are being committed and while some CSOs are trying to report on this, others are not discussing it at all. There are cases of corruption of some CSOs and we have been working under repression for several years now. We were accused of being sectarian, not supporting national security because of the violations that happened during the revolution. We were considered rebels and infiltrators. The media is also trying to perpetuate a hostile discourse against us. Moreover, as CSOs in Yemen have no access to information, it is difficult to monitor the current situation.

2.3. Egypt

There has been a systematic closure of the public sphere in Egypt, including preventing a number of CSOs from effectively carrying out their work. The summer of 2013 was a seminal moment which included a number of activities which changed the human rights landscape in Egypt including the announcement of the Constitutional Committee of 50 and the arrest of member youth-based CSOs including prominent activist Alaa Abdel-Fattah and other women under 25 years old. In addition, several protests calling for an end of the anti-protest law adopted in late 2013 were held, resulting in the arrest and detention of numerous protesters. The recent presidential amnesty was conveniently announced just days before the UN General Assembly meeting in New York in September 2015. However, some of those who were sentenced to seven years were not included in the amnesty.

There have also been attacks on and harassment of CSOs working on human rights and women's rights. There was an announcement by the Ministry of Social Solidarity in the official gazette stating that all CSOs in Egypt must register themselves according to the NGO Law. The security provisions of law impose a number of unwarranted limitations including approval from the National Security Council to receive funding, while organizational projects and activities must be in line with the national development plan. Additionally, officials from the Council in the Ministry need to be present during these activities. The government infiltrates CSOs and arrests their representatives if they disapprove of their work. It can take over a year to get an approval to register a CSO, which makes it almost impossible to work and donors also cannot wait for such lengthy periods. There is direct attack on human right defenders now. We are told that there are laws that prohibit travel but we these laws have not been specified or articulated. A female activist received the approval to travel but was then stopped at the airport and was later not allowed to travel. Activists were prohibited from leaving the country to attend international meetings. If they go anyway, they will not be allowed to continue working. Anti-terrorism laws are also invoked against CSOs that defame Egypt and are sanctioned by the same policies applied to terrorist organisations, which is 25 years in prison or the death penalty. The government is adopting these strategies to put pressure on CSOs.

2.4. Palestine

We thought that with the first elections of the parliament in 1996 we would have a state, however, this is not the case as Israel continues to deny Palestinians their rights. Some of you might know that in the West Bank there used to be some Jordanian laws and in Gaza we have some Ottoman and British laws and regulations. Different NGO laws in the region, including the Ottoman Law, inspire the Palestinian NGO Law, which in some aspect is better

than modern laws since we only have to notify authorities when forming a CSO. The Ministry of Interior is the entity that registers CSOs. We have requested amendments but first there was no support. Thereafter, a Commission was created and we agreed on reformulating the bylaws. The Minister of Interior has the mandate to develop these laws and alternative bylaws were also developed. In 2007, due to the Palestinian internal conflict, both conflicting parties of Hamas and Fatah attacked CSO's premises and properties. Hamas and Fatah also tried to contain the CSO's through different orders. There were many attempts to amend the law and bylaws. In 2008, more than 200 organisations were attacked for political reasons as a way of retaliation. Civil society started a dialogue on the question of whether registration was feasible or not. In the 2009 Israel war in Gaza, we faced conflict and destruction and the international community donated 4.5 billion USD for Gaza reconstruction. Commissions and new international organizations were created to receive funds and our position on this development was that it was very dangerous to replace the Palestinian CSOs in such a manner. Palestinian CSOs are pressured to only focus on humanitarian causes and to have no political stance against Israel. However, we have to support citizens, we cannot remain silent. We should talk about advocacy for Palestinian rights of self-determination and how to end the occupation and blockade. It is currently very difficult for CSO representatives to travel outside Gaza due to the continuous Israeli blockade. We need networks of support among CSOs in the Arab region and the world.

2.5. Iran

There are many similarities among restrictions in the MENA region and in Iran. The University of Toronto has a focus on access to information and freedom of information. Freedom of expression on the Internet is especially under attack in Iran. Civil society in Iran is very vibrant but the government is well practiced at criminalising freedom of expression. They use broad language to apply censorship, filter and block online content, while persecution and incarceration over free expression are legitimised. We work on promoting privacy, through the development of circumvention tools and other tools for cyber security. There is a need for Virtual Private Network (VNP) and proxies when using the Internet. Iran is not the sole focus, as we want to expand to the rest of the Arab region. All over the region there is a need for circumvention tools and tools against surveillance by the state.

