Shrinking or Opening? Civic Space in Africa during COVID-19

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Table of contents

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Foreword

Dear reader,

This publication aims to explore if the COVID-19 pandemic has changed civic space in sub-Sahara African, that is the space of civil society organisations (CSOs) to operate. CSOs fulfil vital functions in countries of sub-Saharan Africa. These can range from the delivery of basic services like health care and education in situations where the state fails to provide these to promoting the rights of marginalised groups and human rights. Especially in times of crisis, the most vulnerable people depend on CSOs for services and to attract attention to their causes. Moreover, civil society can be an organised dissenting voice and a counterpoint in societies dominated by autocratic governments.

Autocratic leaders often perceive the demands and the criticism of existing conditions by civil society as a threat to their authority and their claim to represent the population exclusively and exhaustively. Their common reaction is the curtailment of civic space, and it can be especially harsh when civil society is perceived as opposition or as a watchdog for government affairs. It is therefore not surprising that autocratic leaders used lockdowns and curfews not only as counter measures against the COVID-19 pandemic but also to further encroach on civic space and to attack CSOs.

The COVID-19 pandemic was a test for the resilience of CSOs and despite unprecedented health and political challenges many showed that they are incredibly capable in adapting. The means of communication and modes of operation were changed and CSOs were often the last organisations on the ground and in contact with people in need.

Similar to the dynamics in the Sector Network 'Good Governance in Africa', which has initiated and coordinated this publications, debates and efforts in the Sectoral Department 'Governance and Conflict' of the GIZ and

in particular in the Competence Center 'Democracy, Digital Governance and Urban Development' have been and still are circulating around similar questions. How has the COVID-19 pandemic influenced the state and quality of democracy? Is there the perspective of civic spaces opening (again) for political participation and civic engagement? What are approaches and experiences to work in and around COVID-19-restrictions? This publication therefore comes at the right time, bringing together academic research as well as civil society perspectives and providing an orientation for planners as well as for practitioners.

We were overwhelmed by the support and would like to thank our partner organisations and the academics in our partner countries who shared their knowledge and recommendations for future action. Because of their contributions, this publication is based on first-hand experience and real action taken under the pressures of a world-wide pandemic and its consequences. It should serve as a knowledge base and summary of best practices from CSOs and academics for CSOs and professionals all over sub-Saharan Africa.

We hope the publication leads to reflection and the inspiration to take action!

Dr Ute Böttcher
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CHAPTER 1

Introduction

Nannette Abrahams, François van Schalkwyk and Felix Wünsche

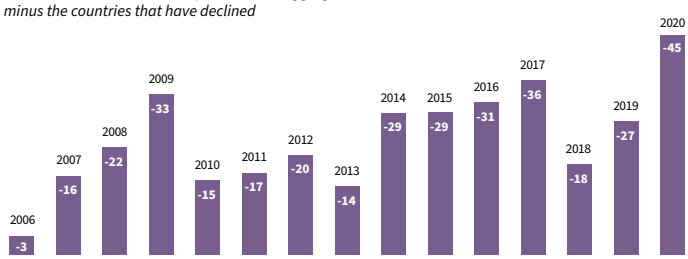
Over the last 15 years, the world has experienced a decline in democratic freedom (Freedom House 2021). In 2021, almost 89% of the global population lived in countries with severe restrictions on civic rights, including limitations on the freedoms of expression, association and peaceful assembly. By contrast, 3.1% live in countries rated as 'open' according to the latest CIVICUS Monitor[1] report (CIVICUS 2021a). This indicates that conditions for civic space around the world are on a continuous downward spiral.

Shrinking civic space is not a new phenomenon; instead, we can observe an ongoing trend since the mid-2000s of an increasingly restrictive environment for civil society organisations (CSOs) (see Figure 1.1). The trend is global. While the Middle East and North Africa (MENA region) remains the region with the worst civic rights record, civic space is also shrinking across Europe – the region with the highest number of 'open' countries (CIVICUS 2021b, 2020). This publication has chosen to focus on sub-Saharan Africa because it was developed in the context of the Deutsche Gesellschaft für

1 The CIVICUS Monitor is an online research platform tracking fundamental freedoms in 197 countries and territories based on observations from civil society organisations in the respective countries.

Figure 1.1 A growing democracy gap, 2006–2020

Number of countries that improved their aggregate scores in Freedom in the World *minus the countries that have declined*



Source: Freedom House (2021)

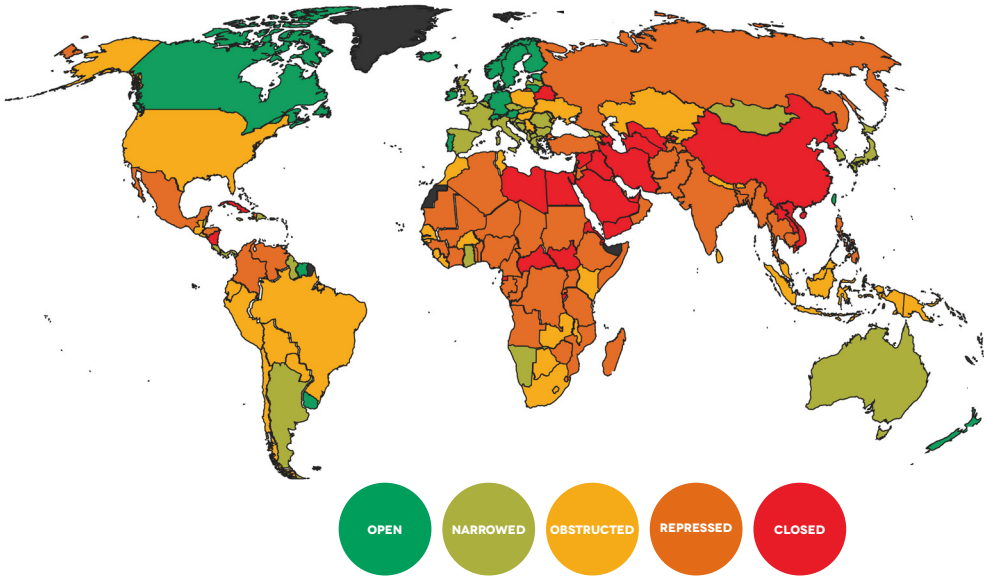
Internationale Zusammenarbeit's (GIZ) Sector Network Good Governance in Sub-Saharan Africa work stream 'Working with Civil Society Organisations', with a clear focus on partner CSOs from sub-Saharan Africa.

Shrinking civic space in Africa

In the African context, it can be observed that while 60% of the continent's citizens live in a country where the governance situation has improved over the last ten years (data until 2019), stagnation can be observed in the past five years, with a clear tendency towards deterioration since 2018 (Mo Ibrahim Foundation 2020). According to the 2020 Ibrahim Index of African Governance (IIAG), this recent decline is driven mainly by issues related to participation, rights and inclusion, followed by security and rule of law challenges (Mo Ibrahim Foundation 2020). Based on the latest CIVICUS report, the most common civic space violation in sub-Saharan Africa is the detention of journalists (CIVICUS 2021b). In 2021, of Africa's 54 countries, civic space is only ranked as 'open' in the island states of Cabo Verde and São Tomé and Principe, and 'narrowed' in four countries (Ghana, Namibia, Mauritius and Seychelles), with South Africa and Botswana being downgraded to 'obstructed' and Mali and Mozambique downgraded to 'repressed'. Civic space in eight African countries is rated as 'closed', 25 as 'repressed' and 15 as 'obstructed' (see Figure 1.2) (CIVICUS 2021b).

Against a backdrop of increasing regulation and complexity, it is perhaps unsurprising that the prevailing discourse around civic space in Africa is one that rests on the assumption that civic space is shrinking (Dupuy et al. 2016; Keutgen and Dodsworth 2020; Sogge 2020). Again, this is not a new

Figure 1.2 People Power under attack, 2021



Source: CIVICUS (2021b)

development, as a GIZ study from 2015 identified a common trend towards governments in sub-Saharan Africa limiting democratic spaces for civil society – mainly through legislative measures – despite a rise in the number of CSOs since the 1990s (Lieberich et al. 2015).

Shrinking civic space and COVID-19

Against the background of shrinking space, this publication seeks to examine how this tendency has been affected by an ongoing and global health emergency. Although many of the issues surrounding the question of shrinking civic space existed prior to the COVID-19 pandemic, recent reports indicate that the way the health emergency has been governed has exacerbated the trend of closing civic space in Africa (CIVICUS 2021c; Mo Ibrahim Foundation 2021). Globally, authoritarian and also more democratic governments have seized upon the opportunity provided by the health emergency to further tighten their grip on power. Most commonly, this happened through holding unfree elections, extending term limits and

bypassing legislation that further limited space for dissent, leading, in turn, to further restrictions on freedoms of expression and peaceful assembly (CIVICUS 2021c). This accounts for why the detainment of protestors has been ranked as the main violation of civic freedoms during the COVID-19 pandemic (CIVICUS 2021b). In African countries like Chad, Ghana, Guinea, Niger and Uganda protests calling for better governance and free elections were dispersed and protestors locked up (CIVICUS 2021b). In addition, an IIAG interim report on the impacts of the COVID-19 pandemic on the African continent found that African governments fell short in providing adequate accountability of their emergency responses to the pandemic and that 88% of legislatures in Africa failed to provide adequate oversight on approval and implementation (Mo Ibrahim Foundation 2021). Public engagement in the formulation, approval and oversight of emergency packages was limited and none included vulnerable and underrepresented groups, that is, those most likely to be impacted by the crisis (Mo Ibrahim Foundation 2021). The way the pandemic has been governed in different African countries has further exerted strain on participatory and civic spaces – most notably in the domain of media freedom but also through the use of 'excessive measures or by keeping emergency provisions in place for extended time periods' (Mo Ibrahim Foundation 2021: 69) – which has amplified African citizens mistrust in their political leadership. This means it has become more difficult for CSOs to establish themselves and to operate while facing higher levels of harassment, with Malawi, Niger and Nigeria showing the largest declines and The Gambia, Libya and Tunisia showing most progress (Mo Ibrahim Foundation 2021).

Another worrying trend, especially in the light of lockdowns and a global turn towards digitalisation, is the decline in digital rights[2] across the African continent, particularly since 2015, driven by increasing government censorship of online content and weaker legal frameworks to protect internet users' privacy and data (Mo Ibrahim Foundation 2021).

Apart from governance issues, it can be assumed that the economic developments in Africa that have seen the most improvements over the last ten years will experience a significant reversal as a result of the COVID-19 pandemic. The economic damage is likely to be much more significant compared to the effects on the health sector (Mo Ibrahim Foundation 2022).

2 The Gambia, Guinea-Bissau and Tunisia are the countries where digital rights have most improved while Benin, Cameroon and Mauritania are the countries with the most deterioration (Mo Ibrahim Foundation 2021).

Nonetheless, the reports also show that moments of crisis hold potential for innovation such as the implementation of the Audit Service in Sierra Leone which led to anti-corruption investigations and various examples of successful cooperation between civil society and government (Mo Ibrahim Foundation 2021). The COVID-19 crisis has also shown how resilient civil society – CSOs, human rights defenders, journalists and activists – has been in claiming fundamental rights (CIVICUS 2021c). For example, as a result of close collaboration with civil society, The Gambia's National Assembly adopted the Access to Information Bill in 2021 (CIVICUS 2021d). Hence, while there may be forces at play that result in a shrinking of civic space, new opportunities may emerge that either allow for its expansion (Dube et al. 2020; Lorch et al. 2021; Sogge 2020) or accommodate a duality of shrinking and closing civic space in the same governance system (Toepler et al. 2020).

In this publication, we seek to better understand for whom civic space has changed – either shrinking or expanding – and at whose behest. The overarching research question of the publication, therefore, is: To what extent has the COVID-19 pandemic and the way it has been governed changed civic space in African countries?

As a sub-research question, the publication seeks to further answer whether marginalised groups have been affected differently, and whether their human rights have been curtailed or whether new opportunities have opened up for them as a consequence of the COVID-19 pandemic and the way it has been governed.

This collection also hopes to showcase some of the innovative solutions that different CSOs have developed on the African continent to respond to dynamics of changing civic space, especially in times of lockdowns and social distancing.

The target audience of this publication are CSOs in sub-Saharan Africa as well as development practitioners and academics. Through a rich range of inputs from CSOs and African academics, this publication aims to provide an input for further exchange and experience sharing.

Terminology and conceptual framework

According to Malena (2015), civic space it is a set of conditions that determine the extent to which all members of a society, both as individuals or organised groups, are able to freely, effectively and without discrimination exercise their basic civil rights. Keutgen and Dodsworth

(2020) suggest that open civic space allows citizens and CSOs to organise, participate and communicate without hindrance. An open space enables citizens to claim their rights and allows them to exercise influence over their political and social contexts. A shrinking or closed civic space has a negative impact on the rights of citizens to associate, assemble and express their opinions. Toepler et al. (2020) note that civic space should not only be understood in binary open–closed terms; they note the emergence of dual, co-existing spaces in national contexts which may be repressive for some but provide opportunity for others.

Koyro et al. (2018) define CSOs as a diverse ensemble of many different organisations located between government and society whose missions vary vastly from provision of healthcare services to education, environment, defending the rights of citizens and refugees, advocacy, social justice and monitoring abuse of power, to name a few. These organisations include non-governmental organisations (NGOs), human rights defenders, social movements, faith-based organisations, labour movements and community-based organisations. Gellner (1994: 5) defines CSOs as that 'set of non-governmental institutions, which is strong enough to counter-balance the state, and, while not preventing the state from fulfilling its role of keeper of peace and arbitrator between major interests, can, nevertheless, prevent the state from dominating and atomising the rest of society'. Keane (1998: 6), in turn, described civil society as an 'ensemble of legally protected non-governmental institutions that tend to be non-violent, self-organising, self-reflexive, and permanently in tension with each other and with the state institutions that "frame", constrict and enable their activities'. CSOs exemplify the capacity of society to self-organise for the purpose of offering alternative views and solutions to those of government and may define their mandate as being one that holds government accountable on behalf of citizens. The outcome may be an adversarial relationship between CSOs and government but in a peaceful, though often contested, process that works towards the settlement of diverse interests (Koyro et al. 2018).

For the purposes of this book, civil society is defined as the collection of organisations occupying civic space to comprise a segment of society loosely coupled around the interests of that same society and that is non-state, non-profit and non-violent.

Recently, attention has shifted towards new forms of both protest and participation made possible by the affordances of the internet and digitalisation (Dube et al. 2020; Gerbaudo 2012). Dube et al. (2020), for

example, draw attention to the possibilities of enhanced civic engagement and expanding civic space as a consequence of the 'new frontiers' of the 'digital age'. It is possible, and even necessary if one accepts communication networks as the primary determinant for the organisation of contemporary society, to differentiate between physical space and non-physical space (Castells 2009, 1996; Stalder 2006). Civic space may also be understood in these terms. Physical space – or the space of places – is required for mass gatherings, rallies and face-to-face meetings. These spaces invariably disappeared during the COVID-19 pandemic due to lockdown measures put in place by governments to slow down the spread of the virus. Non-physical space – or the space of flows – are non-place-based spaces of communication. These predominantly include digital communication modes such as voice over internet protocol (VOIP), apps (e.g. WhatsApp), social media platforms (e.g. Twitter, Facebook, TikTok), email, etc. The expectation is that the space of flows would have remained open and accessible during the pandemic, and would become critical in keeping economic, social and cultural activities active. At the same time, the space of flows may provide new spaces for civic engagement as digital communication tools became normalised by necessity.

In the network society, social movements are therefore no longer bound by place and can more readily communicate in real time on a global scale to bring about social change (Castells 2015), although some scholars question the potential of social media communication networks to foment lasting social change (Gerbaudo 2012; Miller 2017).

Approach

To answer the research question, two approaches were adopted. First, a survey was conducted with 41 CSOs in 14 countries across sub-Saharan Africa (see Table 1.1) through a structured questionnaire and accompanying consent form. Our survey revealed that laws related specifically to the regulation of CSOs were in place in 12 of the countries surveyed.

The GIZ's Sector Network Good Governance in Sub-Saharan Africa mailing list was used to send out the questionnaires in batch emails. GIZ advisors were also asked to support the distribution of the questionnaires to their partners. As a result of sending the questionnaires to a list as well as being distributed via the wider GIZ networks, it was not possible to keep track of how many organisations received an invitation to complete the questionnaire.

Without accurate figures for the total number of CSOs in sub-Saharan Africa, it is not possible to say whether this is a representative sample. Although based on common sense, it is unlikely. The sample is also biased to the extent that the CSOs mainly work in governance. Nevertheless, there was good in-country representation in the cases of Burkina Faso (6), Kenya (5), Niger (6) and Uganda (10), and representation from countries in all the main regions of the continent.

Table 1.1 Number of CSOs per country (usable survey questionnaires = 41)

Country	Number
Anonymous	2
Burkina Faso	6
Côte d'Ivoire	1
Ghana	1
Kenya	5
Mauritania	1
Namibia	1
Niger	6
Nigeria	2
Sierra Leone	1
Somalia	1
Somaliland	1
Sudan	1
Uganda	9
Zambia	3

CSOs were evenly divided between those that work in urban (68%) and rural (63%) areas, with some working in both urban and rural environments. The average size of the CSOs in terms of staff complement was 21 staff members. The largest CSO employed 70 staff while the smallest (an umbrella organisation) had no permanent staff members. In terms of organisational type, nine respondents described themselves as community-based organisations (CBOs), one as a CSO, 26 as NGOs, four as collectives and one did not specify their organisational type.

Questionnaires were coded by a single researcher, and information was extracted to populate predefined fields. Data from the questionnaires was captured according to the following fields: 'marginalised community', 'effect on marginalised communities', 'effect on government relationships', 'effect on donor relationships', 'strategies/responses' and 'lessons'. Basic statistical analysis was done to compute distributions in terms of: (1) organisational

type; (2) staff size; (3) the countries in which the CSOs operate; (4) whether the CSOs work in rural or urban areas; (4) focus area; (5) whether laws regulating CSOs exist in the countries in which they operate; (6) whether the CSO reported change or no change in civic space; and (7) in the case of change, whether they reported an opening or closing of civic space. Textual analysis of the other relevant fields was done to answer the primary question of changes in civic space as a result of the pandemic.

The second approach was to invite chapter contributions from both academics and practitioners. At first, chapter abstracts were invited. These were reviewed by the editors, and selected authors were invited to submit full chapters. The chapters received were then reviewed by at least two experts and revised before being included in this volume. Along with an analysis of the survey data, the chapters provide further depth and nuance to the examination of civic space in Africa during the pandemic.

Structure of the book

The collection is arranged in two parts. Part 1 focuses on relationships between CSOs and other stakeholders in the governance of African countries, with the focus mainly on CSO–government and CSO–donor relationships. The section on CSO–government relationships sheds light on the way the crisis has been governed on the African continent, and how this has affected the relationship between civil society and state actors. This includes whether this has made it more difficult for civil society actors to fulfill their mandates or whether the governance of the pandemic has opened new opportunities for their work and for political participation. Questions considered include: What are unique examples of the way the pandemic has been governed? How has this created new opportunities for fruitful CSO–state relationships? What are examples of how governance has impacted negatively on CSO–state relationships? What are the general trends that can be observed across sub-Saharan Africa?

The section in Part 1 on CSO–donor relationships explores emerging trends in the donor community in response to the COVID-19 pandemic, and how these developments have provided new opportunities for CSOs to cope with change in civic space. This includes a critical analysis on how new trends in the donor community might have further marginalised certain groups or whether they have had unintended effects such as further shrinking possibilities of socio-economic and political participation for CSOs.

An exploration of CSO–donor relationships during the COVID-19 pandemic also sheds light on the shifts in donor discourses in reaction to the COVID-19 pandemic that have either supported civil society in its interaction with state actors or that have had a negative impact on the opportunities civil society actors are granted by state actors.

