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## CIVIL SOCIETY IN FRAGILE AND CONFLICT-AFFECTED STATES

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### Overview

By 2015, half the world's poor<sup>1</sup> will live in fragile states. Their prospects for peace and development depend not only on building accountable governments, but also a vibrant civil society – that can raise the voices of all citizens, particularly the most vulnerable, and hold the state to account for its performance in reducing poverty and upholding all human rights.

This note is about how external governments and international institutions must do more to build that civil society – through aid and technical assistance, and diplomatic influence, particularly where civil society space is threatened by repressive legislation or other restrictions. They should:

1. Help influence the state to:
  - Build and protect the 'space' for civil society through effective freedom of association, assembly and expression, including positive legislation on civil society, media, unions, cooperatives, faith groups etc.
  - Genuinely engage civil society organisations (CSOs) through freedom of information, and participation in peace processes, budget monitoring etc.
2. Strengthen CSOs' relationship with citizens and with the state, in order to:
  - Genuinely represent communities and constituencies, including women and women's rights organisations and all vulnerable groups; and
  - Help make the state both more effective and accountable, in delivering pro-poor development and all human rights.

This requires support for a wide range of CSOs not limited to the development and humanitarian sectors, and a wide range of assistance to build up management, governance and networks, as well as specific technical skills. With that support, CSOs can help build a society in which every citizen's rights, including to humanitarian assistance and protection, are upheld.<sup>2</sup>



## 1 Background

Over 1.5 billion people live in areas affected by fragility, conflict or criminal violence.<sup>3</sup> This is where global poverty is concentrated,<sup>4</sup> and this concentration may become even greater as many areas become more vulnerable to violence from the scarcity of energy, food and water.<sup>5</sup>

### Fragile states

'Fragile states' can be a controversial term with no universally agreed definition. We mean *states that fail, through lack of capacity or lack of will, to provide public goods to their citizens – including safety and security, economic well-being, and essential social services.*<sup>6</sup>

### Why fragile states?

Many of these people live in 'fragile states' struggling to overcome a cycle of poverty and violence combined with weak and often unrepresentative governance.<sup>7</sup> By 2010, 41% of those living in below \$1.25-a-day poverty were living in fragile states – double the proportion in 2005.<sup>8</sup>

Most international humanitarian aid goes to these 'fragile states' and other countries afflicted by large-scale violence. 18 of the top 20 recipients of humanitarian aid were affected by conflict for 5 or more of the 10 years to 2010.<sup>9</sup> In 2010, 38% of total official development assistance was spent on fragile states.<sup>10</sup>

That fragility helps to lock countries in poverty, and affects their neighbours, regions and potentially the whole world, through the export of drugs, piracy and terrorism.

### Civil society

Civil society means 'everything between the citizen and the state',<sup>11</sup> from community self-help groups to trade unions and business groups, from women's movements to development and humanitarian organizations, faith-based groups, human rights activists, peace campaigners and more. It not only offers a platform for citizens to organise themselves outside the state, private sector and family.

It is a vital part of a decent society in which values such as trust and cooperation are central, and in which poor and marginalised people can gain control over their lives by exercising their right to political participation, freedom of expression, information and assembly, and access to justice. This crucially includes the youth-led and women's movements that often lead positive social change, and in many countries also a 'virtual civil society' that has become a major part of such activism for a better world.

## Why civil society?

Without a strong civil society, the power of states and corporations goes unchallenged. With one, citizens can come together to make both more accountable. Collectively, they can claim their rights, and ultimately transform society to provide more equitable opportunities for all.<sup>12</sup>

In fragile states, that is even more vital – and even more challenging. But civil society organisations can still play their three vital roles – the balance between them varying in different contexts. These vital roles are to:

- Encourage active citizenship, particularly among marginalised groups, helping express and advocate their views;
- Help make the state more accountable to all those citizens, including women and youth, in order to equitably share resources and effectively fulfill its duties, including to uphold its citizens' rights to humanitarian assistance and protection; in this role, civil society can not only act as a 'watchdog' but also present policy alternatives and innovations;
- Provide services – including humanitarian assistance – to complement the state, and showcase innovations that the state can scale up (or where the state is still too weak or dysfunctional, fill vital gaps that the state is failing to do).

