

Enabling and Protecting Civic Space (EPCS)

Addendum

to

**The United States Agency for International Development (USAID)
Democracy Conflict and Humanitarian Assistance (DCHA)
Center of Excellence on Democracy, Human Rights and Governance**

**Broad Agency Announcement (BAA) for
*Adapting USAID's Democracy, Rights, and Governance (DRG) Programming to Better
Address Global Trends and Challenges***

Background - Global Challenge of Closing Civic and Political Space

USAID is interested in identifying opportunities for co-creation, co-design, co-investment and collaboration on research and development interventions to address challenges to civic space and growing restrictions on democratic freedoms of association¹, assembly², and expression around the world.

The problem of threats to civic space is severe and growing. It is characterized by diminishing fundamental freedoms, restrictive legal frameworks, and harsh backlash against civic organizations and activists, members of political opposition, and independent media. Various indices track annual progress, such as the CIVICUS Monitor which releases civic space ratings for all UN Member States, as well as Kosovo and Palestinian territories. As of February 2018, 109 countries have closed, repressed or obstructed civic space.³ CIVICUS tracks the following restrictive measures: activists detained, protest disruption, excessive force, attacks on journalists, censorship, and harassment, and intimidation, prevention of protest, legislative restriction, and bureaucratic restriction. USAID seeks to support an environment where civil society organizations are free to organize, associate, express themselves, and to criticize the government without fear of government sanctions or harassment, and the government does not impede the formation and operation of civil society.

The challenge is that a government or other non-state actors may use not only repressive legislation and policies (e.g. loose legal frameworks open to discretion, burdensome registration requirements, taxes and fines, criminalization of failures to comply with the law, and limits on foreign funding) to deter CSOs from acting or expressing themselves, but also violence and intimidation (e.g. threats to CSO personnel, arbitrary detention, forced disappearances, and extrajudicial killings), as well as defamation of civil society. There is a spectrum of narrowing or closing civic space which ranges from limitations of CSOs' ability to exercise rights to freedom of association, peaceful assembly and expression, to legal and practical impediments to

¹ <http://freeassembly.net/foaa-online/included-notion-association/>

² <http://freeassembly.net/foaa-online/included-within-notion-assembly/>

³ <https://www.civicus.org/index.php/state-of-civil-society-report-2018>

operations, to heavy constraints with a risk of termination of activities, imprisonment or injury, to a complete closure of civic space.

The consequences are severe. This trend of restrictions significantly hampering the ability of civil society to mobilize and operate is referred to as closing space and is considered as a driver of state fragility, conflict and regional instability. Because civil society organizations make so many contributions to their country's development and to USAID's work, closing civic and political space is not just a Democracy, Human Rights and Governance (DRG) problem; it undermines the Agency's investments in all development sectors, including health, humanitarian assistance and equitable economic growth. These measures often affect local CSOs, as well as media, political parties and other USAID implementing partners – constraining USAID's ability to achieve its development objectives. Closing space for civil society in countries abroad is undermining the ability of citizens to effectively claim their rights, hold their governments accountable, influence the political and social structures around them, and serve vulnerable communities. When governments shut down space for independent civil society and media, they are blocking meaningful participation by citizens in basic governance, excluding key groups from the social, economic, political life of the country, weakening the social contract between governments and their citizens, and making recourse to violence as a means of addressing grievances more likely.

USAID has a long track record of supporting civic freedoms, and current DRG programs include the following: Civil Society Innovation Initiative (CSII), Civil Society Organization Sustainability Index (CSOSI), Global Alliance for Community Philanthropy (GACP), Global Civil Society Legal Enabling Environment Project 2 (LEEP II), Global Labor Program II (GLP), Information Safety and Capacity Program (ISC), Strengthening Civil Society Globally (SCS Global), Global Elections and Political Transitions (GEPT), Human Rights Support Mechanism (HRSM), and Human Rights Grants Program (HRGP). Donors and development partners in countries around the world are confronting these new restrictions on civic space, making it difficult to achieve objectives using traditional methods and approaches or rendering them less effective. Capacity building support to civil society groups and offering technical assistance based on international best practice to respond to existing or proposed legislation and/or regulations that threaten civil society play an extremely valuable role, but emerging trends have shown that USAID is going to have to look beyond the legal enabling environment or support for human rights defenders to mitigate the effects of the constriction of civic freedoms and create safe space for civil society to operate. There is a need for new knowledge, approaches, tools, and new ways of work.