The COVID-19 pandemic necessitated the rapid response of governments to curtail the spread and impact of the pandemic. Decision-making related to containment measures took place amidst high levels of uncertainty and often proceeded with limited consultation with stakeholders external to government (including CSOs), with the possible exception of epidemiologists and virologists. As a consequence, the effects of the measures implemented were largely unknown, and this uncertainty inevitably placed marginalised and vulnerable communities at greater risk. COVID-19 was also accompanied by an increase in the adoption of digital technologies to maintain communication, operations and logistics. Historically, there has also been strong support from international donors and multilateral agencies for developing countries to use technology to improve governance. However, there are also increasing concerns that digital technologies are still falling short in terms of delivering on inclusive development, thereby entrenching existing power dynamics in developing countries.

In line with the Sustainable Development Goals and the 2030 Agenda Implementation Principles, the second part of the book focuses on the impact of the COVID-19 pandemic on marginalised communities in Africa. In particular, the principle to 'leave no one behind' states that to achieve sustainable development, no one may be left behind and those with the fewest development opportunities should be reached first. It is necessary, according to the principle of leaving no one behind, to place greater focus on marginalised communities. The operationalisation of leave no one behind requires the measurement and analysis of inequality in each respective context, and inclusive approaches need to be developed that enable a structural fight against poverty and allow disadvantaged communities to be reached (GIZ 2017).

Part 2 of the book therefore focuses on the impact of the pandemic on marginalised groups, specifically how the pandemic and changing civic space have affected the youth, migrants, people living with disabilities or HIV, women, the LGBTQIA+ community, etc. Chapters in this section of the book

seek answers to questions related to whether marginalised groups have been affected differently, and whether their human rights have been curtailed or whether new opportunities have emerged for them because of the COVID-19 pandemic and the way it has been governed.

Chapters are situated within current debates on changing civic space and the effects this has had on CSOs. However, this publication can only show a limited and non-representative section of the developments. In some cases, chapters are based on the analysis of secondary data (including textual analysis of media, policy, etc.); in other cases, they rely on empirical data collected in the field or via other methods. The chapters are meant to provide grounded context to better situate and embed the experiences of CSOs in the wider academic and policy debates surrounding the topic of changing civic spaces. In short, this research undertaking provides a limited but hopefully an informative contribution to the continuously evolving debate on changing civic space.

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PART 1

How COVID-19 has changed relationships between CSOs and other governance stakeholders in Africa

Photo credit: Shutterstock

CHAPTER 2

How COVID-19 has enabled democratic decline in Africa

Idayat Hassan

Summary

Africa's experience with COVID-19 has been complicated. Early and commendable government efforts to lock down major cities, close international airports and run virus awareness campaigns played a key part in ensuring that the region's caseload and death toll were significantly lower than initially predicted. However, the heavy-handed enforcement of containment measures by security agencies and the curtailment of civic space has led to questions about whether COVID-19 has exacerbated democratic decline in the region.

In Guinea, Niger, Nigeria, Uganda, Zambia and Zimbabwe, authoritarian leaders prevented civil society from holding rallies and organising protests by using the justification of pandemic prevention. However, this justification was selectively applied with the governments of these countries detaining several opposition members while allowing political gatherings of their own supporters. On a continent with already problematic polls, several countries pushed through elections that saw disputes over their outcomes. However, and

importantly, during this period, citizens and civil society organisations (CSOs) have used innovative strategies to do what they can to hold governments to account, for example in Nigeria, Zambia and Chad.

This chapter highlights how COVID-19 responses resulted in democratic decline. At the same time, it provides examples of positive resistance and organising models through which civil society promoted accountability. It concludes with suggestions to improve long-term engagement for civic actors on the continent.

Introduction

While Africa, initially at least, mitigated COVID-19 impacts on health outcomes, citizens' livelihoods, finances and freedoms suffered significantly. Strict lockdowns throughout the continent were detrimental to the poor. Layoffs abounded in the corporate sector, and for the large numbers of citizens engaged in the informal sector – food vendors, hawkers, market traders and local entertainers – incomes were decimated.

Rapid phone surveys conducted by the World Bank in Ethiopia, Malawi, Nigeria and Uganda highlight the devastating impacts of the pandemic on the labour market and the urban informal economy (Weber et al. 2020). They show that jobs were lost in higher proportions in urban areas compared to rural parts of the country. Uganda recorded 29% urban job loss and 11% rural, Ethiopia 12% urban and 6% rural, while Malawi recorded 8% urban job loss and 6% rural job loss (Weber et al. 2020). In Nigeria, unemployment rates reached a record high of 33.3% as of December 2020, up from 22.8% earlier in the pandemic (Essien 2021). The burden of job loss affected women more than men.

In most countries on the continent, there have been no financial bailouts and limited stimulus or financial support for individuals. In 2021, Uganda promised 100,000 shillings (approximately USD30) in a one-off payment to affected individuals, but very few received even this or were aware of the scheme. Food supplies donated by the private sector to be distributed to citizens were embezzled by unscrupulous government officials (Athumani 2020). In Nigeria, COVID-19 palliatives were found in warehouses where government officials had hoarded the supplies until they spoiled. At the same time, food-price inflation in Nigeria reached its highest levels in over a decade as the border-closure policy of the Buhari administration artificially limited food supply, which was already challenged by herder–farmer

conflicts (Whitehouse 2021). In countries such as Burkina Faso, Mali, Niger, Sierra Leone and Liberia, the repercussions of the pandemic worsened pre-existing food-security challenges (OECD 2020).

While the economic impacts of the pandemic have been acutely felt across Africa, laws and guidelines introduced, ostensibly to limit the spread of the virus, threaten to have longer-term impacts. This chapter, based on a mix of desktop research and personal experience, will highlight the ways in which the pandemic has contributed to a closing of civic space in many countries on the continent. Closing civic space refers to attempts by governments to disrupt international funding flows to local CSOs and further reduce their political voice through legal restrictions and other forms of repression (Toepler et al. 2020).

This is not a comprehensive review of all African states' responses to COVID-19 but provides an illustrative snapshot of the broader trends that have shaped the continent since March 2020. It aims to highlight ways in which CSOs and protest movements have sought to push back against this shrinking space, before outlining some further ways in which the protection of civic space by CSOs can be secured in the future.

Pandemic problems

COVID-19 guidelines and containment measures were used to curb the right to protest in Senegal, Côte d'Ivoire, Niger, Chad and Guinea, particularly those groups who strongly opposed the government. In Côte d'Ivoire, for example, over 100 people, including human rights defenders, were arrested for 'disturbance to public order', 'incitement to revolt', 'violence against law enforcement agencies' and 'destruction of property of others'. Those who called for protests against a possible third term for President Ouattara were detained for 'undermining public order', 'participation in an insurrectionary movement', 'undermining state authority', 'wilful destruction of public goods' and 'provocation to a gathering' (Amnesty International 2020a).

In Niger, Amnesty International (2020b) and the Civil Society Legislative Advocacy Centre (Ewepu, 2021) decried the growing undemocratic clampdown, unchecked impunity and dictatorial moves by authorities to suppress citizens' fundamental rights and freedoms through secretive arbitrary arrests and the unlawful detention of peaceful protesters and human rights activists. Peaceful protesters including Hajia Haoua Abdoulabo were arrested and illegally imprisoned for protesting reported irregularities

that marred presidential elections in February 2021. In Chad, the state not only clamped down on opposition rights to protest but favoured certain assemblies. While prohibiting demonstrations by CSOs and opposition candidates, the government allowed pro-government marches. On 12 May 2021, between 150 and 200 people gathered in N'Djamena at the initiative of the New Vision platform to participate in a 'march for peace' in support of the Transitional Military Council. This was not disrupted by the security services (Human Rights Watch 2021).

Besides protests, there were large-scale abuses of human rights perpetrated by law enforcement under the cover of upholding COVID-19 protocols (Erezi 2020). This included the forceful implementation of face masks, overzealous policing, police brutality, extortions and even extrajudicial killings. In the early days of the pandemic, abusive police officers in Nigeria killed 18 persons while enforcing the lockdowns as the virus itself killed just 12 (BBC News 2020). In Kenya, police officers killed three people in a clash over the enforcement of face masks in June 2020 (VOA 2020) including a 13-year-old boy (France 24 2020). In the first seven days of enforcing lockdown in March 2020, South African police arrested over 2,000 people for quarantine-related offences. By 1 June, over 230,000 people had been arrested for violating lockdown measures such as being outdoors, drinking, possession of cigarettes or alcohol, amongst others (Haffajee 2020). In Nigeria, several women were raped by law enforcement in September 2020 after being apprehended for not wearing masks (Obaji 2020). In short, the pandemic increased the abuse of human rights and, in particular, overzealous policing.

Across the continent, similar measures extended powers to the executive without the provision of necessary oversight, crippling legislatures and judiciaries. These breached the Economic Community of West African States' supplementary protocols on democracy and good governance and the African Union's African Charter on Human and Peoples' Rights. Ghana introduced an Imposition of Restrictions Act in March 2020 with no end date or mention of COVID-19 despite the existence of an Emergency Powers Act (Addadzi-Koom 2020). In Guinea, now-deposed president Alpha Conde was able to push through a new constitution and even hold a presidential election, with a contested outcome, during the pandemic (Devermont 2021). President Emmerson Mnangagwa of Zimbabwe imposed something akin to a state of emergency under the guise of COVID-19 lockdown measures. Soldiers were deployed to conduct policing duties in townships. Consequently,

activists and civil society actors who confronted the regime's actions during the pandemic were harassed, arbitrarily arrested, and, in some instances, abducted and tortured; and their attempts to protest were ruthlessly quashed.

In short, measures designed to fight COVID-19 were exploited and co-opted by some African governments to restrict freedom of association and freedom of protest, expression and dissent. More attention appears to have been given to shutting people up rather than encouraging citizens to mask up. This was equally true of several elections held during the pandemic.

Elections were conducted across Africa in 2020 and 2021 (Devermont 2021) – Ghana, Benin, Uganda, Mali, Niger, Malawi, Zambia, Chad, Guinea and Côte d'Ivoire – with disputes over the outcomes featuring in almost all. Here the use of COVID-19 protocols and restrictions, in place ostensibly to tackle the public health threat posed by the virus, were applied more stringently to prevent opposition parties from mobilising their supporters effectively.

As mentioned above, ruling parties in Uganda and Chad banned campaign rallies or had them disrupted as part of enforcement of the COVID-19 protocols while keeping public spaces open and allowing political gatherings of their own to be held. In Uganda, presidential aspirant, Robert Kyagulanyi Ssentamu, popularly known as Bobi Wine, was arrested on 18 November 2020 for breaking COVID-19 regulations by mobilising large crowds for his campaign rallies (Human Rights Watch 2020). Moreover, protests for his release were met with aggressive responses by the authorities, who used teargas and live bullets. As a result, at least 16 deaths and 45 injured persons were recorded. In Chad, now deceased President Idriss Déby locked down the capital after concluding his election campaign in a move that interfered with opposition election campaigning ahead of the April presidential vote (Salih 2021). Both incumbents in Chad and Uganda were re-elected (BBC News 2021).

Pushing back

Aside from the restricted political rights and civil liberties experienced in several parts of the continent, it is also important to point out that the pandemic disrupted the operations of civil society due to the limited opportunity to meet, cuts in funding and their inability to effectively deploy the technology to continue operations. A study conducted between April and May 2020 by EPIC Africa (2020) found that 74% of the African CSOs surveyed experienced restricted face-to-face interactions and movement of staff,

56% experienced a loss of funding and 70% had to reduce or cancel their operations.

In spite of these challenges, CSOs promptly adapted to respond to the pandemic with innovative strategies, initiatives, repertoires and approaches to crisis management. For example, 58% of respondents to the EPIC Africa (2020) survey stated that they had introduced new programme activities, mostly self-funded, to contribute to the COVID-19 response. During the pandemic, civil society groups and activists established new coalitions to coordinate responses to, among others, issues of sexual and gender-based violence, to deliver emergency cash programmes to address the economic hardship being experienced by vulnerable populations, and in efforts to counter fake news being spread about the virus. Civil society also provided platforms to monitor and proactively publish information on country-level COVID-19 responses.

In South Africa, over 400 groups, comprising community structures, trade unions, social movements and grassroots organisations, came together under the C19 People's Coalition[1] to monitor the government's COVID-19 response and to ensure that justice, accountability and the rights of vulnerable groups were rooted in South Africa's response to the pandemic. The C19 People's Coalition has over 18 working groups, each with a specifically designated role or issue to keep track of. In a similar effort to push back against opacity and encourage transparency in the COVID-19 response, Gambia Participates tracked how a USD10 million emergency response fund established to support the medical sector was being spent (International Budget Partnership 2021).

At the same time as states attempted to restrict the right to assemble or shrink civic space, CSOs and popular movements innovated by moving protests online. One of the most successful online protests was organised in Zambia. Dubbed 'the bush protest', members congregated in the bush on 22 June 2020 and read statements to denounce corruption and poor governance (CIVICUS 2020). These statements were broadcast live on social media platforms. The protesters called on the government to curb corruption, be accountable, respect human rights, create job opportunities and include the youth. The members not only evaded the police but generated interest in, and engagement with, the protest without a single shot being fired (Alison 2020). Borrowing the words of Pilato, one of the organisers of the protests,

1 See https://c19peoplescoalition.org.za/

'There are two streets. There are these physical streets and social media streets' (Silimina 2020). In this instance, the 'social media streets' proved very effective in reminding the government of citizens' displeasure with their performance.

Protests during COVID-19 have, however, not only been limited to online spaces. Despite the efforts of states to limit public gatherings, and in part because of the harsh and repressive measures used, the pandemic has seen a resurgence of popular protests in prominent countries like South Africa and Nigeria. In South Africa, online and in-person protests were organised by civic actors over the death of Collins Khosa, who was assaulted, detained and eventually died for having alcohol in his front yard in violation of lockdown measures. South Africans protested online using the hashtag #CollinsKhosa and in person outside Johannesburg's Constitutional Court with placards bearing his name.

In October 2020 in Nigeria, a video of a victim of the now defunct Police Special Anti-Robbery Squad (SARS) emerged online and galvanised what was probably the biggest citizen movement there in a decade (Hassan 2020). The #EndSARS protests, which took place across the country, and which the state ended by the use of lethal force, led to the state disbanding SARS and instituting panels of inquiries to investigate SARS activities in each state. What is more instructive than the change in government policy was how the online protest gathered international attention. Twitter CEO Jack Dorsey, Big Sean, Trey Songz, John Boyega and Rihanna were some of the most well-known figures to join the campaign ('End SARS', 2022).

Technology was not only key for raising awareness about the protests, it was also used to mobilise resources and provide legal aid during the protests. When the government blocked the bank accounts of some of the key figures associated with the movement, they quickly switched to the use of crypto currencies (Kazeem 2020) to continue to receive donations. Similar examples where the use of digital platforms and advocacy have dovetailed effectively can be highlighted all over the continent. In Kenya, young people created Mutual Aid Kenya to engage in digital advocacy to keep citizens well informed of the risks and measures associated with the COVID-19 pandemic (Zhu 2020).

The digital age has created many opportunities to enhance civic engagement by creating new frontiers for the exercise of freedom of association and peaceful assembly. Technological advancement, a 43% internet penetration rate in Africa and the increased availability of internet-enabled mobile phones have contributed to this ability to resist. However,

> these developments have not escaped the notice of oppressive governments that are increasingly adopting undemocratic measures to restrict the exercise of right to freedom of association and peaceful assembly, as well as interdependent rights such as freedom of expression, right to access of information, and right to privacy in the digital space. This is witnessed in increased state-sponsored online and offline surveillance, internet shutdowns, network disruptions, online harassment, remote intrusion of civil society websites, censorship and other measures that seek to further shrink the civic space. (Dube et al. 2020: 7)

COVID-19 has created a space in which the antagonism between authoritarian states and CSOs has been reinforced following decades of opposition.

In spite of the many challenges, CSOs have shown resilience against the democratic decline that accompanied the enforcement of COVID-19 prevention measures. There has been a renewed interest in a culture of coalition building, movement building, and working across themes and countries. Comprising of CSOs across the continent, the African Movement for Democracy[2] is building a new generation of leaders and a sustainable democratic culture to promote democratic resilience and solidarity on the continent.

Conclusion

The pandemic was not a medical emergency alone. It has been utilised by governments with authoritarian tendencies to clamp down on the space for freedom of assembly, association and expression through legislation that will continue to linger in the shadows after it is formally removed. As this chapter has shown, many states have either introduced restrictive measures or selectively applied restrictions that have primarily focused on securing their position rather than supporting the plight facing citizens. Despite the challenges that have impacted CSOs and citizens during the ongoing COVID-19 outbreak, efforts to push back against shrinking civic space have continued.

2 See https://amdemocracy.org/

Encouraging citizens to be more active in these processes will be key and can offer a more sustainable way forward. But for this to happen, CSOs must redefine their social contract with citizens to regain and maintain legitimacy. They must also clearly separate themselves from the increasing numbers of 'briefcase NGOs' or what Toepler et al. (2020: 1) describe as 'quasi-governmental organisations' to interface with the population. In Nigeria, a recent study (Page 2021) pointed to several hundred such organisations that Nigeria's 'top powerbrokers' have used to cultivate 'a new generation of pro-government NGOs. These groups masquerade as authentic civil society groups, singing the praises of top officials and attacking their critics.'

There is a strong need for CSOs to build solidarity and networks within and across themes, and across countries. There is a clear need for a renaissance movement that pushes for popular support for human rights at the global, African and national levels, and that includes citizens as champions of those causes and rights. As COVID-19 has introduced new ways of working, the deployment of technology has become more imperative, and civil society will increasingly need to mobilise technology for their own advantage.

Funding will be critical to the continued relevance of CSOs. In light of the global nature of this pandemic, many donor agencies have been reorganising or adapting their budgets and focus areas. Keeping human rights and good governance to the fore will be critical in both the immediate and longer term. While there is a need to prioritise homegrown philanthropy on the continent, there is also a need for donors to reconsider flexible and sustainable financing models for CSOs, especially ones that prioritise the strengthening of organisations and the adaptability of programme objectives.

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CHAPTER 3

COVID-19 in South Sudan and the contraction of CSO programmes

Yosa Wawa

Summary

South Sudan is the youngest country in the world. It attained independence in 2011 after decades of protracted conflict. At independence, South Sudan had some of the worst human development indicators. This attracted many civil society organisations (CSOs) with the hope of ameliorating the conditions of the people. In 2021, there were over 400 national and 250 international CSOs operating in South Sudan. Both national and international CSOs are members of an umbrella body called the NGO Forum. The Forum focuses on programme activities, communication, human resources, security and taxation. CSOs are grouped according to clusters, such as education, to which they report monthly. This is key to accessing the money basket.

The first confirmed case of COVID-19 in South Sudan was recorded on 5 April 2020, and a COVID-19 National Task Force was established to coordinate a government-wide response to the pandemic. The Task Force declared a partial lockdown of certain businesses and prohibited public gatherings, which included learning, religious gatherings and interstate travel. Individual

CSOs made their own arrangements given the COVID-19 threat, and many suspended programme activities. Many donors also suspended work and partially closed down or redirected aid money. In all cases, programme activities of CSOs in South Sudan were negatively affected. This chapter investigates the depth of the problem. Data was mainly collected through interviews with key stakeholders and by consulting CSO reports and relevant secondary literature.

Introduction

Koyro et al. (2018) define CSOs as a diverse ensemble of many different groups that range from small local associations to large international non-governmental organisations (NGOs). Their missions vary vastly, from the provision of healthcare services to education, environment, defending the rights of citizens and refugees, advocacy, social justice and monitoring the abuse of power. The annual budgets of CSOs range from a few hundred to millions of US dollars. It is often CSOs' attempts to offer alternative views and solutions to those of governments that bring them into conflict with each other. This is when some governments move to shrink civic space.