In South Sudan, Oxfam supports a 3-year programme to 'increase trust and understanding between civil society and the government.'<sup>13</sup> Such trust must of course be built on a shared determination to meet citizens' needs. As Rama Anthony, Oxfam's Civil Society Programme Manager there said in 2013: *civil society engagement happens in different ways, through working with the state on constitutional matters, lobbying for change, or encouraging citizen involvement in governance. But the aim is always to ensure power-holders meet the needs of their citizens and guarantee their rights.*<sup>14</sup>

In some countries, such as Myanmar, the space for civil society to play these roles is expanding. But in others it has shrunk as governments have sought to suppress criticism and limit civil society activity. In different countries, a host of means have been used for this purpose, including high taxation, restrictions on foreign funding, and legislation that is deliberately unclear, ready to be used against a CSO that steps out of line.<sup>15</sup> It is against this background that international support is so vital.

### **Influence as well as aid**

In the Occupied Palestinian Territories, the EU and UK have funded Oxfam to train CSOs in advocacy skills, so that they can lobby the authorities in Jericho to resolve disputes over water and electricity.<sup>16</sup> That kind of aid is essential. But the *influence* of external governments and international institutions is at least as vital. In 2010, the Afghan government offered women only 5 per cent of the seats in the country's Peace Jirga. Since then, women have pressed for better participation in the current talks with the Taliban. According to one activist, Mary Akrami, 'we should be at the negotiating table. But we need the support of the international community to get there. We sent a letter to the US Government and when President Karzai went to Washington they put pressure on him. As a result, he announced an increase to 20 per cent. No-one was listening to us until the international community got involved.'<sup>17</sup> In Afghanistan and elsewhere, until truly accountable institutions exist, such international influence to support civil society will continue to be vital.

Sadly, that international aid and influence has often been lacking. It took almost ten years before donors – the UK, Denmark, Norway and Sweden – set up a US\$30 million fund to Strengthen Civil Society in Afghanistan.<sup>18</sup> And the Afghanistan Reconstruction Trust Fund, set up in 2002, administered by the World Bank, and funded by a wide range of donors, still gives no role to CSOs to monitor *donors'* performance.

## Afghan CSOs on the international stage

Since 2008, international actors have allowed Afghan CSOs some voice in the major international conferences on the country – in The Hague, Bonn and Tokyo. But the CSOs have usually had only minutes to speak, and it is difficult to determine their influence on the final decisions. The 2012 Tokyo framework recognised the role of CSOs in strengthening accountability and governance more than ever before, but much more must be done to give Afghan CSOs an adequate voice in their future.

In 2011, donors agreed a ‘New Deal’ for fragile states, at the High-Level Forum on Aid Effectiveness in Busan, with the intent of creating an ‘enabling’ environment for CSOs. But progress in strengthening civil society continues to be mixed. Yemeni CSOs, for example, had no real access to the international conferences on their country in 2012.

## 2 Oxfam’s position on civil society in fragile and conflict-affected states

Before anything else, international partners must learn from the failures and successes of the past. Oxfam is conducting a programme, *Within and Without the State*, funded by the UK Department for International Development (DFID), to promote dialogue between citizens, civil society and the state,<sup>19</sup> with principal case studies in Afghanistan, South Sudan and the Occupied Palestinian Territories, as well as broader research on effective aid in *Contested Spaces*, focused on Afghanistan, Colombia and Sudan. **One overarching lesson is the need for rigorous, iterative analysis on the state’s political economy and conflict**, driven by the reality on the ground, not the donor’s security interests. Without that, it is impossible to judge *who* and *how* to support, and any international action is destined to be flawed.

Beyond that, our experience suggests 6 key lessons that we hope are relevant for every international partner that can use its influence or funds to strengthen civil society:

### **Lesson 1: Influencing the state to build and protect civil society ‘space’, and genuinely engage CSOs in how the state and private sector take relevant decisions, including peace processes**

International partners should help influence the state and private sector in at least two directions, to:

- Give civil society the freedom to fulfil its role through, for example, removing undue controls or restrictive media laws; and
- Engage civil society in every relevant public decision-making process, including peacebuilding, finding durable solutions for refugees and internally displaced people, and the government’s budget priorities.