2.6. Morocco

The state of civil society in Morocco is not very good. The regime monopolised civil society and in particular cultural and arts orientated organisations. We had huge floods in Southern Morocco last year, and a group of activists organised a caravan with humanitarian goods, which was prohibited from departing. The regime took control of all Moroccan cultural festivals including religious and harvest festivals. Traditionally, festivals in Morocco are organised by peasants but now they are all regime festivals. In the area of filmmaking, including documentaries, there are four levels of control: 1) You need a permit to be a filmmaker; 2) you have to get a permit to establish a production company; 3) script needs to be submitted to a Committee, even for a documentary, which is basically a censorship committee; 4) a cultural visa is needed to determine whether you can exhibit your film or not. We organised a youth camp, which was banned. The Western Sahara is a huge

problem, as civil society is completely repressed in that area. They cannot even build traditional nomad tents anymore. It is important to remember that civil society is not only human rights organisations but it also includes organisations in the cultural sector.

2.7. Libya

In 2011, women participated in trainings on elections and the youth played a role in organisations. Observation and monitoring of elections was done by local CSOs. By the end of 2013, civil society was not present but rather banned and funds were cut or frozen, which undermined the activities and capacity of local CSOs. Partisan CSOs were able to survive from funding from political parties. At first, we felt that the National Dialogue would lead to peace, however the dialogue did not succeed. A Committee, elected by Libyans, is drafting the Constitution. It is formed out of representatives from different regions. Some articles in the Constitution are agreed by consensus. One article for example in the draft Constitution states that Libya is an Islamic state rather than a secular one. The Coalition led to the division of civil society, as they were not united anymore. There was interference by political parties and we were unable to proceed. Civil society did not effectively participate in the drafting of the constitution. Civil society is suffering from restrictions, which while not direct legal restrictions, manifest in undue limitations on our work. Among other debilitating tactics, civil society and their representatives has been subjected to defamation, beatings, assassinations and kidnappings. Such instances of suppression have increased between 2013-2014. Women were the first to withdraw from civil society. Other entities tried to undermine the participation of women. When women were beaten and violated during protests they also experienced pressure from their social environment where the male figures in the family were becoming increasingly afraid for the security of the women and were asking them not to participate in protests. Previously, most activities were complimented by going to the street but it has been made nearly impossible to engage in public demonstrations of any kind. In Tripoli, many women and children were killed by the military during protests in Tripoli. The military said they were trying to protect the people. The media is polarised and no national or regional independent media exists anymore.

2.8. Saudi-Arabia

In Saudi Arabia, we not only have groups that are active on the ground but also some that are active online where they criticise politics. Unfortunately, some of these groups were contained, while others were oppressed, prohibited or hired by media outlets to co-opt them. Additionally, activists are beaten and imprisoned. Recently, George Washington University conducted research on the legal framework for civil society in Saudi Arabia. They concluded that while Saudi Arabia has signed several international human rights conventions, they are considered theoretical and are not applied in practice. The legal framework also aims to oppress CSOs through the security law (The Anti-Cyber Crime Law) and the anti-terrorism law. Some citizens are imprisoned or tried for simply engaging in legitimate and essential activities including women driving a car. Some people attempted to form human rights organisations, but they were supressed. In the area of organising protests, there is much oppression. Saudi Arabia issued a royal decree on 3 March 2014 stating that atheists, protesters and other groups are seen as terrorists and will be tried in

the State Security Court, which is a specialized criminal court. Some Saudi human rights activists started working from outside the country. In terms of international mechanisms, Saudi Arabia is trying to prevent UN Special Rapporteurs from visiting the country by not responding to visit requests. In other circumstances they agree to the visit but fail to provide a concrete time for the visit or postpone it. We have many complaints that are sent to the government but it does not really reply to these. Where possible, CSOs undertake a number of important initiatives aimed at enhancing women's right and civic participation, including the preparation of relevant trainings and reports.