According to Malena (2015), civic space is a set of conditions that determine the extent to which all members of a society, both as individuals or organised groups, are able to freely, effectively and without discrimination exercise their basic civil rights. Keutgen and Dodsworth (2020) argue that when a civic space is open, citizens and CSOs are able to organise, participate and communicate without hindrance. An open space enables citizens to claim their rights and to influence the political and social atmosphere around them. On the other hand, a shrinking or closed civic space means a denial of the right to entry, operation, resources, free expression, communication and cooperation, assembly and protection (Aho and Grinde 2017). There are a variety of ways in which civic space can be closed or open. When civic space is shrinking or closed, the existence and operations of CSOs in their attempts to contribute to citizens' well-being are affected negatively (Malena 2015).

This chapter looks at measures that contracted civic space in South Sudan as the government attempted to control the COVID-19 pandemic. The key question behind the research is how the governing of COVID-19 affected the work of CSOs. A mixture of primary and secondary sources was reviewed for this purpose. Government documents related to COVID-19 were also

consulted. Because of the standard operating procedures for managing COVID-19, most of the primary data was collected through telephone interviews with government officials and officials of CSOs in South Sudan. A total of 35 CSOs were interviewed.

Advent and control of COVID-19 in South Sudan

The Republic of South Sudan reported its first case of COVID-19 on 5 April 2020. As of 31 May 2021, 10,679 cases were reported, with 10,514 recoveries and 115 deaths (South Sudan Ministry of Health 2021). In line with World Health Organisation protocols, the government of South Sudan set up a COVID-19 Task Force to coordinate the process of undertaking a comprehensive assessment and developing an action plan to guide its control and resource mobilisation (Bul 2021). With a population of about 12 million and only 24 intensive-care hospital beds, the Task Force needed to limit the spread of the disease through prevention. The Task Force based its response on the following pillars: coordination and leadership; rapid response teams and case investigation; laboratories; infection prevention and control; case management; and operation support and logistics (South Sudan Ministry of Health 2021). The Task Force introduced the following standard operating procedures, some of which led to the shrinking of civic space:

- Lockdown, which was an emergency protocol that prevented people from leaving designated areas. It involved the closure of all domestic non-food markets, learning and religious institutions, and interstate and international travel;
- Social and physical distancing, which meant the cancellation of the freedom to assemble and of association. If people were required to meet or work together, they had to remain one to two metres apart;
- Isolation for at least two weeks for those who may have been in contact with COVID-19-positive people;
- Compulsory testing for COVID-19 for travellers. It often took more than 24 hours to obtain results of a COVID-19 test and this delay hindered the prompt provision of emergency services.

According to Kindersley et al. (2021), social distancing as a prevention strategy was understood and much more practical because it did not interrupt people's livelihoods, including their access to resources. However,

social distancing is difficult to enforce. Nevertheless, individuals thought to have violated the social distancing directive have been punished or harassed. For example, Martin Logo (Interview, 21 September 2021) reported that two priests of the Episcopal Church of South Sudan were arrested and imprisoned for opening their churches despite the lockdown and social distancing directives. This was a restriction on the right to freedom of assembly and association (Hayes et al. 2017) because they were simply accused of opening their churches irrespective of whether there was a congregation or not, or whether adequate measures had been put in place to allow for social distancing.

At the time of issuing the COVID-19 control measures, South Sudan was home to 1.67 million internally displaced persons (IDPs) and 279,880 spontaneously settled returnees. At the time of the COVID-19 lockdown measures, about 6 million people experienced food insecurity due to floods, climate change and displacement (Humanity and Inclusion 2020). The measures exacerbated the pre-existing economic crisis (Kindersley et al. 2021). The COVID-19 control measures placed restrictions on many vulnerable people and the CSOs helping them. They also infringed on CSO efforts to strengthen the laws in South Sudan.

Contraction of civic space

The Republic of South Sudan attained independence on 9 July 2011 after several decades of civil war. At independence, South Sudan had some of the worst human development indicators. Soon after independence, it was plunged into another civil war from 2013 to 2018, resulting in the displacement of people as refugees and IDPs. This has led to donors focusing on a humanitarian response rather than development assistance (Ali 2018), with CSOs as the main service providers in South Sudan. The country's poor performance on the Human Development Index and the displacement of its people attracted many CSOs with the hope of ameliorating the conditions of the people. By January 2020, there were over 400 national and 250 international CSOs active in South Sudan. While the government of South Sudan did not intentionally obstruct CSOs from doing their work, its COVID-19 policy did not take into consideration the essential services they provided.

In 2016, the World Humanitarian Summit proposed the shifting of resources and decision-making to local and national humanitarian

actors (Moro et al. 2020). In South Sudan, 18 donor countries and 16 aid organisations committed themselves to provide 25% of their funding to national NGOs. This commitment was promptly implemented in South Sudan due to the poor security situation in the country. Both national and international CSOs formed an umbrella body called the NGO Forum. The Forum focuses on programme activities, communication, human resources, security and taxation. The Forum grouped the CSOs into clusters such as education, health, livelihoods and the environment. All CSOs report monthly to their respective clusters. This reporting mechanism is key to accessing the money committed by donors for providing services in South Sudan (Interview with Rural Action Against Hunger, 18 July 2021). Members of the NGO Forum meet twice a year to ration the available funds.

The ban on meetings because of the lockdown and social distancing policies meant the NGO Forum could not conduct meetings as scheduled in 2020. The CSOs could also not report to their respective clusters as required. This meant that many national CSOs could not access project or humanitarian funds through their respective cluster. As a result, the budgets of the CSOs concerned were reduced by 70% (Interview with Humanitarian Aid for Change and Transformation, 30 September 2021).

In 2020, there was only one physical meeting of the NGO Forum. Meetings held using the online platform Zoom could not be accessed by most national CSOs because of the associated costs for internet data, computers and electricity. The affected CSOs could not report to their clusters as scheduled because of the restrictions on movement following the introduction of the standard operating procedures. For example, the Peace Dividend Development Organisation (Interview, 16 October 2021) could not carry out its training activities nor attend fundraising sessions, resulting in the organisation becoming dormant. Many national CSOs closed.

Several of the CSOs interviewed also reported delays in financial transfers. Before COVID-19, money from donors and the NGO Forum used to reach their accounts within three days. With COVID-19, money transfers took at least two weeks (Interview with Support for Peace and Education Development Programme (SPEDP), 29 September 2021). This meant delays in the implementation of projects.

The lockdown also negatively affected CSOs that normally receive supplementary funding from other donors because most donors tied their money to specific activities. The situation was so dire that one CSO (name withheld on request) was revived with assistance of USD20,000 from

Switzerland. All organisations interviewed reported that the COVID-19 control measures in the form of lockdowns and prohibitions on gatherings led to a failure to provide much-needed services.

The state COVID-19 awareness campaign created an unfounded fear of handling money among some people. It was rumoured that money could be infected with COVID-19. Yet in most rural areas in South Sudan where many CSOs work, there are no banks, so handling cash is the order of the day.

Lasko (2021) found that the closure of schools due to COVID-19 affected all schools in both rich and poor countries alike. Although the shutdown happened the world over, it was most severely felt among the poor, including refugees and IDPs. The poor could not afford online learning due to the lack of specifically trained teachers, appropriate teaching materials and the costs associated with internet access such as data, computers, tablets and smart phones.

The closure of schools impacted negatively on the right to education of individual learners and the rights of teachers, particularly those in private schools, to work and to receive an income. The Swedish International Development Agency (SIDA) (Interview, 9 October 2021), for instance, was helping the poor before COVID-19 by paying the salaries of 120 teachers but reduced this to 30 teachers, who were hired to carry out home-based learning only. The SPEDP village loan associations and cash-for-work activities were suspended (Interview, 29 September 2021). The Women Advancement Organisation (Interview, 4 October 2021) trains women in livelihoods such as tailoring, making of sanitary pads and hand bags, computers, catering, masonry and electricity. When COVID-19 and the counter measures came into existence, these training exercises were suspended and, because they could not train, donors stopped providing money.

To abide by the government's policy of social distancing, CSOs introduced working in shifts (Interview with the SPEDP, 29 September). The result was the inefficient delivery of services and delayed logistical work. According to ACTED (Interview, 8 October 2021), the lockdown, social distancing, isolation and travel bans led to the suspension of its training programmes. By 2020, the Women Advancement Organisation (Interview, 4 October 2021) had over 300 graduates who were self-employed and were working in various markets in South Sudan, but the COVID-19 lockdown policy made them lose their jobs and capital. The Mine Action Group enlightens people about the presence and dangers of landmines through meetings; however, the COVID-19 control measure which forbade meetings made its work very difficult. It resorted to

passing information through single home visits, which was ineffective, slow and costly. Although the results of the COVID-19 policies as described above are not equivalent to the shrinking of civic space, they have had a direct effect on the fruits of CSOs' labour.

The CSOs interviewed unanimously reported reductions or closures in civic space while abiding by the government's social distancing policy. Indeed, all the CSOs involved in training or education had their operations reduced to the bare minimum. One way of closing civic space is to restrict CSOs' access to resources, since without resources most CSOs cannot sustain their operations (Firmin 2017).

In South Sudan, it is mainly the United Nations Humanitarian Air Service that provides air transport to CSOs that work upcountry. The COVID-19 restriction introduced by government was that all travellers had to go into isolation for two weeks before taking their flights. At the end of the two weeks, those who tested negative were permitted to travel to the field. On their return from the field, they were required to go into self-isolation for another two weeks. Thus, a lot of time was spent observing the regulations rather than delivering services. The designated hotel for isolation was also too expensive for most CSOs, which meant they were forced to suspend all travel.

COVID-19 travel bans, according to ACTED (Interview, 8 October 2021), led to many experts being confined either in their home countries or in the field. All CSOs interviewed introduced working-from-home or rotating shifts in order to observe the policy of social distancing and other standard operating procedures. This became untenable due to the lack of power in most homes in South Sudan. Often homes in South Sudan have many people living in them and in limited space, making it hard to find a quiet place in which to concentrate and work. This had a negative effect on programme implementation. In 2020, Windle Trust International (Interview, 5 October 2021) had scheduled to train 1,000 teachers through the Accelerated Teacher Training project, but training could not be carried out due to the social distancing and lockdown policies. While beneficiaries lost the opportunity to be trained, Windle Trust International lost money and staff associated with the training project lost their jobs.

Windle Trust International (Interview, 5 October 2021) and indeed all CSOs interviewed experienced new costs such as office fumigation, the purchase of infrared temperature devices, handwashing facilities, sanitisers and face masks for staff. CSOs that could not afford these additional costs had to close or suspend programme activities.

Even CSOs with more generous financial resources did not escape the closure of civic space. Despite dwindling resources, some CSOs secured more funding to cater for the new challenges of COVID-19. But the capacity to use the money was reduced by about 30% due to the lockdown and social distancing policies (Interview with Norwegian People's Aid, 6 October 2021). CSOs consequently had to reprogramme their activities. The lockdowns, isolation and social distancing caused the delayed provision of services (Interviews with SIDA, 9 October 2021; and Save the Children International, 1 October 2021). In all cases, CSO programmes in South Sudan were negatively affected, resulting in the further marginalisation of people in need. In an assessment report, Save the Children (2020) found that the COVID-19 control measures had social and economic impacts on all communities.

There are floods every rainy season in South Sudan, submerging farms, homes, markets and roads. Floods are most commonly caused by the overflow of the Nile River. In 2020, floods claimed the lives of many people. The rising water often comes with snakes and crocodiles (Joseph 2021). Due to a poor monitoring system, flood water appears without warning and the poor run to save themselves, abandoning their belongings. During the pandemic, many people could not be reached for humanitarian assistance. Between October and November 2020, 6.5 million people in South Sudan faced severe food insecurity caused by the COVID-19 policies, displacement and the general food shortages. This forced three United Nations agencies to call for immediate humanitarian access (UN 2020). Food insecurity was caused by the trade and mobility restrictions. Many South Sudanese live on emergency humanitarian assistance, which is mainly provided by CSOs. Thus, the government needs to desist from issuing blanket COVID-19 control directives that impact negatively on CSO operations.

The people of South Sudan suffer from economic underdevelopment, poverty, displacement, civil war, hunger, lack of social services, locusts and unpredictable climatic conditions. The clinical healthcare sector is overstretched and semi-functional, and many people rely on non-clinical medical advice and support (Kindersley et al. 2021). Malaria, not COVID-19, is the leading cause of death, with children especially vulnerable. According to Tongun et al. (2020), mortality due to malaria among children under five years old stands at 105 per 1,000 live deaths in South Sudan. COVID-19, on the other hand, is particularly fatal for elderly people. Faced with many challenges, people in South Sudan regard the COVID-19 pandemic as simply

another irritation they must learn to live with (Bul 2021) – after all, one of the most effective prevention measures is maintaining good health and hygiene (Ahmad and Hui 2020). Many CSOs in South Sudan have been following the one-health approach, recognising that health is inextricably linked to the health of animals and the surrounding environment. Yet, the spaces of those CSOs contributing to the control or treatment of all diseases, including COVID-19, have been restricted by the lockdowns.

Conclusion

This study found that many local CSOs in South Sudan closed due to the lack of resources resulting from the government's COVID-19 policies. Many national and international organisations reported budget cuts of up to 70% as a result of the policies imposed in the wake of COVID-19. Although some organisations such as Save the Children International (Interview, 1 October 2021) were able to weather the challenges through reprogramming, all CSOs were nevertheless affected in some way since a delayed service is effectively a service denied. Reduced or cancelled service delivery resulted not only in the contraction of civic space but also in the loss of jobs and incomes for staff directly involved in the implementation of budgeted services for healthcare, education, livelihoods, innovation, resilience, democracy, population displacements, food security and the environment.

This study found that there are many ways in which governments can either close civic space or keep it open for CSOs. Some of the government's actions had unintended consequences while others were deliberate. It is often difficult to identify and attach blame to state actors for the unintentional closure of civic space. The South Sudan COVID-19 policy has had unintentional negative impacts on civic space with respect to the implementation of legal and administrative barriers (Anheier 2017; Ayvazyan 2019). The COVID-19 pandemic and the measures to control it closed civic space in South Sudan with devastating effects for the most vulnerable. In this light, the unparalleled needs of the people of South Sudan might make it preferable to learn to live with COVID-19 rather than prolonging the suffering of about 12 million people by limiting their access to aid.

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CHAPTER 4

Smallholder farmers, food security and COVID-19 in Ghana: Civil society navigating fiscal governance and service delivery during crisis

Brendan Halloran and Patrick Stephenson

Summary

Civil society in Ghana has been seeking to strengthen governance and development outcomes across a range of important public services, including agricultural support to smallholder farmers, in particular the Fertiliser Subsidy Programme (FSP). The limitations of previous policy achievements led the International Budget Partnership (IBP), Peasant Farmers Association of Ghana (PFAG) and SEND Ghana to explore a new approach to strengthening fiscal governance around the FSP. The focus was on pursuing meaningful long-term change, with smallholder farmers (through the PFAG) leading advocacy efforts with the support of the IBP and SEND Ghana. With the onset of COVID-19, the context became more challenging, yet food security emerged as a government priority. The PFAG-led coalition was able to navigate these contextual and fiscal governance dynamics in ways

that enabled positive engagement with government and important gains. This chapter poses the following question: To what extent were civil society organisations (the PFAG, IBP and SEND Ghana) able to navigate the COVID-19 and fiscal-governance context to achieve meaningful improvements in agricultural support for smallholder farmers? It draws on literature and frameworks on policy reform, fiscal governance and civil society–state relationships, particularly social accountability.

Introduction

For the past decade and a half, the Peasant Farmers Association of Ghana (PFAG) has been seeking to influence agriculture policy to maximise improvements to the livelihoods of smallholder farmers, with some gains but also limitations. This chapter explores how the COVID-19 pandemic as well as national elections in 2020 opened a window of opportunity for the PFAG and other allies in civil society to deepen their engagement with the government, leading to tangible actions that benefitted smallholder farmers. We discuss how the twin incentives of COVID-19 and elections contributed to government openness and action, while also exploring how the resources and strategies of the PFAG and its allies enabled them to successfully seize this critical juncture. The chapter will close with questions and challenges that lie ahead, as the PFAG will have to strengthen and leverage its position to navigate these going forward. In exploring the case of the PFAG, food security and COVID-19, this chapter seeks to contribute to understanding the complexities of the pandemic as it intersected with existing and ongoing civil-society engagement with government and the spaces in which these took place, with sometimes unexpected results.

Literature review and conceptual framework

In *The Politics of Inclusive Development*, Hickey et al. (2015) analysed how existing political structures shaped development patterns, often in ways that concentrate benefits and exclude significant populations. They go on to explore how ideas, norms, coalitions and other expressions of individual and collective agency can open possibilities for more progressive change. Hickey et al. (2015) provide evidence that it is political dynamics that shape public institutions, and that while there is often a degree of path dependency of both politics and institutions, they highlight the potential for shifts towards more

inclusive outcomes: new actors and groups can arise; electoral incentives for governing elites to provide public goods can increase; and marginalised groups can mobilise collectively to press for recognition and inclusion. With respect to the latter, a meta-synthesis of cases of citizen engagement found that advances towards more inclusive politics are most often accomplished by citizen-centred organisations and movements, not by advocacy campaigns undertaken by professional non-governmental organisations (NGOs) alone (Gaventa and Barrett 2010). In other words, organisations and movements built and led by citizens can shape politics and accountability, enabling meaningful outcomes including improved policy and services.

The pathways and approaches for such civic action are many and varied, and the outcomes of these efforts have been decidedly mixed. One meta-analysis of 'citizen-led accountability' suggests that many efforts have been narrow and isolated, and typically did not involve the kinds of broad-based civic actors noted above; these were thus unable to achieve meaningful change (Fox 2015). However, citizen mobilisation is no silver bullet. Many protests or other collective efforts have failed to generate meaningful change, leading to a search for new approaches and synergies with other actors, including professional NGOs, government reformers and oversight actors (e.g. see Bellows 2020; Fox and Aceron 2016). This is consistent with further evidence that citizen-led accountability is most successful when it is undertaken through 'relatively complex, strategic, multi-stranded, politically-savvy long-term processes' (McGee and Edwards 2016: 18).

This chapter presents evidence of citizen-led action to promote government responsiveness and accountability to smallholder famers during a time of crisis. It builds on and reinforces the recommendations from other research findings noted above.

Agriculture programmes and civil society engagement

Ghana is a newly minted middle-income country, one whose economy is in transition. Agriculture previously dominated but now makes a more modest contribution, accounting for 40% of the total employment and 18.5% of the country's gross domestic product (Ghana Statistical Services 2019). In September 2020, Ghana Statistical Services (2020) reported that there were nearly 11.3 million smallholder farmers in Ghana, who produce nearly 70% of food consumed in the country, with a significant number concentrated in

the north, where the incidence of multidimensional poverty is relatively high compared to the south. Even as other sectors of the economy have grown more important over the past decades, the Government of Ghana (henceforth GoG) has implemented a variety of targeted programmes to support agriculture and smallholder farmers.

A key component of this support has been the Fertiliser Subsidy Programme (FSP), initiated in 2008. The primary objective of the FSP was to encourage fertiliser consumption by reducing the cost to smallholder farmers below market prices. Additionally, the FSP was to enable smallholder farmers timely access to quality fertiliser at affordable prices, and cushion their incomes, while ensuring an increase in food production and security for Ghanaians. The GoG launched a broad agricultural support programme in 2017, Planting for Food and Jobs, which incorporated the FSP. The FSP was updated to increase the uptake and use of fertiliser by smallholder farmers in ways that were intended to address issues that had limited the effectiveness of the programme over the previous decade, including manipulation of distribution, high administration costs, smuggling of subsidised fertiliser, procurement challenges, limited budget commitments, delays in payment of supplies, etc. As we will see, this effort was not successful in addressing these diverse challenges.