More consistently than ever before, they should encourage states to respect and promote the universal right to information, and allow CSOs a full part in helping to design, monitor and evaluate a wide range of government services, its strategy to reduce poverty, to uphold human rights, and the country’s transformation towards effective and representative governance. This should include pressing for women and women’s organisations involvement in peace processes, as in the example from Afghanistan above. And in many countries, it should include intense diplomatic pressure against legislation or practices that (in contravention of international human rights standards) restricts the role of civil society.

## **Lesson 2: Supporting CSOs to represent their communities or constituencies – and work with the state to promote pro-poor development among all human rights**

External aid is unlikely, by itself, to ‘lead to transformational changes in accountability,’ as a Harvard Kennedy School paper put it in 2011. But it can ‘provide a supporting role if it is aligned with the flow of internal initiatives... and supports greater accountability.’<sup>20</sup> International aid must support CSOs that can genuinely **represent their communities or constituencies**. And that support should be geared to build a more legitimate civil society which can organise and amplify the voices and interests of all parts of society, particularly marginalised or excluded groups. That should include women’s rights organisations and youth movements, not only because deep-seated inequalities are often gender- or generation-based, but also because youth-led and women’s movements are often at the forefront of positive social change.

This means supporting:

- CSOs that genuinely represent all sections of the community, and especially the most vulnerable;
- CSOs with a wide range of views; and
- A broad spectrum of CSOs, beyond traditional development or humanitarian agencies.

These will include organisations focused on a wide range of human rights and political change, including faith-based groups, peace campaigners, and women’s rights organisations. (Indeed in *all* CSOs, it is important to support women’s leadership and participation, to help build a ‘real’ peace that includes gender equality.) And to be politically inclusive, they may include middle-class, capital-based, professional organisations, *as well as* those representing the most vulnerable.

Supporting diverse CSOs can help defuse an unhealthy competition for donors’ attention. It does not mean that donors should be less focused on results. But those results may be less easy to quantify and measure year-on-year. International partners should aim for sustainable impact over the medium- and longer-term, rather than ‘quick fixes’. And they should:

- **Designate a specific proportion of each donor’s budget** in each fragile state for the purpose of *strengthening civil society to engage with the state*, including through monitoring the state’s performance and advocating new policies;
- **Develop flexible planning and funding** to respond to unpredictable changes;
- **Set requirements for monitoring, reporting and evaluating** that accurately recognise CSOs’ ability to fulfil them in their difficult context; and
- **Systematically engage with CSOs to help inform international policies**, particularly in states without functioning parliaments or other representative for a, where ‘national ownership’ of international engagement must essentially come from civil society.

The governments of some fragile states of course may not welcome all of this support, particularly to civil society activists campaigning for change. External governments will want to consider how to reduce this risk by, for example, supporting local civil society through multi-donor funds and/or international NGOs.

## **Lesson 3: Not trying to create Western clones**

International actors should support a broad, diverse civil society. That means accepting local, indigenous forms of civic activism. And it means multiple partnerships with many organisations that can together represent all communities – but which individually may be motivated by one faith, or represent one community (as long of course as they do not discriminate against others).

Similarly, international actors should support CSOs to share basic values, including the respect for human rights and gender equality, which can be found in each culture. But that does not mean that international, usually Western, usually secular, actors should expect local partners to share every policy. There must be space for different legitimate views.

Both sides should accommodate different views, cooperate where they can, and agree and disagree on different issues in a dialogue that respects each other's autonomy. In Sudan, for example, international partners like Christian Aid have long supported the Episcopal Church's work for peace, without having to agree with it on every social issue.

#### **Lesson 4: Tailoring support for CSOs from a wide range of potential assistance**

There is a wide range of organisational, technical and financial support that may be appropriate, including formal training, accompaniment, access to information and other organisations, and funding for management and other costs while a CSO is developing. Much of it may not be funding, but the time of staff to work with and accompany CSOs.