2.9. Iraq

The government in Iraq does not support CSOs but there is flexibility and all CSOs can determine their own goals. However, in Iraq CSOs choose broad goals so they can work on a very wide array of fields in order to attract donors. CSOs are very reliant on donors and there is much reliance on foreign assistance because no local support is provided to local CSOs. Most of the support comes from foreign embassies, including those from the European Union, among others. The government in Kurdistan has allocated 15 million dinars to CSOs from 2013-2014, which 517 projects have benefitted from. There is fierce competition between CSOs, which often are service providers catering to humanitarian needs, but we also work on CEDAW shadow reports and UN Universal Periodic Review (UPR) submissions. While Iraqi CSOs are effective in advocacy work, the majority of Iraqi CSOs need organisational capacity development trainings and other kinds of technical and financial support.

2.10. Women Human Rights Defenders in MENA

The regional coalition for women human rights defenders (WHRDs) in the Middle East and North Africa (MENA) was established in the beginning of 2015. The coalition members are in constant conversation about the situation of WHRDs in their own countries. The MENA region has been witnessing a rapid increase in violence and political tensions, which affect the WHRDs working in the Gulf, Middle East and North Africa tremendously. WHRDs do not only face violence and oppression from state actors, but they also face additional layers of violence from their communities and families, since they may be perceived to be defying their traditional gender roles and therefore punished. In the Gulf region, women have been facing severe challenges in participating in the municipal council elections both as voters and candidates. Especially in Saudi Arabia, where the elections will take place in December 2015, many candidates have faced smearing campaigns in attempts to push them to withdraw their candidacy. In addition, several candidates have been vocal about the restrictions they face in their campaigns explaining how they may receive a fine of 10,000 riyals if they are to meet men. WHRDs have been facing tremendous violations from non-state actors in the war in Yemen. It was reported that WHRD's freedom of movement has been restricted due to the violence in Yemen. Many have received threats of kidnaping, murder and violence if they continue to document violations against human rights. As a consequence, many of WHRDs in Yemen have been leaving Yemen to neighbouring countries to seek safety. In the Middle East, a WHRD was stabbed because of a blog post about sexual harassment in Amman, Jordan. Another WHRD was expelled from the University of Yarmuk in Jordan because she was collecting signatures to allow political activities on campus. These WHRDs and many more are being targeted on a daily basis by

smearing campaigns that incite violence against them. In Lebanon, WHRDs working on establishing a migrant domestic worker's union were denied the right to association by the Lebanese government. Lebanese officials carried out smear campaigns and refused to provide any legal protection measure to safeguards migrant domestic workers. Additionally, Lebanese officials allow for communal and state based violence against migrant domestic workers should they demand their basic human rights, including the right to minimum wages, the right to freedom of movement and the right to freedom of association. In North Africa, three WHRDs were arrested during past elections. During the arrest period, one WHRD lost her hearing. The Government of Sudan has been applying travel bans. In Algeria, two WHRDs have had their houses burnt and the Algerian government refused to investigate the two incidents. In Egypt, WHRD Shaimaa al Sabagh was brutally murdered by the police while demonstrating peacefully on 24 January 2015. Lawyer, Azza Soliman, who witnessed the murder, was accused of breaching the draconian Egyptian protest law after giving her testimony of the killing. However, she was later acquitted. Egypt has also been applying travel bans restricting WHRDs to travel outside the country. WHRDs face double threats in restrictive environments for civil society, as women already face discrimination and violence in the MENA region. For this reason special attention must be given to their struggles.

3. Recommendations on what an enabling environment entails and how civic space can be protected and promoted

The participants divided themselves into three groups of random selection. The groups had thorough discussions on what an enabling environment entails and formulated a number recommendations both on days 1 and 2. The recommendations are addressed to four different levels: 1) international; 2) regional; 3) national; and 4) civil society. Following each recommendation, the underlying issues and further details pertaining to the recommendations are summarized.