In 2005, over a thousand local smallholder farmer groups came together to form the Peasant Farmers Association of Ghana (PFAG) to advocate for reforms that support the livelihoods and dignity of smallholder farmers. The PFAG engaged the government on the FSP since the programme's inception. This includes presenting evidence of misuse of the original fertiliser coupon system, which was reviewed by government and eventually withdrawn. Between 2017 and 2019, the PFAG, the Social Enterprise Development Foundation (SEND) Ghana along with other civil society organisations (CSOs) working on government budgets and social policy established 'Fertiliser Watchdogs' in border towns to monitor fertiliser distribution, with modest results (Asante and Mullard 2021).

The number of CSOs like the PFAG and SEND have increased in Ghana over the past few decades, working in diverse areas of service delivery and advocacy. The relationship between agencies of the GoG and civil society can be fraught, with government seeing CSOs as promoting diverse agendas and demands rather than representing a unified citizen voice (Ghana Anti-Corruption Coalition and West Africa Civil Society Institute 2013). At a recent roundtable of Ghanaian CSOs involving the PFAG and SEND, participants noted

that donor funding in the sector often drove fragmented approaches focused on formal policy change, with a lack of integrated strategies that could more meaningfully strengthen public accountability (Khan and Halloran 2020).

PFAG coalition goals and approach to the FSP

The PFAG, working together with SEND and the International Budget Partnership (IBP), continued to engage the GoG around the FSP in 2019, prioritising four critical issues including poor beneficiary targeting, ineffective distribution, flawed procurement processes and delayed government payment to suppliers. The combined effect of these challenges was delayed and insufficient access to subsidised fertiliser by smallholder farmers, with implications for late fertiliser application, poor crop yields and higher costs of production (Fugar 2017).

The IBP supported the PFAG, SEND and other allies to go beyond the fragmented and isolated tactics that were prevalent in Ghanaian CSO advocacy to a more integrated, longer-term strategic approach led by smallholder farmers, with the PFAG in the lead of the emerging coalition. In May 2020, the PFAG began monitoring the subsidised fertiliser in seven districts,[1] later documenting the emerging evidence of FSP gaps in monthly briefings called 'Fertiliser Watch' (PFAG and SEND Ghana 2020a). This and other analyses confirmed the ongoing challenges to the FSP noted above. Smallholder farmers were themselves generating this evidence based on direct monitoring, and the PFAG supported them to actively engage local authorities based on this evidence, even as the PFAG consolidated the evidence to present to national GoG stakeholders.

The Crop Services Directorate (CSD) of the Ministry of Food and Agriculture (MOFA) reached out to engage the PFAG around the Fertiliser Watch evidence. CSD officials were initially dubious of the findings despite their alignment with some of the officials' own evidence and observations; however, the PFAG was able to demonstrate the strength of the evidence and provide smallholder farmers' direct observations, which convinced the government of its veracity. Several of the PFAG's proposals to address these issues were incorporated in the Planting for Food and Jobs implementation

1 The use of seven districts was to enable the group control of fidelity issues in scalability of the advocacy interventions from one geographical area to another. The districts were predominantly rice (major staple food) growing, had an organised representation of smallholder farmers, and were prone to issues of smuggling and collusion between local government actors and private actors resulting in smuggling and loss of value.

guidelines for 2021.[2] The PFAG coalition considered these promising initial responses by government as an indication of increased openness to engage the PFAG, but coalition members expected that the road to improving the FSP would be a long one, with some government actors – particularly at local level – not yet demonstrating an interest in engagement with smallholder farmers.

COVID-19 crisis, government response and PFAG coalition engagement

The GoG acted quickly at the onset of COVID-19 in March 2020, announcing USD100 million to shore up the public health response. The Ministry of Finance, in its 'Statement to Parliament on the Impact of COVID-19 on the Economy',[3] indicated significant risks across sectors. However, this diagnosis significantly underestimated the real impact of the pandemic on agriculture and the potential risks to food security, although it did acknowledge limited access to agricultural inputs, including fertiliser, which could impact planting decisions. Given this assessment, the GoG's USD180 million COVID-19 Alleviation Programme (CAP) did not include resources for the agriculture sector. This did not align with global warnings, such as that of the World Food Programme, which indicated a doubling of the number of people likely to face acute food insecurity in 2020 to 256 million (SUN 2020).

In response to the neglect of agriculture in the CAP, particularly smallholder farmers, the PFAG brought together a coalition of 23 civic groups focused on agriculture and governance to advocate for more attention to the needs of the sector, and to highlight the risks to food security in the case of inaction. These groups had some familiarity with each other but had not undertaken a joint action of this nature before. In the context of the COVID-19 crisis, the groups saw a need for alignment around a set of priority issues and demands.

The coalition saw a window of opportunity to secure resources for smallholder farmers in the mid-year budget review in July 2020, which preceded national elections in November. Thus, the coalition drew on PFAG members, including those in the seven districts where ongoing monitoring was taking place, to assess the potential impact of COVID-19 on smallholder farmer livelihoods. The PFAG, SEND and the IBP assembled the evidence in a policy paper highlighting the limited investments made by government

2 The general implementation guidelines for the 'Fertiliser Subsidy Programme' under the Planting for Food and Jobs programme of the GoG.

3 Presented by the Ministry of Finance on Monday 30 March 2020.

in agriculture compared to the risks to livelihoods of farmers and Ghana's food security. The paper argued for a COVID-19 recovery strategy focused on agriculture, with an expansion of beneficiaries of input supplies (including fertiliser), among other measures (PFAG and SEND Ghana 2020b).

The coalition's evidence and demands were covered by radio, television and print media.[4] Beyond media coverage, the PFAG coalition reached out to key government actors including parliament's agriculture committee and other parliamentarians from the opposition party, all of whom would be reviewing the mid-year budget and policy proposals, as well as the Economic Management Team in the Office of the President. The Director of the CSD, with whom the PFAG had been strengthening its relationship, also took up the policy paper within the MOFA, a crucial entry point given that the Minister of Agriculture had not been welcoming of the coalition's demand to be consulted on policy decisions. These government actors were receptive to the coalition's proposals and nearly all of these were incorporated into the COVID-19 recovery strategy for the agriculture sector as defined in the mid-year budget review.

With elections fast approaching, the PFAG coalition knew it still had a window of opportunity to continue to push the government to take further action to support smallholder farmers during the crisis. Coalition members met with major figures in both political parties in parliament, as well as other government decision-makers, including the Deputy Minister for Agriculture, who made commitments to expand the FSP to more smallholder farmers.

Government responses and influencing factors

The GoG's response to the PFAG coalition's COVID-19 advocacy broadly pointed towards a positive opening of spaces to participate in and shape decision-making around agricultural support during the COVID-19 crisis. The GoG committed to changes in the FSP more specifically, in line with the PFAG's long-term priorities. The GoG expanded the official number of beneficiaries of the FSP from an initial 2020 target of 1.2 million farmers to 1.5 million in the mid-year budget review, while finally delivering to 1.73 million. Increases in FSP beneficiaries were articulated in previous government plans, but the PFAG's engagement may have pushed the GoG to publicly commit to these increases, making them more likely to become reality.

Recognising that many fertiliser businesses were neglecting more remote

4 For example: https://okayfm.peacefmonline.com/pages/business/202005/410551.php

areas, as well as the persistent discrimination faced by women smallholder farmers in accessing fertiliser, the GoG authorised the PFAG for the first time to directly distribute (through a subsidiary) 38,000 bags of subsidised fertiliser to 3,800 farmers, mostly female smallholder farmers in remote areas. Finally, the GoG committed to updating FSP guidelines to include using national ID cards (possessed by 84% of adults) to address targeting issues that prevented smallholder farmers from accessing fertiliser.

Not only did the coalition's engagement seem to result in these tangible gains, but it also led to the further opening of spaces for dialogue. The CSD invited the PFAG to be part of the core team reviewing the Ghana Fertiliser Expansion Programme (GFEP), the GoG's intended replacement for the current FSP. The PFAG has reached out to individual members of this committee to understand their position in the political economy of fertiliser provision, and thus their likely interests relative to those of smallholder farmers. Private-sector members of the committee, such as the fertiliser suppliers' association, have seen the PFAG as a potential ally due to the association's advocacy for the Ministry of Finance to honour government's financial obligations to suppliers to improve the fertiliser procurement processes, and invited the organisation to inform their strategic approach vis-à-vis government. Throughout these engagements, the PFAG benefitted from technical support from the IBP, enabling the organisation to engage in these highly technical and political spaces.

The CSD further committed to annual engagements with the PFAG and smallholder farmers at local levels around FSP distribution guidelines, based on the bottlenecks identified by the PFAG's direct monitoring in the seven districts. Finally, the GoG would undertake renewed efforts to address fertiliser smuggling in border regions through joint monitoring by PFAG members and state security agencies.

Ongoing engagement

The PFAG has continued to capitalise on the engagements with the GoG around support to smallholder farmers to maintain and deepen government connections it did not enjoy prior to the COVID-19 crisis. This includes the Minister of Finance and the government's Economic Management Team. The PFAG continues to leverage its membership base to bring monitoring data and perspectives on the realities of the FSP on the ground, particularly the challenges and gaps that had been previously identified by the PFAG and accepted by the government.

The PFAG has also kept a close level of engagement with GoG allies such as the Director of the CSD and others in the MOFA, supporting their efforts to reform and strengthen the FSP and other related support programmes that can benefit smallholder farmers. The PFAG facilitated access to smallholder farmer members for these government actors, strengthening engagement at national and local levels. This has also supported the PFAG's FSP monitoring by strengthening relationships with MOFA regional and district staff in focus areas. This has also resulted in further commitments to leverage the PFAG to supply subsidised fertiliser directly to smallholder farmers (especially women farmers) and possibly scaling it nationally in subsequent years to minimise deviations to politically connected farmers and for the purposes of smuggling.

However, many challenges remain. In November 2020, the GoG established prices to be paid to fertiliser suppliers in 2021. A subsequent rapid increase in the global price of fertiliser (Sahu and Mishtra 2021) made it less economically viable for suppliers to deliver. This was exacerbated by chronic delays in GoG payments to fertiliser suppliers. The PFAG has used some of its new relationships and spaces for engagement to approach these issues differently rather than simply making demands on government. The PFAG is collaborating with the association of fertiliser suppliers to jointly engage the government around the payment delays and is engaged in shaping a joint strategy with the association going forward.

In the medium term, a major issue that will challenge the PFAG is the GoG's stated plan to phase out the FSP and replace it with the next generation Ghana Fertiliser Expansion Programme (GFEP). The PFAG's ally in the CSD confirmed that the FSP was meant to be a pilot programme. The increasing cost of the FSP and widespread smuggling issues have increased the GoG's incentives to move away from subsidised fertiliser.

This winding down of the FSP is set to be triggered when fertiliser-use reaches 30% of Ghanaian farmers and the increases in FSP beneficiaries secured by the PFAG pushes towards that threshold. As noted above, in 2020, the MOFA invited the PFAG to join the committee reviewing plans for the GFEP. On one hand, this provides the PFAG with an opportunity to influence the decision-making around whether and how the government transitions away from the FSP. On the other, PFAG members strongly support maintaining the FSP, and this might lead to a complicated situation as the PFAG leadership tries to balance its members' interests with its desire to constructively engage in the decision-making spaces that have now been opened to it. As noted above, the PFAG is seeking to better understand the

interests and political economy dynamics of the GFEP process and other stakeholders involved in decision-making in the hopes of finding allies to increase its scope for influencing the outcome. Strengthening domestic production of fertiliser could bring together the interests of producers, government and potentially the PFAG, but this is a longer-term solution and could still be consistent with the phasing out of the fertiliser subsidy which would adversely impact smallholder farmers.

Discussion

Broader evidence on pathways to inclusive development point to political and institutional dynamics first and foremost, but also to the potential for individual and collective actors, inside and outside government, to be agents of change. The case of the PFAG's engagement with government around more inclusive agricultural development in the context of COVID-19 in Ghana confirms these broad understandings while clarifying context-specific factors and pathways, including the role of the pandemic itself. Several elements of this case warrant further discussion.

COVID-19, elections and access to government

The PFAG, as a federation representing a million farmers, is an entity the GoG has needed to consider in making decisions around agriculture. Likewise, SEND is a respected CSO in Ghana with relationships and access to government actors and processes. However, the efforts of the PFAG and SEND to address the smuggling of subsidised fertiliser in the years prior to COVID-19 demonstrated that their engagement with actors at different levels of government was uneven and fragile given the many vested interests seeking to protect the status quo. For example, GoG actors would disengage if the CSOs were too aggressive in leveraging media to publicise government mismanagement (Asante and Mullard 2021). Nevertheless, the PFAG, SEND and other coalition members had relationships and access to government that they were building on, including some important first steps with the Director of the CSD immediately prior to COVID-19.

The rapid expansion of access by the PFAG and its coalition partners to GoG actors and spaces from the onset of the COVID-19 crisis does entail a significant shift. Clearly some combination of factors led to a meaningful increase in access and influence by the PFAG and its coalition partners on government decisions around agricultural support to smallholder farmers. The twin

pressures on government from the COVID-19 crisis and national elections that same year seem to have been a powerful incentive for the GoG to take action.

Ghana's competitive 'clientelist' political settlement has led to the strengthening of some public services due to the pressures of elections, for instance the gradual strengthening of the health insurance scheme, as the two major political parties competed for votes (Darko 2016). That said, it is less clear that those same dynamics play out with respect to the FSP, where clientelism and corruption are more directly manifested, or would drive more openness to civil society engagement. Likewise, COVID-19 seems to be an inadequate answer alone, as governments around the world generally did not sufficiently engage citizens to inform their responses to the crisis (International Budget Partnership 2021) and have often used the crisis as an excuse to limit civic space.

The combination of the two, the onset of COVID-19 in March followed by elections in December, seems to be what incentivised GoG engagement and action. The visible rise in food prices made the issue of food security take on greater importance to the government, meaning the incentives may have been even more promising in the agriculture sector. Media coverage seems to have accentuated these dynamics by raising issues around food security that resonated with the Ghanaian public, further pressuring the government. Finally, it became clear that there were several 'champions' in government who wanted the FSP to function much better, and they too saw greater room to manoeuvre during the COVID-19 crisis.

Overall, the pandemic–election dynamic created a significant window of opportunity for government action to support farmers during the crisis and beyond. However, none of this was automatic, and the actions and approaches of the PFAG and its coalition partners to navigate this critical juncture were decisive in ensuring that government action was meaningful and focused on those most in need. We turn next to how they did so.

Civil society navigating government engagement during the COVID-19 crisis

As discussed, a significant window of opportunity opened to the PFAG and its allies in the first six months of the COVID-19 crisis, prior to the elections. However, civil society is not always able to leverage such moments to push for meaningful change. The PFAG was well placed to engage government due to having important evidence gathered from smallholder farmers themselves, credibility as a membership-based organisation, political influence based on its million members, and relationships with government.

With respect to the latter, the PFAG was able to expand its relationships and access points to government due to having assembled a broader coalition with more diverse GoG contacts and engagement. These relationships included several government and private-sector actors who saw the PFAG as an important ally to advance shared priorities related to the FSP.

There were initial win-win engagements, such as the PFAG coalition's provision of evidence and recommendations for COVID-19 support to smallholder farmers. The PFAG's engagement benefitted both the GoG, by enabling it to take swift and direct action, and smallholder farmers, many of whom received tangible support during COVID-19 including increased access to subsidised fertiliser. The PFAG was also able to advance issues it had been advocating for prior to the pandemic and connect them to a concrete moment for action in the government's mid-year budget review. These initial positive experiences reinforced incentives and relationships for further engagement, and once the PFAG was visibly engaged in some GoG spaces, other doors opened as well.

In previous engagements with the government, the PFAG and SEND had tried to hold the government to account around fertiliser smuggling, with limited success. The CSOs had (rightly) judged that many actors had incentives to participate in smuggling, so civil society would have to push for accountability because the government was unlikely to do so itself and was less successful at it in any case. The COVID-19 and election dynamics created significant incentives for government to act, meaning the PFAG and its allies could focus on collaboration rather than accountability, though the ongoing *Fertiliser Watch* publication did provide a spotlight on the reality on the ground, including shortcomings in delivery. In the context of mutual interests and incentives to focus on collaborative engagement, it seems that the GoG was more willing to allow for such 'calling out'. Significant media coverage of the shortage of subsidised fertiliser again made it less important for the PFAG and its allies to be the ones to bring attention to this issue. Finally, some government reformers were even able to push the government to be more proactive in ensuring accountability for the FSP, for example by setting up joint monitoring with the PFAG to discourage smuggling in some key border districts.

Thus, the PFAG and its coalition partners calculated that there was a greater likelihood of positive government response for the reasons above and came armed with evidence and proposals and a plan to leverage these at specific moments in the fiscal cycle. This was done to fully leverage the window of opportunity by maximising the likelihood that positive incentives

for GoG action would result in public resources to the smallholder farmers and position the PFAG and its allies to strengthen their engagement with the government going forward.

Finally, the critical juncture discussed above seems mostly to have been at the national level. In localities across the country, the picture remained complicated. Many smallholder farmers, including a significant number of women, did experience improved and more timely access to subsidised fertiliser during the COVID-19 crisis. In other cases, especially areas outside PFAG operational areas, subsidised fertiliser did not reach smallholder farmers (in sufficient quantities or at all), the full subsidy was not provided, and/or quality was low. Apart from the PFAG's direct distribution, women smallholder farmers continued to face significant discrimination in FSP access.

The PFAG's access to and relationships with government actors and spaces during the COVID-19 crisis at the national level were not fully matched by that of PFAG members at the local level. Not all local government actors have cooperated with the PFAG's monitoring efforts, even when MOFA officials have verbally conveyed their support for the process (though they did not provide a written memorandum of understanding as the PFAG requested), and in many cases local bodies meant to oversee fertiliser distribution only exist on paper or are co-opted by politically connected local elites. The reality of patronage in a government programme like the FSP means that local dynamics are likely to be challenging given the relative (but not total) absence of meaningful oversight, even with some small but meaningful advances by the PFAG and GoG actors.

With the COVID-19 situation seemingly stable and the elections behind them, the question is to what extent the incentives of different actors in the GoG continue to align around support to smallholder farmers, particularly for subsidised fertiliser, and continued engagement with the PFAG. The PFAG and its allies will similarly have to calculate whether to maintain an exclusively collaborative stance vis-à-vis government or to be more aggressive in pursuing accountability if government fails to follow up on commitments or shifts priorities. Finally, how will the PFAG extend its access and progress at national level to a wider number of localities?

The evolution of the FSP will be a critical test, as it may well bring GoG and smallholder farmer interests into conflict around the continuing (or not) of the fertiliser subsidy. It is not yet clear whether the PFAG's seat at the table will entail meaningful influence on the process and its outcomes. In the short term, access to subsidised fertiliser may increase as the PFAG

directly distributes it to its members, although this is challenged by fertiliser shortages and other FSP weaknesses that the PFAG has identified and highlighted. In the medium term, as the government seeks more market-based solutions to fertiliser use, the PFAG will have to be very savvy in how it promotes the interests of its membership, aligns with other actors, and seeks to maintain engagement in important decision-making spaces.

In this regard, the PFAG has significant advantages it did not fully enjoy prior to COVID-19. The PFAG now anchors a robust reform coalition that connects smallholder farmers, broader civil-society actors, private-sector fertiliser suppliers and government reformers seeking to enhance the effectiveness of the FSP. The positive engagements between the PFAG and these other groups during the COVID-19 window of opportunity strengthened these relationships and if these can be sustained, and various interests and incentives aligned, it constitutes a much more consolidated constituency capable of coordinated efforts.

Concluding thoughts

The PFAG and its allies experienced significantly more access to GoG actors and spaces during COVID-19 due to the positive reinforcing incentives of the crisis and upcoming elections as well as the PFAG coalition's relationships, actionable evidence and proposals, and its credible representation of a significant constituency. This directly informed government actions taken to benefit smallholder farmers during the crisis and to strengthen an important support programme, the FSP, going forward. Even as the elections passed and the COVID-19 crisis stabilised, PFAG access to government spaces continued to expand. The PFAG anchors a diverse reform coalition that has strengthened relationships based on aligned interests and collaborative engagements over the past year and a half since the crisis began.