To plan such support, international actors should **assess the capacity of individual civil society organisations** and networks, and, as far as practical, of civil society as a whole; and then **tailor the precise support accordingly** – often prioritising support to develop organisations' management and governance as much as technical skills, like communications and advocacy. In all this of course, the context may be constantly changing. *Ongoing* analysis must take account of all relevant changes in the conflict and politics, culture, gender relations and beliefs, to make agile changes in support.

#### **Lesson 5: A high priority on helping CSOs join up**

Like their international partners, CSOs can be disunited – between north and south Yemen, and between capital and periphery in many countries. Some of the most important support can be to help CSOs network with each other –locally, nationally and often internationally. In South Sudan, Oxfam links up community organisations in Lakes State with national organisations in Juba, while offering tailored training, and collaborating with the UK-based organisation VSO to place skilled volunteers with organisations to meet specific learning needs.

#### **Networking CSOs in Afghanistan**

Oxfam has been working with the Afghan Civil Society Organisation Network for Peace since 2011. The network, made up of 70-plus civil society organisations across the country, had existed for several years but was relatively weak, partly due to lack of funding. Oxfam's aim was to strengthen the network by helping to improve its internal structure, for instance by electing a chair to lead the network, and bringing members together at both the national and provincial levels.<sup>21</sup>

Oxfam has also funded Afghan CSOs to network with peacebuilding organisations in other countries. Support for international networking is increasingly important. DFID funded Yemeni CSOs, for example, to take their messages in 2012 to New York, Washington and Brussels.

#### **Lesson 6: Building a triangular relationship between international partners, CSOs and the state**

International partners should encourage civil society to hold *them* to account as well. They should provide CSOs with systematic information, and involve them in the design, monitoring and evaluation of their own programmes. But they should also **listen to local CSOs in setting their basic strategies**, to begin treating civil society more as partners than sub-contractors.

This triangular relationship is particularly relevant where donors provide general budget support to the state, as well as funding specific government programmes. Donors have traditionally offered this less in fragile states than elsewhere, but there is a strong case that they should do so more, as long as there are tight safeguards, and a readiness to suspend budget support if the state breaks its commitments to poverty reduction or human rights. Wherever donors give budget support, they should fund and insist on civil society being able to act as watchdog on its effective and ethical use, being engaged in its design, monitoring and evaluation.