3.1. International level

a) Create and implement mechanisms to hold governments accountable to comply with international law and protect and promote civic space.
The UN must have increased authority to hold governments accountable to abide by their commitments. *Encouraging* compliance with human rights is not sufficient, as many governments in MENA do not comply. The UN must use stronger authority to ensure more robust government compliance. These could include political economic, and diplomatic pressure as well as stronger and more direct communication and public statements. Some participants stated that conditionality on funding must be applied while others believed it should not be.

b) The UN and the international community in general must address the growing reliance of engaging with governments rather of civil society.
When funding goes to governments instead of CSOs it is very problematic for the protection of human rights and civil society. Furthermore, civil society and human rights defenders must be strongly involved in processes at the international level because their documentation and reporting reflects the actual human rights situation rather than the reports of governments.

c) Protection mechanisms must be in place for human rights defenders and other civil society actors communicating with the UN in order to be free from reprisals.
Many human rights defenders and civil society actors throughout the MENA region are facing reprisals after speaking to the UN. A binding convention could tackle this. Another solution could be to make Resolution A/HRC/27/L.24 binding for governments.

d) Creation of a new UN fund dedicated to support civil society (UN Fund for Civil Society)
All UN agencies should donate a certain percentage from the fund for civil society. Civil society should be part of the new entity, to avoid the funding of GONGOs. The Fund should cover all areas – not only human rights – and should include all UN agencies.

e) UN can create a mechanism that could give recognition to CSOs when a country fails to do so.
Many CSOs are not given legal status in their own country due to governments not wanting

to grant them their status. In order to help these CSOs the UN could recognize these CSOs so that they can still work together with donors and other entities.

f) Better accessibility and opportunities for civil society to take part in UN processes.
Reform the procedure to achieve ECOSOC status, as there is a bias now with the need of approval of states. Translation of UN documents must happen faster, as the Arabic translation is often delayed, while the UN HRC website must be more accessible and useful such as an agenda with deadlines and relevant alerts. Opportunities must be created for remote participation of civil society to give recommendations during sessions, as some are banned from travelling or lack the necessary funding and time to travel. The UN HRC should have mechanisms in place to ensure participation of civil society actors in their activities.

g) Civil society should be able to call out UN employees when their work is incorrect.
At times UN employees make wrong assessments of the situation on the ground. This especially happens when the employee is from a different region. There should be transparency and accountability about how assessments are done, and mechanisms in place to highlight any problems.

h) The UN HRC must be depoliticized.
Outcomes often do not reflect what is happening on the ground due to political interests. There must be a reform of the HRC to tackle this. Civil society can act as a group that ensures that the HRC should not give in to political pressure of national governments, especially those violating human rights.

i) Genuine civil society must be involved in consultations at the national level responding to UN mechanisms and procedures by other intergovernmental institutions such as the World Bank and the European Union
Involving actual CSOs in consultations by international entities or in governmental consultations of the UPR process or other mechanisms is imperative. Consultations are often wrongfully used as a token mechanism. Instead, pluralistic dialogue needs to be prioritized and governments must not exclusively confer with GONGOs while falsely stating that civil society was consulted. The relationship between the state and CSOs could be institutionalized in order to ensure that there are clear networks that represent civil society to engage with the government rather than those who are selected due to their reluctance to criticize the government.

j) UN must play a role in creating spaces where civil society has the right to assemble.
UN could facilitate this by ensuring that their country offices could become a public space where CSOs can meet and cooperate with the UN.

k) The protection of human rights defenders needs to be ensured and timely communication or a hotline must be established for activists in danger.
Human rights activists are often in danger throughout the MENA region whether through violence, arbitrary arrests, forced disappearances, and extra-judicial killings. Governments must be held accountable to protect human rights activists and communication mechanisms must be established for when they are in danger, in order to allow for a swift response. An

increased focus on improving the security of CSOs and human right defenders must be prioritized.

l) Need for research on the legal environment of civil society in Arab states.
It is important to have a detailed overview of the legal environment for civil society in the region in order to protect and promote an enabling environment.

m) UN Special Rapporteurs must be granted more funding and respond quickly to visit requests in countries where civic space is particularly restricted.
Special Rapporteurs are important for the support for civil society; however, they often do not have the opportunity to conduct visits and the government's response to visit requests is not timely.

n) Mutual accountability between civil society organizations and donors, governments and intergovernmental institutions must be ensured.
While CSOs should respect the Istanbul Principles, donors should also be held accountable as well and report on how they are trying to address problems. Transparency mechanisms must be adopted, as CSOs have the right to information about the budget that was allocated to them. A mechanism to monitor INGO performance must be established with respect to all major projects. The monitoring body must analyse the aid support, report on their collaboration with CSO's and draft relevant reports.