This suggests that the PFAG will continue to play a major role in influencing government decisions around agricultural support programmes and the FSP in particular. However, the enabling environment and aligned incentives that have been in place since the COVID-19 crisis began are not guaranteed to persist. Furthermore, GoG priorities and those of PFAG members seem likely to diverge with respect to the future of the FSP, leading to increased tensions. Even if the FSP is maintained, the significant gaps identified by the PFAG have not been fully addressed. Joint monitoring by the PFAG and the GoG has barely scratched the surface of fertiliser smuggling,

procurement remains a challenge, government still fails to pay fertiliser suppliers in a timely manner (exacerbated by the increasing global price of fertiliser) and scaling up the PFAG's direct distribution of fertiliser could bring its own logistical and political challenges, as actors benefiting from the status quo may seek to co-opt the PFAG to maintain their privileges.

A final and critical element the PFAG will have to navigate going forward is how to balance its much stronger access and influence at the national level, enabled by its successful navigation of the COVID-19 crisis, with the lack of similar progress across localities. The risk is that the PFAG falls into the trap that it and other Ghanaian CSOs identified in a learning exchange just as COVID-19 began, that being the more exclusive focus on advancing policy gains with less emphasis on strengthening the accountability systems from local to national levels needed to ensure effective implementation. The PFAG will have to find this balance in a potentially less promising enabling environment as GoG priorities and incentives evolve, likely including a desire to transition away from the FSP. Thus, the PFAG will need to keep a focus on these issues, its potentially expanding role as a direct FSP distributor, and the need to engage with local dynamics. This balancing act will be a challenge for the PFAG going forward, and it may find itself stretched thin; nevertheless, it benefits from the important advances it has achieved and the stronger position it is in since the COVID-19 crisis began.

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CHAPTER 5

COVID-19's impact on civic space in Zambia

O'Brien Kaaba and Marja Hinfelaar

Summary

Zambian civil society organisations (CSOs) have had to adjust to an increasingly authoritarian environment. In response, CSOs working on politically sensitive projects have adapted their strategies. They have learned how to state their political concerns more neutrally and find new spaces for political engagement and dialogue. They have adjusted further by learning from each other and from partner organisations in neighbouring countries with experience of political repression. It is within this context of shrinking civic space, coupled with a decline in donor funding, that we situate the impact of the current COVID-19 pandemic. This chapter shows how COVID-19 health regulations and increased political repression in Zambia ahead of the general elections on 12 August 2021 further complicated CSOs' operations. The research is based on a review of existing literature and interviews with key CSO stakeholders carried out between 2019 and 2021.

Introduction

Since the enactment of the Non-Governmental Organisations (NGO) Act in 2009 and the rule of the Patriotic Front from 2011 to 2021, Zambian CSOs have had to adjust to an increasingly authoritarian environment. It is within this context that we situate the effects of the COVID-19 pandemic on shrinking civic space in Zambia. The chapter shows how the COVID-19 regulations have impacted civic space, and how COVID-19 health regulations and increased political repression ahead of the August 2021 general elections further complicated Zambian CSOs' operations.

The research is based on a review of existing literature and on interviews with key CSO stakeholders carried out between 2019 and 2021. It is important to note that the research took place before the general election on 12 August 2021, which saw a transfer of political power. While the literature on Zambia's civil society historically focuses on trade unions, their influence has waned rapidly since the structural adjustment programmes of the 1990s (Rakner 2003). That decade saw the flourishing of donor-supported civil society, ranging from large women's organisations to grassroots environmental initiatives.

Background

The COVID-19 pandemic has wreaked havoc across the globe, disrupting social life, destroying economies, overwhelming health systems and limiting human rights. Zambia recorded its first COVID-19 cases on 18 March 2020. With each peak in subsequent waves of the pandemic, the government enhanced general measures to contain it.

In addition to the effects of the restrictions, the Zambian economy was adversely impacted by the continuous depreciation of its local currency (the kwacha), escalating commodity prices (especially for food items) and increases in yields on public debt. However, the depreciation of the kwacha was most likely favourable for those CSOs that receive their operational incomes and run their budgets in a foreign currency, giving them windfall exchange gains that were roughly equivalent to the depreciation of the kwacha.

While the initial response was led by the Ministry of Health, advised by experts from the World Health Organisation (WHO) and the United States Centers for Disease Control and Prevention, the government was internally divided. The Ministry of Health wanted a lockdown while others, like the

Ministry of Finance, felt that Zambia could not afford restrictions as there was no money to distribute food or to support small businesses and the self-employed. Financial imperatives prevailed and, compared to neighbouring countries (with the exception of Tanzania), Zambia opted for relatively short and mild lockdown measures.[1]

The various health-sector COVID-19 response measures were legally underpinned by Statutory Instrument No. 21 of the Public Health (Notifiable Infectious Disease) Notice of 2020, which was assented to and gazetted on 13 March 2020 (Cheelo et al. 2020). It is important to note in the context of this chapter that Statutory Instrument No. 22 also imposes restrictions on gatherings and ceremonies: Paragraph 9 bans public ceremonies or gatherings of more than five people (except family members) in an infected area without the written permission of the relevant authority. The two statutory instruments are based on the Public Health Act, which grants the Minister of Health plenary power to institute measures to contain infectious diseases. The measures provided for in the statutory instruments, although not of fixed duration, are scalable, depending on the prevalence rate of infection.

Working through the Ministry of Health, the Zambian government established two national response strategies based on this legislation two months after the registration of the first official cases – one focusing on health and the second on the economic challenges arising from the pandemic. The two interventions created considerable scope and opportunity for concerted collaborative efforts between the public sector, cooperating partners and non-state actors (CSOs, the private sector, academia, etc.) in the prevention, treatment and care, and monitoring and evaluation of COVID-19 in Zambia. However, the government also took additional, gratuitous measures that were not mandated by any specific reference to the law. These included closing some businesses, suspending workers' rights, enforcing quarantine, closing schools, and restricting meetings and movement (Muzyamba 2020). Additionally, fiscal, monetary and macro-financial policies were put in place. However, no policy, legislative reform or regulatory measures pertaining specifically to the civil-society sector were reported.

1 The Southern African Institute for Policy and Research (SAIPAR) produced three blogs in 2020 on the COVID-19 epidemic in Zambia, see https://www.effective-states.org/zambias-response-to-covid-19/

Civil society prior to COVID-19

Since the introduction of the NGO Act in 2009 and the subsequent rise of authoritarianism, Zambian CSOs have had to adjust to shrinking civic space. The NGO Act was initially resisted by civil society;[2] however, the authoritarian direction of Zambian society became irreversible with the installation of the new Patriotic Front regime in 2011. Autocratisation and shrinking political space in Zambia have often manifested through a cocktail of repressive tactics, leading to gross violations of human rights. These include the excessive use of force by the police, the deployment of ruling-party cardres to intimidate and sometimes attack perceived opponents, the closure of media houses, the frequent arrest and prosecution of pro-democracy and anti-corruption activists, and the enactment of legislation intended to stifle human rights.

Many CSOs have moved from working explicitly on politically sensitive projects into areas such as 'accountability' and 'service delivery'. CSOs that have continued their public work on political issues have subsequently adjusted their interactions with the government. Since the enactment of legal restrictions on civil society operations, CSOs have learned to state their political concerns more neutrally and to look for alternative spaces for political engagement and dialogue. They have adjusted further by learning from each other and from partner organisations in neighbouring countries such as Zimbabwe and Uganda – countries with extensive experience of political repression (Hinfelaar and Kaaba 2019). Such lessons have included the use of legal teams, coalition-building and united positions, and the use of social media to circumvent gatekeeping by public institutions and the police.

Impact on civil society

The COVID-19 regulations have further shrunk democratic space in Zambia. A survey conducted in July and August 2020 found that 90% of the respondents trusted authorities to be knowledgeable about the virus. However, at the same time, 71% feared that politicians would use COVID-19 to enrich themselves and extend their power (Ahsan Jansson et al. 2020). There are also signs that the government used the pandemic to abuse human rights, limit political space and undermine the rule of law, with restrictions

2 For more information on this resistance, see https://www.external-democracy-promotion.eu/preventing-civic-space-restrictions-an-exploratory-study-of-successful-resistance-against-ngo-laws/

on gatherings such as civil society meetings (while allowing ruling-party events) as well as the beating, arresting and detaining of those alleged to have disobeyed the restrictions on gatherings. Felicity Kayumba Kalunga, an academic based at the University of Zambia, argued that 'the ongoing violations of the rule of law in Zambia suggest that the country is fast sliding into an autocratic state, under the guise of containing the COVID-19 pandemic' (quoted in Kaaba 2020).

Given that ruling-party members continued to mobilise and hold meetings unhindered, the government's approach was clearly not simply to stave off the spread of the coronavirus. What is more, in July 2020, police arrested members of the opposition United Party for National Development for holding intra-party elections – despite the fact that the meeting was convened outdoors on a farm so as to maintain social distancing (Kaaba 2020: 116). CSOs report the same unfairness with respect to the application of the COVID-19 health regulations:

> When we want to hold meetings like in Southern Province, for example, they require us to apply for a medical permit from the Ministry of Health. Often these permits are not given if the government does not like the nature of our meeting. Sometimes the government responds late and gives you a different date when to hold the meeting [...] So meetings have to be planned many months and weeks ahead. It becomes impossible to hold meetings at short notice. (Interview with Action Aid and Bloggers of Zambia)

Under the Patriotic Front regime, any CSO engaged in governance and activism was considered to be anti-government. As a result, the government made it difficult for CSOs to engage actively with the public. Unsurprisingly, CSOs have noted that the government's response to COVID-19 has worsened the human rights situation:

> In terms of human rights violations, you know we are going into an election. The law provides for freedom of expression and assembly. What we see is that the Patriotic Front interacts with people freely and without following the health guidelines. But when the opposition or CSOs wish to do so they are prevented. That's a human rights violation. (Interview with representatives from the Foundation for Democratic Process [FODEP])

While it is true that competition for donor funding preceded the COVID-19 crisis, the decline in funding resulting from the crisis further reduced donors' leverage with the Zambian government (Hinfelaar and Sichone 2019). Reduced funding has also increased CSOs' vulnerability to being 'co-opted' by the ruling party. These developments have created distrust among CSOs themselves, hampering cooperation and collaboration:

> This changed landscape entails that NGOs are competing more for funding as they try to survive. They have to find resources to survive. There cannot be a unity of purpose when trying to survive. (Interview with representatives from Action Aid)

> Many donors are prioritising COVID programmes. CSOs working in the health sector are the main beneficiaries of that. That may mean reduced funding for governance CSOs. (Interview with FODEP)

Close cooperation between CSOs has been further hindered by prohibitions on face-to-face meetings:

> The level of active engagement is low. In some cases, some people just log in but continue to work on other things. So there is no real engagement on issues. So the level of interaction is poor. So we have little control of virtual meetings as we cannot see what people are doing behind the screens. (Interview with FODEP)

> The other challenge is that CSOs deal with members who are not very literate. So it becomes difficult to hold virtual meetings with such people. At least in a physical meeting, it is easy to explain things to them. But in a virtual meeting, one cannot read faces. That affects the quality of feedback we get from our member organisation. (Interview with representatives from the Non-Governmental Organisations' Coordinating Committee [NGOCC])

Resilience

Despite increased authoritarianism, a decline in donor funding and the COVID-19 crisis, Zambia has seen the emergence of new activist CSOs such as the Alliance for Community Action (ACA) and Bloggers of Zambia. These

activists use social media as their new mode of engagement. Zambia has also seen public-interest litigation emerge as a new space for activism. As the government increasingly uses legal mechanisms to target civil society and to shrink political space, CSOs increasingly use legal activism to contain these encroaching authoritarian tendencies. This has seen the establishment of the Chapter One Foundation, which draws on support from regional structures such as Amnesty International and the Open Society Initiative for Southern Africa (Hinfelaar et al. 2020). Crucially, the new approaches using social media and litigation have not been obstructed by the COVID-19 pandemic. In addition, CSOs have found ways to continue their engagement with the public in spite of the COVID-19 regulations:

> We have developed a new strategy regarding getting permission for out-of-Lusaka meetings/workshops. Instead of the ACA applying for the permit, we ask our locally based partners to apply. They are familiar with the local authorities and more easily obtain the permit. It's a strategy we learnt during the COVID-19 restrictions but which we now routinely use and continue to use as long as the environment remains repressive to our work. (Interview with representatives from the ACA)

Conclusion

In Zambia, COVID-19 regulations were used selectively to block opposition-party meetings and expressions of dissent, thereby exacerbating the shrinking space for CSO activism. It is clear that a moment of crisis such as the COVID-19 pandemic provides an unpopular government with an opportunity to further control civic space. Yet, it is precisely in a time of crisis that civil society is needed to provide oversight and to hold governments to account. COVID-19 has shown that CSOs urgently need to increase their resilience and preparedness for all eventualities.

The 2021 general election in Zambia saw a transfer of political power from the Patriotic Front to the United Party for National Development. While the turnover can be partially attributed to the active role of some CSOs, it was largely economic decline, inflation, the high cost of living and the role of political cadres in society that drove the huge voter turnout. The overwhelming vote for change undermined the Patriot Front's attempts to alter the election results (The Africa Report 2021) and has also seen the immediate opening up of civic space and the renewed interest of donors in the global north to support

both the new administration and Zambian CSOs. For the foreseeable future, it is therefore unlikely that COVID-19 regulations will be used to undermine CSOs activities. It is also expected that the NGO Act of 2009 will be amended, a process that had already started ahead of the elections.

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CHAPTER 6

Civic space during COVID-19: The case of Kenya

Dorothy Akoth Nyakwaka

Summary

This chapter traces the evolution of civil society organisations (CSOs) in Kenya and examines the interconnectivity between the health of society, COVID-19 and civic space. It explores the contribution of civil society in mitigating the COVID-19 pandemic in Kenya and discusses the question of shrinking or opening civic spaces during this time. Based on desktop research and qualitative data from internal and external sources, this study found that, during COVID-19, there was an opening of civic space for those CSOs providing 'essential services' and for those operating in the technology sector. There was, however, a shrinking of space for other CSOs in Kenya as a result of the COVID-19 protocols imposed by the government.

Introduction

Civic space refers to the space where people and groups participate in the political, economic and cultural life of their societies, and within which

people express their views freely and without fear. It refers to freedom of information and expression, rights of assembly and association, citizen's participation in free and fair elections and the rule of law (KHRC 2016; OHCHR 2020). The shrinking of civic space refers to closed or repressed space, the use of excessive force, intimidation censorship, online restrictions and judicial harassment, among other constraints. On the other hand, the opening of civic space leads to the right to participate in society, security for those who speak, and the freedoms of expression, association and assembly (OHCHR 2020).

CSOs have become important globally and nationally in the last three decades. This is largely due to the social, economic and political changes following the end of the Cold-War era. CSOs have been recognised as an important part of the public sphere across the world, playing a key role in political, economic and social domains. CSOs are broad and diverse and operate at grassroots, national, regional and international levels (KHRC 2016; OHCHR 2020).

The sector is recognised regionally and internationally for its past achievements. For instance, the Kenya Human Rights Commission, Kituo Cha Sheria, Haki Africa and Amnesty International Kenya have been on the frontline defending those whose rights have been violated by the Kenyan state (Amnesty International 2020; KHRC 2016). Partners like the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the Kenya Red Cross Society have worked with communities during natural disasters and more recently with COVID-19 (GIZ n.d.; ICRC 2020). The sector is acknowledged because it comprises persons with vast technical expertise and has the capacity to mobilise a wide variety of human and financial resources. CSOs in Kenya include religious institutions, community-based societies, faith-based charities, non-governmental organisations and professional associations (KHRC 2016).

This chapter first traces the evolution of civil society in Kenya and then focuses on the shrinking and opening of civic space as CSOs worked to mitigate the effects of the COVID-19 pandemic.

Evolution of Kenyan CSOs

There are many scholarly works on civil societies. Fadakinte (2015), for instance, refers to several thinkers that examine the evolution of CSOs dating back to the ancient Greek, Roman and Egypt states. He argues that

civil society was used to pursue common interests, the common good and for protecting personal freedoms against state power. A number of studies discuss different categories of CSOs in pre-colonial Africa, asserting that African kingdoms and states had civil society groups comprising of women's associations and religious orders, and that the Islamic Arab cities of North Africa also had CSOs (Hassan and Abdel 2008; Muyumbu 2019; Obadare 2004). Some scholars argue that foreign and violent colonial states were hostile to the idea of CSOs in colonial Africa (Fadakinte 2015). Other scholars argue that two types of civil societies existed in colonial Africa (Appiagyei-Atua 2002; Mamdani 1996) – those serving the interests of the settler communities and those serving the interests of the Africans against the colonial state. African civil societies included ethnic welfare associations, labour unions and teachers' associations. Due to limited investment in education and healthcare by the colonial state, another group of civil societies emerged, based on church missions, which were not originally African in nature, for example young men and women's associations such as the Boy Scouts and the Girl Guides (Appiagyei-Atua 2002; Muyumbu 2019).

While Kenya attained independence in 1963, not much changed in terms of state–civil society relations during the era of President Jomo Kenyatta. The Kenyatta regime used repressive laws, both those inherited from the colonial state and those it set up in response to the new post-colonial state. For example, laws applied to the Central Organisation of Trade Unions that prevented it from mobilising its members (Muyumbu 2019; Owuoche 2005). The CSO–state relationship turned even more hostile during the era of President Daniel arap Moi (Muyumbu 2019; Nasong'o 2007; Owuoche 2005). Nasong'o (2007) states that the first thing President Moi did was to marginalise all those who opposed him. President Moi revised laws and instituted tight controls over social organisations. He also used either co-optation or outlawing as the main means of managing social formations (Nasong'o 2007). For example, the Maendeleo ya Wanawake Organisation was rebranded the Kenya African National Union (KANU) Women's Wing, making the CSO a wing of the KANU ruling party and controlling its activities. In 1982, the Moi government banned a number of civil societies including the University Academic Staff Union, sporting clubs and ethnic organisations (Muyumbu 2019; Nasong'o 2007). Faith-based organisations remained as the only check and balance over Moi's government. This was possible because churches could use their extensive resources and expansive networks (Owuoche 2005).

In recent studies, the importance of CSOs is traced back to the eastern and central European uprisings against the Soviet Union in the late 1980s. Mamdani (1996) argues that these uprisings signalled a shift from a strategy of armed struggle to capture state power to one of an unarmed civil struggle that seeks to create a state with self-limiting power. These uprisings spread to the rest of the world, including to Africa.

Nasong'o (2007) argues that the Structural Adjustment Programmes introduced by the World Bank and the International Monetary Fund during the same period led to the revival and strengthening of civil society in Africa, Kenya included. Civil society was seen as more efficient in utilising donor resources than the government, and that they were also more capable of promoting inclusive development, good governance and respect for human rights (Muyumbu 2019).

Donor pressure, among other factors, led to increased pressure on the Moi regime and an increase in the numbers of CSOs in Kenya. Some of the stronger or more influential CSOs included the National Council of Churches of Kenya, the International Commission of Jurists, the Greenbelt Movement, the Student Organisation of Nairobi University, the Catholic Peace and Justice Commission and the Kenya Human Rights Commission (Nasong'o 2007). The pressure led to the second liberation struggle in Kenya as opposition politicians and civil society put pressure on the Moi government, demanding political reforms and multiparty governance.

After the re-introduction of political pluralism in 1992, CSOs, political parties, parliament, politicians and the people of Kenya in general demanded more reforms, which led to the 2010 Constitution (Government of Kenya 2010) under then President Mwai Kibaki. In 2013, elections were held under the provisions of the 2010 Constitution, which also initiated reform through the Bill of Rights and expanded civic space, allowing the people's participation in the governance of the state.