The Need for New Approaches

Since the 2014 publication of the paper “Closing Space: Democracy and Human Rights Support Under Fire” by Thomas Carothers,⁴ a growing number of academics, think tanks, donors and practitioners have been working to better understand the phenomenon and what to do about it. While there are a variety of lines of inquiry and promising programmatic responses, we are still faced in many country contexts with a situation where our previous and current approaches may

⁴<http://carnegieendowment.org/2014/02/20/closing-space-democracy-and-human-rights-support-under-fire-pub-54503>

be making some headway but are not effective enough and new approaches are unclear. Research to date argues that closing space is more common in semi-authoritarian or semi-democratic countries and CSOs engaged in democracy, good governance, human rights and advocacy are targeted most frequently. It appears that measures related to closing space are being shared and replicated between governments to an ever larger extent and range from arbitrary laws and discriminatory policies to extrajudicial violence. Among these measures, restrictions against foreign funding are a wide-spread strategy, even if based on legitimate concerns, which can undermine CSOs and civil society. Donor interventions need to be cross-cutting across technical sub-sectors, more flexible, and be able to respond to an evolving country context.

Despite initial research and ongoing programmatic efforts to address different aspects of closing civic and political space, we do not fully understand the ballooning problem or more importantly how to reverse the trend and program accordingly. There is a growing need for additional guidance and programmatic support in situations of closing space, as well as new policies and technical requirements for how to work more effectively in these difficult environments. CSOs need new strategies and tactics to operate in coercive and often rapidly changing environments and preserve their members' safety. Increasingly, civil society must be fluid and adaptive as it reshapes itself into innovative kinds of organizational forms that are less susceptible to restrictions.⁵ New research points to possible means to keep civic space from shrinking. This includes strategies that have worked in at least some instances to pry open civic space under backsliding regimes, such as alliance- and coalition-building with other domestic civil society groups; indirect resistance and actions (e.g. charity provision, artistic expression, and local-level political involvement) that do not overtly confront the regime; non-violent contentious action; creative use of digital technologies; and maintaining organizational autonomy from the government and international actors. However, the scope of current analysis does not allow for generalizable findings and there has been virtually no systematic cross-national testing of strategies.⁶ Similarly, while current programmatic approaches have shown some success, more needs to be done to address what is becoming an increasingly complex challenge.

Solutions Sought

Building on previous investments, USAID seeks to promote and protect the freedoms of association, assembly, information, expression, and related human rights through new and adaptive models, especially in restrictive environments. Protection of these fundamental freedoms should preserve the ability of groups of individuals or any legal entities to come together in order to collectively act, express, promote, pursue or defend a field of common interests, as well as to gather in a private or public space for a specific purpose, and express one's ideas and opinions freely through speech, writing, and other forms of communication.

⁵ "Shrinking space for civil society: the EU response," European Union, April 2017, p. 33.
[http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU\(2017\)578039_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)578039_EN.pdf)

⁶ <https://www.iie.org/Research-and-Insights/Publications/DFG-CU-Publication>

USAID seeks innovative concepts to strengthen protection of civic space through the following objectives:

- 1) ***Enhanced knowledge of drivers of civic space expansion***: Fostering collaboration with a variety of stakeholders (e.g. academic, private sector and practitioners) through applied research/action research (e.g. testing hypotheses about what might work in a particular time and place, gathering examples of these hypothesis tests in different contexts that they could be generalized) to advance the state-of-the-art on understanding and effective programmatic responses to supporting civil society and media in the face of evolving restrictions of civic space in the short, medium and longer term.
- 2) ***Improved menu of flexible operational approaches and programmatic tools***: Systematic design, development, testing and use of a comprehensive portfolio of operational approaches, programming tools and technical services, including rapid response capability and adaptive management for local civil society and media to address legal and other restrictions on civil liberties.
- 3) ***Strengthened coalitions and networks***: Building a cadre of local civil society and media organizations and networks, as well as other stakeholders, who can assist other local groups, as well as bilateral and international partners, to address new challenges to civic freedoms nationally, regionally, and internationally and advocate for policy changes. Systems-based approaches⁷ that bring together an array of stakeholders and tactics to address the challenge are encouraged.

The above are broad descriptions of USAID's primary objectives. However, applicants are welcome to propose other innovative research and development interventions to address challenges to civic space and growing restrictions on democratic freedoms of association, assembly, and expression around the world.