o) Particular transparency processes must be applied to ensure that funding is going to genuine civil society.
In times of conflict, aid flows are diverted from civil society to governments or international CSOs with no transparency. Local civil society must be involved, supported and recognized by the UN HRC. Additionally, transparency mechanisms must be applied to prevent corrupt CSOs from receiving funds. Transparency mechanisms, however, must not limit access to funding for civil society such as in Morocco where crowd funding is banned. Transparent processes and mechanisms must track the funding of civil society groups.

p) Donors must prioritize a sustainable civil society and must allocate funds to ensure a flourishing civil society sector and international solidarity must be promoted.
There are worrying trends that funding is being diverted from CSOs to national governments or intergovernmental institutions in the form of budget support. However, a sustainable civil society must be supported, and in particular, newly established CSOs who lack good networks with other CSOs and donors must be supported. Additionally, there is a trend of excluding local civil society from policy processes at the international level. The international community must prioritize civil society and international solidarity.

q) Donor view on CSOs must be diversified and partnership cooperation strengthened.
There is a tendency of donors to see CSOs as capacity building organisations that only monitor accountability of the state but in reality the role of CSOs is much broader including conducting advocacy, ensuring implementation of laws, promoting and protecting art and culture among other activities. Cooperation efforts with CSO's must be strengthened by supporting CSOs in taking the lead in developing strategies and projects with a rights-based

approach. An inclusive framework for partnership based on mutual respect and collaboration towards shared objectives must be established.

r) Capacity building for CSOs in order to empower them to make shadow reports and monitor governments' implementation of the SDGs and other international agreements.
As CSOs lack knowledge about UN policies and mechanisms at the local level, there is a need for awareness raising and capacity building. The UN should organise meetings to discuss the reports with CSOs. It is important for civil society to know what is happening at the international level and to connect it to the national strategies to control and monitor governments' implementation of the SDGs, recommendations of the UPR and other UN outputs.

4.2. Regional level

a) Arab league must appoint a CSO special rapporteur to guarantee commitment to improving civic space.
Arab civil society is not aware if there is a role for them to play in the Arab League. For this reason, there must be a study to see how much space there is for civil society at the Arab League so that they can start engaging with them.

b) The operation of the Arab League must be improved and committed to protect and promote human rights and civic space.
Currently, the working methods of the Arab League seem very problematic, as they do not typically take human rights violations and civic space into account. Additionally, the league is under monopoly of the leaders of countries in the region.

c) There must be more coordination by the African Union to respond to issues on the ground in North Africa.
In previous cases, the African Union has been absent in spite of a great need for their involvement. In cases such as Libya and Tunisia, civil society has been trying to reach out to the African Union but has not received responses.

d) North African countries must ratify the Protocol to the African Charter on Human and People's Rights on the establishment of the African Court on Human and People's Rights.
Only seven Sub-Saharan African countries are allowed to file complaints directly to the Court. For other countries, the complaints must first go to a Commission, before going to the court.

e) The procedures in the African Union must be swifter and less bureaucratic.
While the African Union is deemed too bureaucratic and slow, its procedures have been of benefit in certain cases, including for women's rights and virginity tests in Egypt.

f) The African Union must be more open to including civil society in its procedures and must improve its communication with civil society in North Africa.
The African Union has not been communicating with civil society on the ground in North

Africa and failed to include civil society in procedures due to rigid conditions for participation especially in North Africa.

g) The European Union should increase its meetings and communication with civil society in the region and must improve its support through attending judicial proceedings of activists, financial support, visas and advocacy.
While the European Union has agreements in which civil society is prioritized, they must establish more robust measures to respond directly to the needs of civil society on the ground.

h) The European Union must refrain from double standards through funding government repression of civil society while also claiming to support civil society.
In several MENA countries, the European Union is funding government institutions and actions that limit civic space, while at the same time supporting civil society. In order to truly promote human rights and civic space the European Union and other international actors must refrain from such double standard approaches.

i) The European Union must have human rights and protecting civic space as an essential component of its agreements with governments in its European Neighbourhood Policy
In its new neighbourhood policy towards the MENA region, it seems that the EU will prioritize security and trade over human rights. Long-term stability will only take place if human rights and civic space are protected and the European Union should duly acknowledge this.

j) The European Union must translate its documents into Arabic
The European Union has 19 instruments. 17 of these were not translated into Arabic. More CSOs should be made aware of EU instruments.