However, in terms of state–CSO relations, interactions with President Uhuru Kenyatta's administration started off on a hostile note (Muyumbu 2019). This was partly because both the President and his deputy had been indicted by the International Criminal Court as prime suspects in the violence following the 2007 elections (Nasong'o 2007). CSOs had played a role in the case by collecting witness statements and urging for the intervention of the international community in the post-election crisis (Muyumbu 2019; Nasong'o 2007). The government reacted by accusing the sector of working with foreigners against the government and started to regulate CSOs in the country.

The supervision and regulation of CSOs was done by state officials. This included surveillance of CSO leaders, their budgets, sources of funds and activities. Supervision was moved from the Ministry of Devolution to the Ministry of Internal Security, a signal that CSOs were considered a national security threat that needed to be controlled by the government. The government appointed Fazul Mahmet as Executive Director of the National Non-Government Organisations Board, who was charged with the regulation of the civil-society sector (Muyumbu 2019). The Uhuru-Kenyatta government also attempted to limit the funds received by CSOs from external donors to 15% of the amounts requested. This move was aimed at shutting down organisations that depended on international donor funding. The Kenya Human Rights Commission reported in 2016 that Kenyan citizens and activists faced arrests while close to 510 CSOs were deregistered and their activities curtailed. CSOs held a number of protests and demonstrations to show their distrust of the state (KHRC 2016).

A number of factors limited the Uhuru government from completely weakening the CSO sector. For example, the 2010 Constitution provided for individual freedoms, the freedom of association and the right to fight for these rights in the courts. In fact, CSOs won victories in Kenya's courts. The 2010 Constitution also led to the devolution of governance from the central government in Nairobi to the regional (county) levels, opening up new opportunities for collaboration between CSOs and county governments. For instance, the counties held their own County Assemblies at which citizen participation was included in drawing up budgets and local laws (Muyumbu 2019). Since most of the hostility towards civil society was from the central government, local CSOs could easily avoid dealing directly with it. As a result, CSOs have continued to make contributions in governance and service delivery throughout the country (KHRC 2016).

The overview above shows that Kenya recognises the importance of civil society by including in the 2010 Constitution a Bill of Rights that grants public participation in state activities, and which provides a platform to enable collaboration among various stakeholders. Nevertheless, the state has used various strategies over the years to shrink civic space through the introduction of registration requirements for CSOs, harassing, arresting and intimidating their staff during outreach activities, censorship and de-registration (making it difficult for CSOs to obtain work permits and visas); through differential penalties for non-compliance with regulatory laws (making it difficult to get government approvals for projects which are not

humanitarian in nature); and through unwarranted surveillance by security forces. Other strategies include restrictions on online access and spaces, banning and criminalisation of protests and other forms of picketing (limiting the ability of citizens to demonstrate), and seizing assets on suspicion of terrorism financing (OHCHR 2020; KHRC 2016).

The history of civil society in Kenya reveals how various governments have used these strategies to control the sector (KHRC 2016). CSOs in Kenya have, however, used their own strategies to push back against shrinking civic space through, for example, research, analysis and evidence-based action; litigation to counter repressive laws and victimisation; network-building with specific sub-sectors; skills building; and the formation of the Civic Space Protection Platform (CSPP), a forum for drawing together a network of actors from the media, trade unions, religious institutions, civil society formations, social movements and academia (KHRC 2016). This network's main goal is to support the creation, reclamation and preservation of civic space in Kenya.

It is against this background that that the impact of COVID-19 on civic space should be viewed. The impact of COVID-19 on CSOs has been variously explored in works such as Arslan et al. (2021), Amnesty International (2020), CIVICUS (2020), Michalon (2021), Mutahi and Wanjiru (2020), Nasumbo and Nyakwaka (2020), OHCHR (2020), UN Women (2020) and Werimo (2021). The following section draws on these publications to provide an overview of the impact of the pandemic on civic space in Kenya.

Impact on CSOs

Kenya reported the first coronavirus case on 13 March 2020, becoming the 11th country in sub-Saharan Africa and the first in East Africa to register a positive case (PSCU 2020a). The government responded by setting up a multifaceted team with the Minister of Health at the helm and announced policy measures and behavioural protocols geared towards limiting the spread of COVID-19. Among the measures taken by the government were protocols that included self-quarantine, lockdowns, compulsory quarantine, testing, social distancing, washing hands frequently with soap and water or using sanitisers, and wearing face masks. The government also announced a 7pm–5am curfew to control the spread of the virus. President Uhuru invoked the Public Order Act of 2020, calling upon the police to enforce the regulations and to arrest those violating the curfew (PSCU 2020a).

The pandemic led to the disruption of activities in every sector of society, leading to confusion among all actors as most services ceased due to the state of emergency measures put in place to contain the spread of the virus.

According to CIVICUS (2020), only 3.4% of the world's population lives in countries with open civic space. The coronavirus pandemic has revealed that civil society in Kenya is a fragile sector. Kenya, like the rest of the world, however, has recognised the importance of integrating CSOs and to enable coordination and collaboration among various stakeholders during the COVID-19 pandemic. CSOs have played a major role in containing COVID-19, for instance the Kenya Red Cross Society worked with Kenya Prisons to provide training on health protocols and 60,000 bars of soap for handwashing (ICRC 2020). Asha Mohammed, Secretary-General of the Kenya Red Cross Society, asserted that 'we must ensure that no one is left behind in the fight against COVID-19' (ICRC 2020). Amref Health Africa, working with funds from the Africa Centres for Disease Control and Prevention, initiated a mobile phone platform called 'Leap' that was used to train health workers on COVID-19 (Amref Health Africa 2020; Irura and Bett 2020). CSOs have also contributed to policy frameworks such as the proposed Public Health Rules 2020. CSOs have filled the spaces between private actors, specialised institutions and national governments by virtue of the role they play in assisting communities in different sectors (GIZ n.d.; Irura and Bett 2020; Strong Cities Network 2020).

At the same time, however, CSOs were restricted and civic space was shrunk through centralised decision-making processes and the COVID-19 restrictions. For instance, in centralising decision-making to contain the spread of the virus, the government worked with only a select few government agencies and CSOs, such as the GIZ (which supported CSOs in healthcare, the water sector and in good governance), the Kenya Red Cross Society, Kenya Oxfam and Amref Africa. These CSOs are involved in providing essential services in Kenya (GIZ n.d.; ICRC 2020; Irura and Bett 2020).

Two government institutions designated as essential, and given power and resources for the COVID-19 response were the Kenya Medical Supplies Agency (KEMSA) and the Kenya Police. The police were in charge of enforcing the restrictive measures put in place to curb the spread of the pandemic, and this role became a means to brutalise the general public and solicit bribes for those not keeping the curfew hours (Human Rights Watch 2020; Mutahi and Wanjiru 2021), thereby contributing to a shrinking of civic space.

A number of CSOs were left out of decision-making on COVID-19. Some CSOs were not able to access information and carry out their oversight roles over government agencies because of a lack of human resources, funds and space. The Government of Kenya's focus on health issues also resulted in a number of CSOs diverting their attention to the health sector, which, in turn, led to the neglect of other activities (ICRC 2020; Michalon 2021).

There have been challenges in accessing consistent, up-to-date data on the pandemic and its impact on CSOs (Werimo 2021). The impact of COVID-19 on CSOs has been varied depending on the sector and, in particular, on whether they are involved in delivering essential services. The ban on public meetings removed the main means of governmental and CSO engagement with the public, namely through face-to-face public forums, meetings and workshops. For example, CSOs were locked out of the validation of budget estimates during the pandemic. This lack of public participation also led to the loss of funds for the purchasing of protective equipment for medical personnel. As a result of COVID-19, CSOs working in the area of accountability and access to justice, as non-essential service providers, were limited in their operations during the lockdown period. These CSOs were precluded from playing their various roles in the community, including oversight over the government's COVID-19 response (Michalon 2021). Therefore, CSOs' role in relaying information to the public was adversely impacted by COVID-19.

Since most CSOs depend on external donors who were also affected by COVID-19, many struggled with reduced funding. CSOs also struggled with a lack of funds because resources were diverted to the COVID-19 response strategies (CIVICUS 2020; Protection International 2020; Werimo 2021).

However, CSOs developed innovative strategies to gain more space and visibility during the pandemic. For instance, when the police whipped citizens for not keeping the curfew hours, CSOs came to their defence by filing cases on their behalf in the courts (Amnesty International 2020; CIVICUS 2020; KNCHR 2020; Mutahi and Wanjiru 2021). President Uhuru Kenyatta eventually apologised to Kenyans over the excess use of force by the police during COVID-19 (Asamba 2020).

Notably, CSOs in Kenya switched to the use of technology to maintain operations and to support communities. For example, CSOs used social media (WhatsApp, Facebook and Twitter) to expose human rights abuses (Human Rights Watch 2020; KNCHR 2020; Werimo 2021). CSOs held virtual meetings and training for citizens using the Zoom platform; and the

strategy of working from home (remote working) led to savings in rent and maintenance costs for small organisations (Werimo 2021). The online strategy, however, did not work for those CSOs that work in the field (e.g. in agriculture) (Irura and Bett 2020).

The President of Kenya announced the approval of Google Loon Services in Kenya to enable universal 4G data coverage in the country: 'to foster communication and enable Kenyans to retain and enhance remote access to the offices and enterprises, my administration has granted approvals that will ensure universal 4G data coverage throughout Kenya' (PSCU 2020b). This service was to boost online learning and working remotely. However, despite embracing innovative ways of ensuring their ongoing activities, only a few CSOs have the capacity to access the Loon Services initiative, with CSOs operating in rural areas at a particular disadvantage (Human Rights Watch 2020; KNCHR 2020). For this reason, civic space for these CSOs shrank during the COVID-19 pandemic.

The increased use of digital communication also opened up civic space for many young people (CIVICUS 2020). In addition, the creation of new online spaces allowed many people to access events, training and webinars that they would not have been able to attend in person because of a lack of space and the costs of providing services to large numbers of participants. In the training sector, many CSOs therefore benefited from the increased reliance on online spaces.

Some CSOs undertook to mitigate the effects of the COVID-19 pandemic in Kenya by occupying spaces where the government has no presence, especially in the informal sector and in remote parts of the country (Irura and Bett 2020). For instance, community-based organisations and faith-based societies in various parts of the country distributed food, provided information on the COVID-19 protocols, and set up handwashing stations and facilities (Mutahi and Wanjiru 2020).

Conclusion

While the COVID-19 pandemic certainly disrupted the operations of CSOs in Kenya, a review of several publications referred to in this study shows that the impact on civic space has been mixed. The Government of Kenya concentrated their power and resources in sectors involved with the provision of essential services, and this led to a shrinking of civic space in

unrelated sectors. A decline in funding meant that CSOs had to restrict their activities and/or innovate.

Despite these challenges, many CSOs successfully redirected their activities to fight the pandemic. In some cases, this turned CSOs away from their traditional oversight role, which can be seen as a shrinking of civic space. On the other hand, the effective use of technology created new and expanded opportunities for CSOs in their delivery of training and other services, and increased the youth's participation in governance. Thus, while civic space was seen to shrink in certain sectors, there was an opening of civic space for those CSOs providing essential services and for those operating in the technology sector.

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CHAPTER 7

Civic space and CSO–stakeholder relationships during COVID-19: Insights from a survey of CSOs in Africa

François van Schalkwyk, Felix Wünsche and Nannette Abrahams

Introduction

This chapter reports on findings from a survey that was conducted with 41 civil society organisations (CSOs) in 14 countries in Africa[1] to determine how civic space has been affected during the COVID-19 pandemic. In cases where change was noted by participating CSOs, consideration is given to whether the change was reported as being positive (i.e. expanding civic space) or negative (i.e. shrinking civic space). The remainder of the chapter focuses on two specific CSO–stakeholder relationships, each of which has a bearing on civic space in Africa: (1) the relationship between CSOs and government, and (2) the relationship between CSOs and donors. In both cases, the focus remains on how these relationships were impacted by the pandemic.

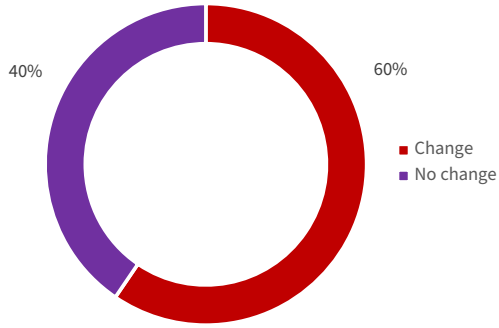
1 See Appendix 1 for a list of CSOs that completed the questionnaire. Numbers in square brackets in this chapter refer to the corresponding numbers of the CSOs listed in Appendix 1.

Civic space during COVID-19

Changing civic space?

When asked whether they saw civic space in their country changing or remaining the same, 60% (n=25) indicated that there had been change while 40% (n=17) reported no change (see Figure 7.1). It was possible for a CSO to report both change and no change if, for example, they felt that civic space was changing at one level of governance but not at another.

Figure 7.1 Changing civic space in sub-Sahara Africa (n=41)



In countries with at least three responding CSOs, Zambia was the only country where CSOs unanimously reported a change in civic space as a result of the pandemic. In Uganda and Kenya, the majority of CSOs reported change while in Burkina Faso and Niger the majority of CSOs reported no general, longer-lasting change in civic space as a result of the COVID-19 pandemic. There was no discernible difference between CSOs operating in urban areas and those operating in rural areas with regard to changing civic space.

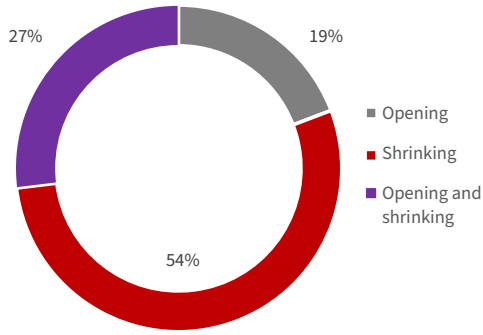
It might be tempting to draw conclusions about correlations between level of development and changes in civic space during COVID-19, or to point to differences between Francophone and Anglophone countries (i.e. Burkina Faso and Niger compared with Kenya and Uganda in both cases). But it would be irresponsible to draw conclusions based on the small sample of CSOs surveyed in each country, and it would be best to use the preliminary insights gained from this survey to inform future research about changing civic space on the continent.

Closing or opening civic space?

As was to be expected, all CSOs, without exception, reported curtailment, and at times cessation, of their activities due to restrictions imposed by their respective governments in efforts to slow the spread of the virus and to protect health services. However, despite the operational challenges faced by all CSOs as a result of the COVID-19 pandemic, as indicated above, several CSOs reported no change in civic space. Furthermore, as outlined in Chapter 1, where the closure of civic space was reported as a result of the pandemic, this should not be conflated with a general, longer-lasting shrinkage of civic space. As one CSO from Niger reported: 'It is only during COVID that the restrictions [...] have reduced the spaces for dialogue' [40; trans.].

Of those 26 CSOs that reported a change in civic space, 19% (n=5) indicated that civic space had opened while 54% (n=14) indicated that it had shrunk during the COVID-19 pandemic. Some CSOs (27% or seven CSOs) also reported that civic space had opened in some ways but had closed in others (see Figure 7.2).

Figure 7.2 **Opening or shrinking civic space in sub-Sahara Africa (n=25)**



As was the case when asked whether COVID-19 led to a *change* in civic space, CSOs provided a mixed response by country when asked whether COVID-19 led to a *shrinking* or *opening* of civic space. Notable, however, was that of those CSOs based in Burkina Faso that reported a change in civic space, all reported an opening of civic space as a result of the pandemic. Also notable was the fact that the vast majority of CSOs from Uganda (the country with the highest representation of CSOs in the sample) indicated that COVID-19 led to a shrinkage of civic space in the country. Of the countries in which changing civic space was reported by at least two CSOs, Uganda is the only

country rated on Freedom House's 2021 Global Freedom Index as being 'Not free' (all other countries are rated as being 'partly free').[2] This may suggest that conditions worsened for those CSOs operating in countries in which civic space was already under threat prior to the pandemic.

Effects of the COVID-19 pandemic on CSOs

CSOs were asked whether they or their 'target groups' were affected by the COVID-19 pandemic and its side-effects, including any policies introduced by the government. If they were affected, they were asked how they coped with the changes brought about by the pandemic. They were also asked to comment on how they might have been affected by opening or shrinking civic space in the 3–5-year period leading up to the pandemic (see Topic 2 in the questionnaire presented in Appendix 2.)

Figure 7.3 presents a word cloud generated from the 5,079 words that made up the answers to the questions: 'How has your immediate ability and capacity to work, the use of established communication/cooperation mechanisms or opportunities to engage with government and other actors changed over the past 3–5 years?'; 'What challenges for civil society have emerged over the past 3–5 years and where do you see opportunities to improve your scope of action?'; and 'Please explain the biggest challenges for your CSO before the outbreak of COVID-19'. The word cloud shows that one of the biggest pre-COVID issues facing CSOs was that of 'funding' (n=37); related prominent words are 'donors' (n=22), 'funds' (n=9) and 'financial' (n=13). This should not come as a surprise because CSOs are constantly seeking new funding to support their 'activities' (n=25), particularly when donors provide short-term project funding, or exclude overhead costs from funding. Terms such as 'staff' (n=11) and 'work' (n=17) also feature prominently as a consequence.

In addition to funding concerns, human rights and governance are expressed as pre-COVID challenges in the responses of CSOs. This is not unexpected since most of the responding CSOs work in the area of governance. However, the relative prominence of the words 'government' (n=34), 'space' (n=21) and 'shrinking' (n=11) in the word cloud suggests that CSOs have experienced 'reduced' (n=6) space and 'restrictions' (n=6) in fulfilling their human rights mandates.

Figure 7.4 presents a word cloud made up of words related to the conditions and challenges faced by the responding CSOs as a result of

2 https://freedomhouse.org/countries/freedom-world/scores

the pandemic. Questions included: 'Was your organisation (or your target group) immediately affected by the COVID-19 pandemic and associated side effects?'; 'Was your organisation affected by policy measures to combat COVID-19?'; 'Please explain the biggest challenges for your CSO since the outbreak of COVID-19'.

Figure 7.3 Challenges faced by CSOs in Africa in the 3–5 years pre-COVID-19

Note: Common words removed. Additional words deleted: such, last, before, year, years, up, now, many, etc., CSO, NGO, organisation, organization, civil, COVID, COVID-19

Figure 7.4 Challenges faced by CSOs in Africa as a result of the COVID-19 pandemic

Note: Common words removed. Additional words deleted: such, last, before, year, years, up, now, many, etc., CSO, NGO, organisation, organization, civil, due, out, even, affected, pandemic, COVID, COVID-19

Most prominent in the word cloud depicted in Figure 7.4 are the words 'activities' (n=76) and 'meetings' (n=49), suggesting a preoccupation with how the pandemic interrupted the day-to-day business of CSOs. Less frequent but related words include 'groups' (n=21), 'gatherings' (n=18), 'physical' (n=17), 'workshops' (n=12), 'engagement' (n=12), 'participants' (n=11) and 'beneficiaries' (n=11). Much of the work of the CSOs relies on interacting with their target groups in the form of meetings, workshops and training (i.e. activities). The restrictions on movement and gatherings imposed by government lockdowns would obviously have halted all such activities. Notable in the context of meetings is the relatively low frequency of words such as 'virtual' (n=15), 'digital' (n=11) and 'tools' (n=8), words that allude to the switch from physical, in-person to non-physical, virtual forms of interaction in order to sustain operations. It is possible that the transition to digital communications was not seen as a challenge by many responding CSOs or that it was not an option in the first place.

'Staff' (n=33), 'work' (n=39) and 'working' (n=22) feature prominently, as they did in the pre-COVID word cloud. Concerns and challenges about staff and working conditions given the immediate health threat posed by the pandemic as well as the impact on the ability of CSOs to deliver services is to be expected. Unlike the pre-COVID challenges, however, the issue of funding is less prominent in relative terms. Words such as 'donors' (n=28), 'income' (n=12) and 'partners' (n=14) are still present but not to the same degree as in the pre-COVID word cloud. This may suggest that the responding CSOs' attention was directed towards more pressing and immediate concerns during the pandemic but without forgetting the need for donor (partner) support.