## Notes

- <sup>1</sup> As defined by people living on less than \$1.25 a day: OECD-DAC International Network on Conflict and Fragility (2013), 'Ensuring Fragile States are Not Left Behind: 2013 factsheet on resource flows in fragile states', p. 1: <http://www.oecd.org/dac/incaf/factsheet%202013%20resource%20flows%20final.pdf>
- <sup>2</sup> Local CSOs are also increasingly vital leaders in providing humanitarian assistance. This note does not focus on that role, but please see other Oxfam publications including 'Crises in a New World Order', <http://www.oxfam.org/en/policy/crises-new-world-order>
- <sup>3</sup> World Bank (2011) 'World Development Report 2011: Conflict, Security and Development', Overview, p.1: [http://wdr2011.worldbank.org/sites/default/files/WDR2011\\_Overview.pdf](http://wdr2011.worldbank.org/sites/default/files/WDR2011_Overview.pdf)
- <sup>4</sup> World Bank (2011) *op. cit.*, p.4, Fig F1.3.
- <sup>5</sup> A. Evans (2010) 'Globalisation and Scarcity: multilateralism for a world with limits', p.6, New York University Center on International Cooperation: [http://www.cic.nyu.edu/scarcity/docs/evans\\_multilateral\\_scarcity.pdf](http://www.cic.nyu.edu/scarcity/docs/evans_multilateral_scarcity.pdf)
- <sup>6</sup> Oxfam GB (2011), 'Programming in Fragile and Conflict-Affected Countries: a learning companion', p. 3: <http://policy-practice.oxfam.org.uk/publications/programming-in-fragile-and-conflict-affected-countries-a-learning-companion-139074>
- <sup>7</sup> 'Fragile states', various related terms, and the lists of countries that they apply to are all rather loosely defined, and donor governments' debate about them has tended to focus excessively on the role of the state, vital as that is, rather than the roles of civil society and citizens to hold the state to account. It is wise to use the term 'fragile states' with some caution therefore, to apply to countries where the challenge of development is particularly difficult because of an ineffective state failing to provide essential services, combined with high levels of poverty and violence.
- <sup>8</sup> Brookings Institution (2011) 'Two Trends in Global Poverty', 17 May 2011, [http://www.brookings.edu/opinions/2011/0517\\_global\\_poverty\\_trends\\_chandy.aspx](http://www.brookings.edu/opinions/2011/0517_global_poverty_trends_chandy.aspx)
- <sup>9</sup> Development Initiatives (2012) 'Global Humanitarian Assistance Report 2012', p. 29, [http://www.globalhumanitarianassistance.org/wp-content/uploads/2012/07/GHA\\_Report\\_2012-Websingle.pdf](http://www.globalhumanitarianassistance.org/wp-content/uploads/2012/07/GHA_Report_2012-Websingle.pdf)
- <sup>10</sup> OECD-DAC International Network on Conflict and Fragility (2013), *op. cit.*, p. 4.
- <sup>11</sup> Oxfam GB (2011) 'Within and Without the State: Strengthening Civil Society in Conflict-Affected and Fragile Countries: a summary of current thinking and implications for practice', p. 12: <http://policy-practice.oxfam.org.uk/publications/within-and-without-the-state-strengthening-civil-society-in-conflict-affected-a-209789>
- <sup>12</sup> Oxfam International (2012) 'Oxfam's relation to local civil society: a statement of principles', p. 2.
- <sup>13</sup> Oxfam International (2012), 'Strengthening South Sudanese civil society', Oxfam East Africa Blog, 19 September 2012, <http://www.oxfamblogs.org/eastafrica/?p=5048>
- <sup>14</sup> Oxfam GB (2013) 'Finding CSO partners when civil society has been weakened by war', blog posted on 8 February 2013, <http://policy-practice.oxfam.org.uk/blog/2013/02/choosing-the-right-partners>
- <sup>15</sup> Oxfam GB (2012a) 'Shrinking Civil Society Space', internal paper, December 2012.
- <sup>16</sup> Oxfam GB (2012b), 'Within and Without the State: Effective programming in conflict and fragile contexts', p. 3, <http://policy-practice.oxfam.org.uk/our-work/citizen-states/within-and-without-the-state>
- <sup>17</sup> Interview with Mary Akrami, Kabul, July 2011, quoted in: Oxfam International (2011) 'A Place at the Table: Safeguarding women's rights in Afghanistan', p. 21, <http://www.oxfam.org/sites/www.oxfam.org/files/bp153-womens-rights-afghanistan-03102011-en.pdf>
- <sup>18</sup> UK Department for International Development 'Strengthening Civil Society in Afghanistan', <http://projects.dfid.gov.uk/project.aspx?Project=201000>
- <sup>19</sup> Please see Within and Without the State project overview, <http://policy-practice.oxfam.org.uk/our-work/citizen-states/within-and-without-the-state>
- <sup>20</sup> S. Devarajan, S. Khemani, and M. Walton (2011) 'Civil Society, Public Action and Accountability in Africa', HKS Faculty Research Working Paper Series RWP11-036, John F. Kennedy School of Government, Harvard University, [http://dash.harvard.edu/bitstream/handle/1/5131503/RWP11-0036\\_Walton\\_alia.pdf?sequence=1](http://dash.harvard.edu/bitstream/handle/1/5131503/RWP11-0036_Walton_alia.pdf?sequence=1)
- <sup>21</sup> Oxfam GB (2012b) *op. cit.*, p. 2; Oxfam Novib supports the Building Afghan Peace Locally programme: Afghan Development Association (2012), 'Building Afghan Peace Locally', Narrative Report, <http://www.ada.org.af/ADA/images/Donor%20Reports/BAPL%20-%20First%20Six%20Months%20Report%202012.pdf>.

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For further information on the issues raised in this paper please e-mail [advocacy@oxfaminternational.org](mailto:advocacy@oxfaminternational.org)

Published by Oxfam GB for Oxfam International under ISBN 978-1-78077-385-8 in July 2013.  
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## OXFAM

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