3.3. National level

a) The right to form a CSO without prior permission by the government must be ensured in order to secure the right to association.
The legal framework is important for an enabling environment for civil society. Restrictive laws on freedom of association, which are currently widespread in the MENA region, must be amended. The reforms must be comprehensive and the laws must be simplified and easily understandable.

b) CSOs must be ensured their right to access financial resources and other resources and be free of governments' interference through legislation and practice.
Throughout the MENA region, laws and practices exist preventing CSOs from accessing funding both under restrictive legislation. Moreover, CSOs can be imprisoned for receiving foreign funding, be denied access to their bank accounts or defamed in media as foreign spies.

c) National anti-terrorism laws must be redrafted in line with international standards and terrorism must be clearly defined and not be used as a tool to restrict civic space.
Anti-terrorism laws are frequently used to target civil society in the name of national security in the MENA region. However, these laws must be reformed and concepts of national security and terrorism must be precisely defined, as opposed to broad and vague wording that is open to abuse and can be used as a tool to restrict civil society.

d) Laws and practices that restrict civic space including freedom of association, assembly and expression must be reformed.
Concrete laws have been put in place in several countries in MENA that restrict civic space. Civil society actors are afraid of being targeted by legislation and practices that are against international standards. Among others, these laws and practices include anti-protest laws and travel bans

e) Civil society must participate in policy decision-making processes at the national and regional level.
Governments need to work with civil society and consult them in the development of policies according to the Paris Principles. Concrete ways must be found in which governments will abide by this. CSOs are sector-specific experts who must be consulted when sector-specific polices are developed.

f) Ensure that judiciaries are independent and that judges are aware of the procedures and international agreements that were ratified.
There should be a provision to ensure fair trials and transparency according to international standards. This is often an issue in cases that restrict civic space throughout the MENA region. Subject all procedures to the judiciary with the guarantee of the presence of independent observers and push for the independence of forensic medicine.

g) Access to information for civil society must be ensured and prioritized, as their ability to document and report facts is key to ensuring protection of human rights.
All parts of civil society must be able to access information both online and off-line and are often prevented from doing so. For example, civil society has been prevented from documenting violations in certain areas and can be targeted for defaming the president or spreading "false information".

h) Secure the rights to citizens and CSOs to access to the Internet.
Internet freedom is limited in many countries throughout the MENA region in terms of surveillance and limitations on the right to encrypt or speak freely online. Legitimize the use of privacy and anonymity tools and make surveillance admissible only with a memo.

i) Ensure that media is not used as a propaganda tool against civic space.
Currently, media throughout the MENA region often refers to CSOs as the enemy of the state or other rhetoric to defame them. Relationships must therefore be built between civil society and media.

j) Promote work in higher education by prioritizing human rights research and work.
Reform education curriculum with a rights-based approach by recognizing academic freedom and instil tenure in higher education. Academic researchers are often unable to receive information from the government, as national security is used as a reason to deny access.

3.4. Civil society level

a) Networks of CSOs must be established at the national, regional and international level and between different actors in civil society. Additionally, an exchange platform for civil society to share knowledge and exchange success stories must be established.
Learning from success stories and good experiences is important in order to support other civil society related work. There must be a commission, platform or database for civil society in MENA to work together in a better way, to gather information and share success stories and partnerships. An inclusive framework for civil society networks must be established based on mutual respect and collaboration towards shared objectives.

b) Independence of CSOs from political affiliation is important.
There must be separation between civil society activities and political activities. The law should clearly distinction between governmental, political and civil society activities.

c) CSOs must commit to the Istanbul Principles and a unified code of conduct for the region could be applied for civil society to ensure accountability, legitimacy, limit corruption and prevent the creation of GONGOs.
Accountability must be promoted within civil society and the creation of GONGOs must be prevented. A code of conduct could include measures such as ensuring the rights of workers, having no political affiliation, partnership selection and preventing corruption. CSOs need to respect good governance and fight corruption in order to make a difference. A code of conduct for MENA civil society needs to be based on experiences of MENA civil society to ensure that region specific issues are tackled.