A final observation is the relative prominence of the word 'members' (n=28) in Figure 7.4 compared with Figure 7.3. This can at least partially be explained by the fact that many of the responding CSOs were umbrella organisations that would have articulated the challenges faced by their members during the COVID-19 pandemic.

CSO–government relationships

In almost all contexts, CSOs provide alternative views and monitoring of government at either national, regional or local levels of governance. In fulfilling these functions on behalf of society, CSOs often find themselves in adversarial relationships with governments and other actors who are

seen to be working against the interests of society. In the survey conducted, respondents were asked to reflect on their relationships with government both before and during the pandemic in order to get a sense of the state of affairs in terms of CSOs' relationships with their governments and how COVID-19 may have impacted on relations.

Unchanged civic space

Some CSOs [1][6][7][10][12][13][22][23] did not see the pandemic as having any effect on the trajectory of closing (or opening) spaces for CSOs. These CSOs typically focused their responses on the impact of the pandemic on their operations, and how they managed to maintain the delivery of services to their target groups despite the challenging environment created by the pandemic.

In the case of Burkina Faso, two CSOs [31][32] reported on an evolving relationship between the government and civil society as roles were more clearly defined and new areas of intervention opened up. The COVID-19 pandemic had no material impact on this evolution in the broader national context.

In some cases [28][29][30], no mention was made of civic space. This could either have been because respondents misinterpreted certain questions in the survey or because their focus was exclusively on the dire social and/or economic effects of the pandemic and resultant lockdown in their region (e.g. in the case of CSO 28, the focus of their response is almost exclusively on the economic impact of the pandemic).

Changing civic space

Results from the survey show that CSOs in some African countries (e.g. Kenya, Nigeria, Sierra Leone, Uganda, Zambia) reported on closing spaces for civil society prior to the pandemic. In these cases, new or pending legislation was often provided as evidence for closing spaces:

> *Sierra Leone*: The Development Cooperation Framework (DCF) is specifically targeting [national and international] NGOs/CSOs, and it is meant to further close down on the civic space in the country. We are concerned about several provisions in the DCF […] It is very restrictive and intrusive and has the potential to compromise the scope of the work of NGOs. [10]

> *Zambia*: The registration legal framework, the NGO Act, is a contentious law as it deprives NGOs/CSOs of a self-regulatory environment and, instead, vests powers with the Minister in the relevant line ministry. This creates a risky environment as separation of powers are eroded leaving room for misapplication of the law. The other law that hinders effective engagement using internet-based platforms is the Cyber Security Act. The Act is ambiguous and young people lack sufficient information on how the Act will be interpreted […] This is a major concern given that youth in Zambia […] use social media to communicate, share and learn. The Act is a deterrent to meaningful engagement for NGOs/CSOs with youth in Zambia and consequently, youth and their duty bearers. [25]

In Burkina Faso, CSOs [31][32] described legislation as having a positive impact on civic space to the extent that it provides greater clarity in terms of the roles and responsibilities of various actors; a CSO in Niger [36] reported that legislation has no impact on the functioning of CSOs in that country; and a CSO in Côte d'Ivoire reported that while dated legislation is a hindrance, gains have been made by CSOs in advocating for new legislation:

> It [the current legislation of 1960] is really an obstacle to the functioning of Ivorian NGOs because it is very general, thus allowing the government a great deal of freedom to restrict civic space and arbitrarily prohibit any activities of CSOs that it deems to be against its interests or against the authority of the state. Ivorian CSOs are currently working to find an objective solution to this difficulty through advocacy that is bearing fruit. A draft law for CSOs is being prepared by the Ministry of the Interior. However, discussions on the issue remain very laborious. [34]

CSOs in Namibia [7], Nigeria [8] and Uganda [18] also reported positively in terms of their engagement with government during the pandemic, indicating an opening (or at least a preservation) of spaces for CSO–government relationships. In many of these cases, it appears that these relationships were already in place prior to the pandemic, and that during the pandemic government agencies turned to those CSOs with whom they enjoyed a trusted working relationship to support them in their response to the pandemic:

> In line with our thematic focus on people-centred development, CDD has an established partnership with the National Orientation Agency (the government agency under the Ministry of Information in charge of communicating government policies to citizens). This partnership emerged through our projects on countering misinformation and disinformation in Nigeria. At the onset of the COVID-19 pandemic, CDD with the NOA implemented a fact-checking operation specifically targeted to countering conspiracy theories associated with COVID-19. Additionally, CDD worked closely with the NOA to drive public awareness campaigns on the COVID-19 health guidelines. [8]

> FIDA U has been a key player in the development of the National Action Plan on Business and Human Rights (NAP) and have ensured that the draft NAP, which is set to be adopted in the near future, has a gender perspective and adequately recognises women's rights and vulnerabilities. FIDA U has also collaborated with the Uganda Microfinance Regulatory Authority in order to develop guidelines to microfinance players on gender justice debt repayment during and after the pandemic [...] FIDA U was part of the COVID-19 National Task Force where we added a gender lens to the discussions and informed the processes and measures from the perspective of women's rights and vulnerabilities. This involvement was in the latter part of 2020 and we were not able to influence initial policies in order to ensure that [gender-based violence] service providers are regarded as 'essential'. [18]

In other cases, relationships between CSOs and government developed positively as roles were clarified by the pandemic:

> The civil space has really evolved with the clarification of the roles of CSO actors, politicians and the Burkinabe state. There are more fields of action for CSOs, which allows CSOs to work freely in the country while respecting the regulations in the different areas. [31]

In Uganda, respondents report that their government regards CSOs as being de facto in opposition to it [16][17][18]. Rather than protecting spaces for civil society, legislation in Uganda is described as closing civic space [19][21][24]:

> Agencies advocating for accountability and transparency through promoting public participation and monitoring public service delivery have continued to face resistance from governments and are sometimes considered opposition to the government. The operating environment for civil society organisations has been deteriorating, with governments tightening their grip through threats of closure and deregistration, freezing of bank accounts and restrictive legislation. [17]

One CSO in Uganda drew attention to the issue of self-censorship in the face of a closing and more threatening space for CSOs in that country:

> There is need to end the negative rhetoric towards NGOs and attacks on human rights advocates and defenders which has made the work more risky [...] many organisations have started self-censorship with regard to issues to engage on and would rather avoid sensitive matters on holding the government accountable. [19]

Another CSO in Uganda reported that government saw the distribution of aid as an attempt to influence the elections:

> [W]e were not allowed to give out any relief aid without permission from the police or the government task force for COVID-19 prevention. Since COVID-19 came at a time when politicians were supposed to have been carrying out their campaigns, the government thought that giving out such aid was one way of bribing voters in the community or district. [22]

The same CSO [22] reported that rural communities were also seeing their attempts to provide support as being politically motivated:

> [W]hen I work for the community, they think I'm eyeing for some parliamentary seat in future, so they start looking at you in a different way. [22]

However, this does not appear to be a universal experience:

> Being a legally registered NGO, this has built the profile of the

> organisation that has attracted other partners/CSOs to work with SSF in achieving their mandates for deliverance of quality services to communities. This has also increased the trust from the government institutions including the district who always refer and recommend SSF as a point of reference for other development partners. This has also built trust and credibility from communities in areas where SSF operates knowing SSF is not a briefcase [fraudulent] NGO. [23]

In Mauritania, a CSO indicated that they perceive government as seeking to control civic space. This does not necessarily imply that civic space is closing in Mauritania but that the opening or closing of civic space is at the behest of government:

> Our NGO works in a political context of democratic pluralism where freedoms are more or less controlled. The situation is marked by the authorities' desire to control the actions of civil society organisations (national and international). [35]

There is no obvious pattern to be detected from the survey with regard to the opening or closing of civic space in the 14 countries in sub-Saharan Africa from which responses were received. At most, the possibility exists that in less developed countries in which governments rely to a much greater degree on CSOs to provide basic services to citizens, the relationship between government and CSOs is relatively productive, and civic space has expanded as government became stretched during the crisis brought about by COVID-19. To illustrate, in Burkina Faso, Niger and Sierra Leone, CSOs often did not refer to the issue of civic space and ostensibly enjoy a relatively healthy relationship with government that, in turn, depends on CSOs for the provision of services. One CSO from Niger responded to the question of political participation during COVID-19 as follows: 'Civil society plays an important role in democracy and good governance. CSOs are apolitical and do not participate in political activities' [38]. The corollary is that in relatively more developed countries, the relationship between CSOs and government is more politicised and more adversarial, and that pre-COVID shrinking civic space has shrunk further during the pandemic.

Following claims of the professionalisation of CSOs, it is also conceivable that the level of professionalisation and, consequently, the effectiveness and level of criticism directed towards government may be more pronounced in

more developed countries (or countries with more mature CSO ecosystems). Whether these are convenient and possibly over-simplistic observations would need to be tested more rigorously in future research.

Dual states

Toepler et al. (2020) argue that some governance systems can accommodate both shrinking and closing civic spaces in which some CSOs benefit while others lose out. We also observe an emerging duality in the survey data but of a different kind. It was not uncommon for CSOs to report both the closing of civic space (through legislation and enforcement) and the opening of new opportunities for CSOs in the same country. At times this duality manifests as a closing of civic space at the national level and an opening of space at the local level (see, for example, the section below which describes the positive experience of CSOs engaging with county-level governments in Kenya despite a lack of engagement at national level).

In other examples where both opening and closing spaces are reported, no differentiation between levels of governance is made by the respondents. The following is an example of the duality of closing and opening civic spaces in the context of Uganda:

> The government announced in November 2019 that only 2,119 of the registered 14,027 NGOs have been authorised to operate in Uganda following a validation exercise that started in November 2018 and ended in October 2019. From this the Ministry of Internal Affairs indicated that organisations should only partner or work with NGOs that have been successfully validated. This has led to a shrinking civic space but also reduced the room for partnerships and as well frustrated CSOs' operations. […] However, amidst these challenges there are some opportunities that can improve the scope of actions which include the increased demand for civic information from both the community and international agencies. The change in members of parliament to young vibrant leaders also offers room for dialogue with these new duty bearers. The shrinking civic space itself has presented an opportunity in a way that CSOs are networking and partnering more in solidarity to advocate for the protection of civic space in Uganda. The lockdown measures have granted us the opportunity to evaluate our leaders and their nature of leadership, which helps CSOs to set better structures that can be used to influence change. [24]

Using the COVID-19 pandemic to control civic space

At times, the closing of civic space was directly attributable to COVID-19 measures, and the abuse of those measures by ruling political parties and/or public officials:

> After the emergence of COVID-19, government policy *created* inequalities between social classes. Food aid was unevenly distributed among social classes. There were gross human rights violations through abuses of citizens by law enforcement during various curfews (citizens were assaulted in their own homes and material goods were taken away, including cell phones, money, etc.). There has been extortion of money from vulnerable citizens by health services and law enforcement because they were not wearing protective masks. [34; emphasis added]

A frequently occurring issue in relation to the effect of the pandemic on civic space is that of who qualifies as an essential worker [18][19]. In many cases, because CSO staff (e.g. lawyers and social workers) were not classified as essential workers by their governments, the delivery of services to communities by CSOs was severely curtailed during the pandemic.

In cases where travel was permitted subject to government authorisation, a CSO reported delays in obtaining permission to travel:

> [O]ur organisation was implementing development projects in different regions of the country. We had constraints to travel throughout the country which required prior authorisations issued by the Ministry of Interior which had difficulty in responding to all solicitations thus causing many delays. [35]

In Uganda and Zambia, the pandemic coincided with national elections. In Uganda, CSOs [18] report that the pandemic was used to impose additional restrictions on the activities and movement of CSOs, where these restrictions may have been justified by the ruling political party as a necessary response to the pandemic but were seen by CSOs and others as a ploy to restrict electioneering on the part of opposition parties. Similar government tactics are reported in Chapter 5. In Niger, a CSO [37] reported the use of the pandemic to justify restrictions on post-election civil liberties.

Participation in government decision-making during COVID-19

In most countries (Burkina Faso, Côte d'Ivoire, Nigeria, Sierra Leone, Somaliland, Uganda, Zambia), CSOs reported little or no participation in the government's planning and response to the pandemic:

> The space for participation has been considerably reduced due to restrictive measures. Thus, the participation of CSOs and citizens in public life has been fundamentally reduced due to the limitation of civil liberties. Communities have felt excluded from the governance process again and the majority of CSOs have remained inactive and ineffective. [34]

In other countries such as Kenya [2][4][5] and Uganda [21][22][23], there was some evidence of engagement with governments at the local level. In Kenya, a country in which governance has been devolved to the county level, CSOs [2][4][5] reported positively on their engagement with local (county) governments during the pandemic:

> In Baringo County, CEDGG in partnership with the County Government of Baringo [...] conducted public sensitisation outreaches at the grassroots level with the use of a vehicle mounted with public address. The visits also provided officials from the public health directorate to assess the status of public preparedness for COVID-19 prevention. This later informed county government responses such as distribution of face masks to the vulnerable members of the community. [2]

> LOKADO was part and parcel of Turkana west sub-county COVID-19 steering community led by UNHCR Kakuma sub-office HSO. We took part in designing and implementing policy measures to counter COVID-19 in coordination with government and other stakeholders on a weekly basis. [4]

> SSF was involved and engaged with Lyantonde District COVID Task Force in designing and evaluating policy measures to be implemented in Lyantonde district. The organisation was invited and participated in the weekly COVID-19 task-force meetings aimed at

> discussing policy measures and progress made in prevention of the spread of COVID-19 in the district. [23]

Only one of the five Kenya-based CSOs indicated that they engaged successfully with the national government during the pandemic:

> NTA together with our partners under various networks were involved in the formulation of policy measures to counter COVID-19, however this was on a relatively low scale. We participated in the drafting and submitting of a memorandum on the Pandemic Response and Management Bill 2020 through the Senate Ad Hoc Committee on COVID-19 Response. NTA made a submission on the finance bill 2020, which stipulated the tax measures introduced during the COVID-19 pandemic which included suggestions to cushion the vulnerable from the effects of COVID-19 such as the tax proposal on NSSF and pensioners. NTA in partnership with other CSOs spearheaded by TI-Kenya monitored the COVID-19 funds and NTA analysed the OAG reports on mismanagement of COVID-19 funds by Kenya Medical Supplies Authority (KEMSA). [5]

In many cases [2][3][5][6] – including the CSO that engaged successfully with the national government – CSOs in Kenya reported that access to government information remained a challenge during the pandemic. In particular, respondents pointed to a lack of participation in budgeting processes and limited access to budgeting information at all levels of governance during the pandemic.

It should be kept in mind that governments were required to act rapidly and decisively with relatively little forewarning to protect their citizens from the impact of the COVID-19 pandemic. This would have limited the ability of governments to establish new, trusted relationships between themselves and CSOs, and/or to engage in lengthy negotiations about the best course of action. It is therefore likely that those CSOs who did participate in government decision-making process during the pandemic had established trusted relationships with government prior to the pandemic. The data from the survey supports this observation.

Digitalisation and civic space during COVID-19

Lockdowns and restrictions on gatherings and movement do not

automatically imply a closing of civic space, especially as new modes of digital communication and engagement were normalised during the pandemic. In fact, most CSOs acknowledged the importance and value of digital communication technologies, and saw the need to incorporate digital strategies post-COVID:

> Improve digitalisation to fit into the new normal. In the new normal, most CSOs are working from home. Digitalisation is key to ensure smooth transition into the new normal and continue implementing their activities. [21]

> This has also provided learning that digital platforms such as WhatsApp are critical to disseminate information, collect lessons and experiences as well as modes that can be used to support young people and engage other young people on various issues that matter to them. In light of this shift, the hub is working with the international programme quality unit to devise and strengthen the gathering of data, monitoring and evaluation through the online platforms. Therefore, we should invest more resources in digital platforms that will provide real-time engagement with young people through short surveys, opinion polls and discussions. [26]

Even for CSOs working in remote, rural areas, social media is seen as an important means of communication:

> [E]verything is entirely on social media now, so the team I work with is not all well conversant with ICT skills, so it makes me work harder than before, and also all this depends on the availability of electricity which we are lacking currently. So, I have to travel for two hours to the city where I must use internet and now that we are in a second lockdown with travel bans on inter-district [travel], I still do not know how I will travel back in the evening after submitting this questionnaire. We need to have a stable source of energy/electricity at our project house. There is a need for a stable source of internet and trained staff on ICT. [22]

Across the board, respondents acknowledged the importance of digital tools, particularly those for improving communication but also for conducting virtual

fieldwork [24]. Most indicated the need to continue investment in such tools post-COVID.

> We have learnt the importance of digital tools has been emphasised with the advent of COVID-19 and KWID should keep embracing their use in her day-to-day activities. [21]

> We mapped out over 100 digital spaces – WhatsApp groups with over 5,000 young people where our volunteers are part of [and] are using these spaces to share COVID-approved messages, animations on COVID, posters and engaging in discussions not just to share factual information, but also learning from young people's experiences. This has helped our programmes design messages to meet the needs of young people. Young people have appreciated the initiatives and consider our programmes as reliable sources of support and information about COVID. [26]

> For the first time, we have successfully experimented with remote work, which sometimes allows us to save time and resources (human and material). [35]

While CSOs were generally able to adapt to the use of technology to operate during COVID-19 (and during strict periods of lockdown in particular), target communities could not transition as readily due to poor levels of connectivity and digital literacy (particularly in the case of rural communities). This impacted negatively on capacity-building and advocacy work:

> The lock down affected a number of DENIVA members to reach out to communities, mobilise and sensitise communities on their rights [...] The movement restrictions affected DENIVA to reach out to her members who are spread across the 14 regions of Uganda. Efforts to adopt virtual meetings were also not effective as a number of community-based organisations do not have access to internet. [17]

> AAAZ is making strides to adapt and utilise digital tools to continue the pursuit of capacity building and advocacy. The main challenge is that the majority of the marginalised communities in the rural pockets have no access to internet-based digital tools. [25]

In Kenya, Nigeria and Somaliland respondents reported that government officials were also slow or unable to transition to the use of virtual meetings. This closed spaces for engagement and participation:

> While it is easy to have Zoom or Skype meetings with international partners, the reverse is the case with local partners as in-person meetings are always favoured. Part of the challenge is the lack of access to technology by project participants, recipients and host communities in the field. Most government actors at the local levels also do not have access to such technology. [9]

> Even though we have used traditional and social media, but the face-to-face meetings with decision-makers have become a challenge, and for many decision-makers COVID-19 restrictions have become an excuse to avoid meetings with lobbyists. In general, the use of technology is not very common in Somaliland as the majority of the ordinary citizens are not familiar with it. [12]

A CSO in Zambia [26] learnt that engaging with existing formal structures was more effective during the pandemic:

> Using formalised structures yields better governance results: The hub realised that engaging young people in the scorecard methodology and governance is more effective on formalised groups and platforms like the school councils in schools and governance groups in communities. This is because these established groups already have objectives that relate to the participation of young people in governance and decision-making matters. [26]

In addition to the impact of digital communication technologies on civic space, the more practical issue was how digital technologies could be used to deliver services and, therefore, to maintain an active civic space during the COVID-19 pandemic. In one case [34], new and older technologies were combined to keep the organisation functioning and to deliver selected services:

> As for our targets who are mainly in rural areas, we could not move towards them. They do not master the tools of tele-meeting or tele-working and the means do not exist to go and train them and buy

> them these tools. So we worked intermittently by phone call and SMSes and we continue to do so in extremely difficult conditions. The meetings of the OBGSE-CI Board are done by WhatsApp or webinar (Zoom) with difficulties related to the quality of the internet networks, to the intense power cuts, to the availability and quality of the used materials. [34]

The forced shift to taking up digital technologies for communication during the pandemic exposed one CSO in Uganda to new methods for training its staff:

> The tailoring trainers were able to use YouTube channels for learning and again teaching others. The agriculture trainers were able to use YouTube to learn new ideas. [20]

This form of retraining was critical for this CSO because donor funding dried up during the pandemic, forcing the CSO to reskill its staff so that they could generate income for themselves. Two CSOs [24][26] conducted online surveys to better understand the needs of their constituencies during the pandemic.