Guidance for Concepts

Proposed concepts may be at any of the following stages of development:

- (1) *proof of concept* - introduction of a solution in a specific country context to gain an early, real-world assessment of technical, organization, distribution, and financial viability of the solution.
- (2) *testing impact and delivery* - testing a proven concept toward improved outcomes and/or viability, as well as operational refinement to build paths to sustainability and scale.
- (3) *scaling-up* - adaptation of a rigorously evaluated innovation to new contexts and geographies and engagement of additional partners who will help scale the project beyond USAID support, but for whom more evidence of success and track record are needed.

Submission Instructions

Please submit your Expression of Interest indicating the research, new approaches or development idea which will address the Solutions Sought, above, by increasing knowledge and

⁷ <https://www.usaid.gov/sites/default/files/documents/1870/LocalSystemsFramework.pdf>

understanding of potential solutions, exploiting scientific discoveries or improvements in technology, materials, processes, methods, devices, or techniques, advancing the state of the art, or using scientific and technical knowledge in the design, development, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service). Organizations are encouraged to consider collaborating with peer organizations that bring differing perspectives and/or comparative advantages. In addition to the description of the solution, applicants should describe any cost-share, matching, or leveraging, if applicable.

Expression of Interest Information Formatting

Expression of Interest Information should:

- 1) Be in English, no more than 2 pages in length, and no smaller than 12 point font;
 - 2) Be submitted electronically to DRG_BAA@usaid.gov;
 - 3) Contain a header with the following information (included in the page count):
 - a) Respondent Name/Group and Contact Information;
 - b) Response Title;
 - c) BAA Addendum Name/Number;
 - d) Optional graphic that fits on an 8.5"x11" or A4 piece of paper (included in the page limit);
 - 4) Be in .pdf, .docx, or .odf format
 - 5) Describe your organization's idea/approach to addressing the challenge of closing civic space
- Your expression of interest, if accepted, will result in your participation in one or more co-creation events with other successful applicants, to jointly develop programs and activities for funding. All applicants are encouraged to read the full announcement closely for guidance on the co-creation process.

Review of Submissions and Selection Criteria

Stage 1: USAID will review and select Expressions of Interest submitted in accordance with the guidelines and criteria set forth in this Addendum and the *Evaluation Criteria described in Section III of the Broad Agency Announcement (BAA) for Adapting USAID's Democracy, Rights, and Governance (DRG) Programming to Better Address Global Trends*. USAID reserves the right not to review any Expressions of Interest that do not meet the guidelines above.

Stage 2: Selected groups will be invited to join the co-development process which will consist of one or more co-creation workshop(s) in TBD or remotely, where USAID, partners, and selected groups will gather to collaboratively develop program(s) designed to achieve the objectives articulated here. This will result in one or more concept papers of 5-7 pages each, outlining a concrete programmatic plan, focus areas, goals, timelines, etc. Travel costs for participants will not be reimbursed by USAID.

Stage 3: Final concept papers will be submitted to USAID's Review Board. Approved concept papers for programs will be further refined (co-design) and potentially implemented, based on a decision at that time whether to proceed to implementation.

Criteria

The following criteria will be applied to all Expressions of Interest:

- 1) ***Idea/Approach:*** Soundness of your idea/approach, including appropriate evidence, to fostering systems that address challenges and harness opportunities. USAID will focus on how the applicant contributes fresh, informed, and realistic thinking, and how the applicant uses supporting evidence and analysis to clearly demonstrate how the proposed idea will enable and protect civic space. USAID seeks demonstrated ability to connect, strengthen, and/or scale local and regional civil society networks. Additionally, USAID seeks experience implementing adaptive and/or iterative programming, managing successful peer-to-peer networks, and catalyzing new ideas effectively. Equally important are the unique qualities that the applicant would bring to the discussion.
- 2) ***Partnership Expectations and Value:*** Strengths of your organization as a partner, including your ability to make a unique contribution to the critical development challenge. USAID seeks the ability to connect disparate communities, i.e. academia, private sector, civil society, as well as connecting with experts in nontraditional and diverse sectors. Please provide specific examples of collaboration or co-creation with other parties or partners.
- 3) ***Diversity of Perspectives and Capabilities:*** USAID seeks to bring together a diverse set of co-creators in collaboration in order to enable broader thinking and innovation. The selection of individual applicants will be made with the goal of achieving this diversity.
- 4) ***Impact and goals of the program:*** Indicate broad and discrete goals of the concept and how they relate to USAID's policy and objectives.

USAID is not obligated to issue a financial instrument or award as a result of this Addendum.

Response Date

Please submit your expression of interest in English to DRG_BAA@usaid.gov no later than 11:59pm EST on **May 29, 2018**.