d) Relationship between CSOs and rights-holders must be improved.
CSOs represent society and rights holders, and must not be divided from these in their work. CSOs should, furthermore, improve the inclusion of marginalized groups in its work l such as women and youth. Consultations between activists should be held to define the threats and danger in the region. Civil society actors must ensure cooperation between cities and rural areas and function as entities that can connect citizens and civil society groups between rural areas.

e) Civil society must engage in various partnerships including with the private sector and improve partnerships within the sectors of media and universities
Civil society must work together with common objectives across local, national and international levels. Civil society must also increasingly work with the private sector, which plays an important role in the new Sustainable Development Goals.

f) Civil society must promote cultural activities (theatre, poetry, video, TV shows) to increase awareness of and advocacy against social, economic, and political violations.
The role of culture and cultural events are important. Civil society is limited in this in various ways in the region. It must be acknowledged that civil society is more than just CSOs, it also includes spaces where people can gather and discuss, which is currently limited.

4. Recommendations to protect and promote civil society within particularly restrictive environments
The participants discussed their recommendations in restrictive environments in plenary.

4.1. Protection of HRDs and civil society

a) A MENA crisis response fund must be set up due to the increased and specific threats faced in this region.
MENA is a region where civil society, and in particular human rights defenders, is in danger. The fund must be flexible to the specific threats faced in MENA and could support relocation and CSOs still operating inside of the country. Within this fund, clear criteria needs to be established on to determine whom the activists under threat are.

b) The international community must provide long-term assistance for civil society actors who have had to leave conflict areas and assist them in continuing their work outside
International actors often assume that a relocated human rights defender is safe in a different country, and therefore does not need additional support. However, especially in this situation, there is a great need for continued support as the human right defenders hope to return as soon as the conflict or threat is over. The role of civil society in the transformation from violent to non-violent conflict must be acknowledged.

c) Communication mechanisms must be improved to help civil society in restrictive environments and a hotline must be established.
Cooperation and liaising with agencies such as Red Crescent and the UN must be established in times of crisis and within restrictive environments. Swift communication is especially necessary when incidents occur. Alternative communication mechanisms must be foreseen in cases where the normal communication lines are cut. As an example, activists in ISIS-controlled areas were cut off from the rest of the world due to all normal communication lines being restricted by ISIS. A hotline could be created to address this.

d) Establish an entity that informs civil society about which areas are safe and which are not.
As activists may be unaware of the safety of certain areas, there is a need for updated and reliable information to be provided and disseminated on possible threats emanating from specific localities.

e) A secure database must be created with civil society activists in the region with their emergency contact details.
In certain situations it is impossible to get in contact with activists when they are in danger. This list must be developed, but kept confidential, especially from government entities.

f) Prevention measures must be applied such as raising awareness among girls, women and women human rights defenders on how to protect themselves in conflict zones and restricted environments.
While protection remains a crucial component to establishing and maintaining safeguards for women and WHRDs, prevention methods must be duly enhanced.

g) Countries should open their borders to activists under severe threat so they can continue their work.
In some cases activists are stranded with frozen bank accounts and are in need of urgent protection. As their work is particularly important to the human rights development of their countries they must be protected. A solution could be to create an 'activist' identity card to identify these activists. One idea is to create 'activists without borders' which would also include lawyers, psychologists among others to support activists under threat

h) Protection must be ensured for activists who are not as well known as others.
Protection and access must also be facilitated for activists in rural areas, which often do not have easy access to Internet. It is also important that partnerships with unknown activists are also strengthened.

4.2. Women human rights defenders (WHRDs)

a) Declaration needed to protect women human rights defenders.
The nature of violations against women activists are particular and must be addressed separately to those of other human rights defenders. WHRDs face sexual violence, defamation and other forms of organised violence.

4.3. Digital rights and security

a) Raise awareness on digital security for human rights defenders and civil society.
Governments are way ahead of civil society in purchasing software to spy on activists and citizens. In some countries encryption is criminalised. Governments have blackmailed several activists due to information they retrieved through digital surveillance. For this reason, civil society must be supported in achieving greater their digital security.

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