As discussed in Chapter 1, physical space – or the space of places – is required for mass gatherings, rallies and face-to-face meetings. The survey data confirms that these spaces invariably disappeared in African countries during the COVID-19 pandemic due to lockdown measures put in place by governments. The survey data confirms that non-physical space in the form of communication networks – or the space of flows – remained open during the pandemic (with some exceptions, such as Niger). In fact, the space of flows became critical in keeping economic, social and cultural activities active during the pandemic to the extent that the space of flows became further entrenched in the daily operations of CSOs in Africa.

However, it was also noted by respondents that a shift to digital technologies to maintain communication and the delivery of services as a means of CSOs reaching their target groups and members introduces a significant challenge: the exclusion of those who remain disconnected from the internet and digital communication technologies.

In terms of civic space, activities that depended on the space of places were universally affected. At the same time, the space of flows provided new spaces for civic engagement as digital communication tools became normalised by necessity. CSOs were therefore no longer bound by place and could more readily communicate in real time to maintain the delivery

of social services. As COVID-related restrictions ease, the space of places will most likely re-emerge as an important space. Less clear is the extent to which the space of flows will retain some prominence, especially in the context of CSOs operating in rural and other communication-constrained environments, and how the institutionalisation of digital communications and service delivery can be made to be more inclusive.

CSO–donor relationships

Some CSOs provided general information about their relationships with donors and how these may have been affected by the pandemic. Many, however, focused exclusively on the issue of funding available from donors during the pandemic:

> The biggest challenge we experienced since COVID-19 is limited funding from donor partners towards project implementation. The emergence of the pandemic increased the vulnerability of rural communities in particular, which requires more attention, more actions and more support. This was challenging as a result of limited funding from donors. Some of our donors did support us to make some frantic efforts to reach out to most of our communities. However, it was not enough as more needs to be done. [10]

A common response in relation to donor funding was that priorities shifted as a result of the pandemic [2][4][6][8][10][13][18][20][21][23][24][25][27][28][31][32][34][36][39], with some CSOs reporting that new priority areas are too focused on the more obvious COVID-19 interventions [8][10][13] to the exclusion of continued donor support for more indirect or less obvious effects of the pandemic on society:

> The spread of the virus and the rate of death casualties recorded, made most donor funding organisations change their focus to health-related engagement to help cushion the effect of the virus. This, in turn, resulted in the immediate closure of some of our projects, which affected our financial strength. [8]

> Because COVID is an emergency, all our project focuses were changed as a result of the instructions from our donors. There was a

> shift from normal project work to COVID-19 support to communities [...] Some donors gave us COVID support but limited us as to where we should extend our COVID engagements. By this position of some donors, other communities were left out that we could not reach out to. [10]

> [W]e have had communication from two of our donors that they will be changing focus and that they are not sure whether they will continue supporting us [...] Another donor reduced the budget ceiling because of the impact of COVID on the home country and therefore priorities including giving less money to aid and focusing on addressing their own domestic challenges. [19]

Not all respondents agreed. Some indicated that they perceived little or no change in donors' funding priorities during the COVID-19 pandemic [12][14][17][24][35][41]:

> As far as the donors we work with are concerned, we have not seen any change in their priorities. We continue to work with them in the same areas. [35]

Although not a view expressed by other CSOs in Uganda, one CSO suggested that the dependency on international donors should be reduced in favour of financial support from government:

> The existing opportunities for CSOs are to create stronger relationships with government and lower local governments to manage the reduction in international funding. [23]

Some reported on the need for more diverse sources of income in order to be in a better financial position to deal with future shocks:

> My lesson has always been that it is not god to rely on external donations only. THERE IS NEED TO HAVE ALTERNATIVE SOURCES OF INCOME. [22]

A few CSOs indicated that while the support of donors was greatly appreciated, they would have wanted donors to reduce the administrative reporting burdens during the pandemic [7], to be more flexible in their programming [7][15][17][18][24][26] and to follow the advice of CSOs on the ground [7][11], or at least 'to know and understand the issues from the inside' [18].

> The financial support by various donors during the pandemic was well appreciated and well-coordinated by SDFN/NHAG. But this emergency support also brought along a further need of reporting and administration of these funds. Therefore, capacities within NHAG/SDFN were limited to their core activities. Since NHAG/SDFN is a well-established community-based organisation, more freedom of objectives and actions in such an exceptional situation would be appreciated. SDFN/NHAG knows where funds have the most sustainable effect in such a situation but often donors have other objectives and priorities. Further funds to upscale the informal settlement upgrading, to keep on building more houses and to install further services for water and sanitation are the most sustainable solutions even though it might not be as fast as distributing water tanks. [7]

> From our organisation's perspective, there is a need for donors to offer emergency grants to networks, especially those that work with marginalised groups so that they are in a position to attend to their constituency needs when approached to do so. [24]

A CSO from Somalia raised the issue of a lack of consultation between government, donors and CSOs on the ground:

> There is a lack of CSO consultations and participation between government and donors and the lack of clarity regarding who is consulted before decisions are made, usually with CSOs reporting that often there is no systemic consultation with key players. [11]

A CSO from Uganda reported that it engaged with donors to discuss internal policies and implementation:

> Yes, together with our partners we usually discussed and implemented policies based on what would be applicable to the society where we work. [22]

Either way, donors, like governments, were faced with an emergency situation requiring rapid decisions about how to allocate their resources to support their partners:

> Because COVID is an emergency, all our project focuses were changed as a result of the instructions from our donors. There was a shift from normal project work to COVID-19 support to communities. [10].

This placed limits on opportunities for consultation and more 'democratic' decision-making. Furthermore, no single donor is likely to be in a position to continue funding both their strategic interventions and interventions in response to the COVID-19 pandemic. Donors would have been faced with tough choices and unavoidable compromise; their partners would have remained focused on their specific areas of support and development in addition to stresses imposed by the pandemic.

Conclusion

While CSOs report issues in their relationships with both government and their donor partners, what emerges is not entirely new. Rather, as has been the case in many other sectors, the COVID-19 pandemic has accentuated existing issues, including those related to stakeholder relations.

These heightened issues have in many cases resulted in shrinking civic space, especially at the national level. However, as was the case pre-COVID, new opportunities also emerged for some CSOs during the pandemic.

The extent to which the change to civic space in African countries brought about by the pandemic is temporary or permanent remains to be seen.

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PART 2

COVID-19's impact on marginalised communities in Africa

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CHAPTER 8

Increasing the inclusion and participation of people with disabilities in Uganda

Tenywa Aloysius Malagala, Betty J. Okot and Judith Awacorach

Summary

The era of rapid global social change instigated by the COVID-19 pandemic underscores problems of dislocation and deprivation as well as new opportunities in the study of society. In Uganda, the socio-economic effects of the pandemic are identifiable across the whole society; however, persons with disabilities (PWDs) seem to be impacted more severely and receiving less attention than other marginalised groups. The containment measures set by government restricted all movement, thereby inadvertently disrupting civil society organisations' (CSOs) operations, including the key personnel who directly support PWDs. Similarly, the pandemic has placed stress on donor funding to CSOs, which risks further narrowing civic space, thus exacerbating the plight of PWDs. In sum, PWDs such as the mentally, physically, visually disabled and hearing impaired who depend on carers

for their daily social care needs, including movement, communication and treatment, found it extremely challenging to meet their most basic needs during the pandemic. In this chapter, we examine how CSOs working with PWDs in Uganda navigated shrinking civic space to continue providing vital services to all categories of PWDs during the pandemic.

PWDs in the COVID-19 context

In Uganda, the multidimensional vulnerabilities of PWDs disproportionately expose them to the ravages of the COVID-19 pandemic. According to Action Aid International-Uganda the extreme impact of the pandemic on PWDs leaves them at higher risks of contracting the disease (AAIU 2021). In the 2009/2010 National Household Survey by the Uganda National Bureau of Statistics (UBOS), the poverty rate among households with PWDs was 30% above that of other households. Arguably, it is more likely that PWDs live in deprivation than persons without disabilities (Leonard Cheshire DIDC 2018). Poverty and deprivation amongst PWDs are usually associated with a lack of skills; limited training, employment, economic or livelihood opportunities; and entrenched cultural prejudices (Nyombi and Kibandama 2014). Consequently, PWDs are more predisposed to lower pay levels and systemic abuse in the workplace compared to their counterparts without disabilities (Inclusion International 2019; Nyombi and Kibandama 2014).

Studies indicate that PWDs typically have unstable incomes, which exacerbates their susceptibility to shocks (Rohwerder 2020; UBOS 2019). There are also gender disparities in the formal employment of PWDs. For instance, in Uganda, the minority of women with disabilities find formal employment in the formal sector (Leonard Cheshire DIDC 2018; MOGLSD 2020). Furthermore, women with intellectual disabilities are often excluded from employment due to several factors including concerns over safety in the workplace, lower educational/skill levels and the manual nature of the jobs available, which tend to be male dominated (Inclusion International 2019).

As the COVID-19 pandemic has exacerbated the plight of PWDs, Uganda-based CSOs have been adapting and innovating to continue assisting all categories of PWDs. By adaptation and innovation, we refer to the ways that CSOs are manoeuvring and negotiating the shrinking civic space in which they are forced to operate during the COVID-19 crisis. Government services also shrank during the pandemic save for a limited number of key ministries,

departments and agencies (MDAs) that were considered essential, namely the Ministry of Health (MOH), the Ministry of Defence, Finance and Banking, the Ministry of Works and Transport, the Department of Agriculture and local government. These were critical for keeping the economy running and for the delivery of essential services, albeit at a minimal scale.

In this light, we examine how Uganda-based CSOs have collectively sought to continue providing immediate and medium-term services and resources to people in need, and to PWDs in particular, during the COVID-19 pandemic. By focusing on PWDs, we explore the adaptations and innovations that CSOs have made to manoeuvre around the restrictive standard operating procedures (SOPs) aimed at containing the spread of COVID-19. We examine how the stringent containment measures impacted PWDs, and unintentionally aggravated discriminatory practices against them, within a social policy context in which PWDs and their CSOs innovatively apply human rights-based approaches to keep civic space open. We signpost as a lesson the potential of rights-based approaches as a fundamental guide for designing similar future crisis-containment measures if vulnerable members of society are not to be discriminated against.

We mainly drew on secondary data from widely available literature on COVID-19 and on primary data based on informants' contextual perceptions and experiences of the pandemic. Data sources included reports and programme documents on interventions targeting PWDs, which were extremely useful in shaping our understanding of their needs and how CSOs sought to address them. Primary data was gathered through telephone interviews with key informants from among CSO officials and a few PWD beneficiaries based in northern Uganda. A total of 24 telephone interviews were conducted. The participants included eight men and 12 women with different forms of disabilities. Two men and two women working with organisations supporting PWDs were also interviewed. An interview guide with structured and semi-structured questions was used to conduct the interviews. Information was captured in the form of written notes, which were written up, analysed and corroborated with the literature. This provided information on CSO operations and their collaboration with local government in supporting PWDs. The respondents provided insights into how PWDs were involved in designing, implementing, and monitoring interventions and the coverage of CSOs' activities during lockdown.

PWDs and the social policy context in Uganda

The Ugandan government has a constitutional mandate to protect and promote the rights of PWDs (OHCHR 2018; Persons with Disabilities Act 2020 as amended; Uganda Constitution 1995, Article 35). This is reflected in the activities and programmes of the Ministry of Gender, Labour and Social Development (MOGLSD), the Ministry of Education and Sports (MOES) and the MOH, among other MDAs that variously promote the health, education and employability of PWDs.

The MDAs also collaborate and partner with several local and national CSOs as well as with international development partners. This is what makes Uganda's policy environment disability-friendly and consistent with existing global statutes and frameworks on the rights and dignity of PWDs. In many ways, the country's disability policies are aligned with the Sustainable Development Goals on PWDs (SDG 16), the National Strategic Plan and the National Development Plan II (NDPII) 2016/2021. In terms of policy, Uganda seeks to empower all PWDs and ensure they enjoy substantive equality of opportunities and inclusion across all sectors.

In view of existing disability policies, the MOGLSD implements and enforces the labour laws targeting the needs of PWDs while the MOES ensures inclusive education with specific frameworks for special needs education. In accordance with the Education for All agenda and the NDPII, this represents a national commitment not to leave anyone behind. In relation to the national focus on promoting and protecting the rights of PWDs, the advent of COVID-19 saw the MOH issue inclusive prevention and containment guidelines or SOPs targeting all citizens. According to the National Union of Disabled Persons of Uganda (NUDIPU 2020), however, the SOPs do not sufficiently cover the health, safety and social care needs of specific categories of PWDs, especially the physically, hearing and visually impaired, who were impacted differently by the SOPs as we later illustrate.

Other structures and institutions that currently promote the rights and welfare of PWDs at the national level include the afore-mentioned NUDIPU, which is an umbrella organisation that represents all PWDs and advocates for their rights. The NUDIPU influences national policy and legislation, raises awareness, monitors compliance with international human rights frameworks pertaining to PWDs and empowers PWDs to demand their rights. The NUDIPU actively operates in 112 districts across the country in

collaboration with nine disabled peoples' organisations (NUDIPU 2019). The collaborative effort of CSOs, non-governmental organisations and development partners in providing for the needs of PWDs has been evident in various interventions. For instance, as the pandemic raged in 2020, an estimated 1,554 learners with disabilities from 296 primary schools across 79 districts in Uganda were provided with hearing devices by the MOES, UNICEF and the Starkey Foundation with funding from the World Bank (World Bank 2020).

Reflecting on the provisions of the United Nations Convention on the Rights of Persons With Disabilities, we argue that the principle of *nihil de nobis sine nobis* (nothing about us without us), as once articulated by James I. Charlton (2000), needs to be applied to the situation of PWDs in Uganda, especially during the restrictive measures aimed at containing the pandemic. Although Uganda exhibits a 'constitutional commitment to the equal rights and opportunities for persons with disabilities, it is unclear what "disability" is or who is a person with a disability' (MOGLSD 2020: iv). This problematises the concept and policy response to disabilities in Uganda. Without a generally accepted definition, the risk of discriminating against PWDs increases.

Despite the policy commitment to protecting the rights and well-being of PWDs, there are inconsistencies in practice which do not reflect a rights-based approach. For example, there is no formal system for registering, locating and supporting PWDs. A situational analysis conducted by the MOGLSD (2020) on PWDs in Uganda indicates that despite being outlawed, discrimination against PWDs continues, especially in the mental health and justice sectors, where many barriers to protection from all forms of marginalisation persist. It further revealed that although age, gender and physical location may be among the factors driving marginalisation and discrimination against PWDs across different societal levels, there is a further need to establish how corruption obstructs the course of justice in this context. Additionally, due to budget constraints, the majority of services to PWDs are provided by non-state actors, which is unsustainable. In this environment, 'the creation of a specific function to coordinate disability across MDAs would facilitate mainstreaming and inclusion' (MOGLSD 2020: 120). A lack of coordination between multiple actors is likely to create a major gap in programming and lead to restrictions of rights. This is the landscape in which we now present the impact of COVID-19 on PWDs in Uganda, based on real-life experiences, perceptions and related literature.

Impact on PWDs

As part of the pandemic response, government introduced a total lockdown of the country in March 2020, but issued travel permits to essential workers through the Ministry of Works and Transport. While the measures allowed a continuation of some of the essential services to the public such as healthcare and security, those working with PWDs were not treated as essential workers. This meant that only very limited services could reach PWDs. PWDs who were not self-reliant in terms of their income and their physical abilities were driven into a life of destitution as many could not access the government aid that is intended to support people in need. This resulted from the one-size-fits-all pandemic social protection and response strategies implemented by the government.

Another factor was the limited financing and oversight in policy formulation and implementation, which shrank the civic space for PWDs' inclusion and participation. For instance, there were oversights in representation on the COVID-19 Task Force at both central and local government levels at the nascent stages of the pandemic. In West Acholi, for example, PWD leaders were unintentionally left out of the initial COVID-19 Task Force (AAIU 2021). Thus, elements of discrimination or marginalisation inadvertently filtered into the COVID-19 response, affecting PWDs (Interview with a CSO official, 12 August 2021).

The PWDs' perspectives and experiences generally suggest that their struggles during the pandemic have been multifaceted. This is an observation corroborated by various studies (AAIU 2021; Humanity and Inclusion 2020). For instance, school closures drastically restricted various categories of PWDs from accessing and participating in education and learning. Even though the MOES implemented remote learning, many learners with disabilities from resource-constrained households did not benefit much since the televised, broadcast and printed resources were disability-unfriendly, and tended to exclude learners with visual and hearing impairments. Interactions with community members – especially parents and caregivers of learners with disabilities in Gulu – indicated that this situation forced learners with disabilities to innovate alternative ways of learning without braille machines, hearing aids or sign language interpretations by revising the notes they took from school. However, the resultant boredom and lack of technical support forced many learners to simply abandon self-study.

Moreover, loss of income and livelihood opportunities exacerbated

PWDs' numerous debilitating pandemic experiences. Many PWDs rely on small income-generating activities/trades for their subsistence; however, the lockdown measures compelled them to abandon their businesses. One male respondent narrated how he spent his entire capital on food and family subsistence during the lockdown because he was unable to trade. He eventually resorted to subsistence farming to provide for his family despite his physical disability. The experience forced the whole family to relocate to a rural village where there was ample space for farming (Interview with a PWD, 18 July 2021).

Additionally, the social distancing measures restricted PWDs' participation in civic spaces and their access to services. In this regard, those who rely on group support and networking for their participation in any space were severely marginalised since they could not meet in person. For instance, a female PWD from Omoro district narrated how the COVID-19 prevention measures disrupted their weekly Village Savings Association meetings, which was a platform for sharing experiences and social support. Such savings associations had provided many members with capital, collateral for loans and entrepreneurial skills. As a result of the disruptions, it became extremely difficult to access credit due to stringent banking rules that often exclude PWDs (Interview with a PWD, 10 October 2021).

Relatedly, the fear and risk of contracting the coronavirus compounded the exclusion of PWDs and prevented them from accessing medical centres or services. Experiences suggest that some government security personnel charged with enforcing the SOPs showed little consideration for PWDs. This mostly affected those with hidden disabilities. For example, the hearing impaired experienced violence and abuse, and some were severely injured. The International Disability and Development Consortium documented the story of a mother, who, due to lack of transport to hospital during the lockdown, lost a disabled child who choked to death (IDA 2020).

Furthermore, PWDs with hidden disabilities such as HIV/AIDS[3] could not access regular medication due to movement restrictions and the ban on transportation during the lockdown. Persons living with HIV/AIDS require physical examination at health facilities to ascertain their viral load; and those who had sufficient supplies of medication could not take them since eating properly was a challenge. One CSO staff member stated that 'I realised

3 The UK '2010 Equality Act recognised HIV as a disability from the point of diagnosis, regardless of whether or not the virus has yet started to make an impact on the individual's physical health'. HIV is the hidden disability that is still holding employees back – see ENEI (2017).

diet was a problem. Two HIV/AIDs victims died due to hunger and many more people under care stopped taking their medication' (Interview with CSO official, 12 October 2021).-

An interview with one CSO official revealed the story of man who impregnated his disabled daughter after his wife divorced him, and yet another case of a disabled girl taken by her father to live in the village with her aunt, who eventually got defiled by a village councillor. Two other cases of security personnel abusing the rights of PWDs were also mentioned. According to Oduti (2020), a man with hearing and speech impairments, was shot five times in the leg by the security personnel during the curfew due to communication issues and a lack of due deference given to him. His leg was amputated resulting in further disability. In another case, a person with mental illness was caned and later found at the police station by his mother.

Amidst the pandemic restrictions, CSOs have attempted to reduce the vulnerabilities and marginalisation of PWDs by providing various social care and relief services and resources (EPIC Africa 2020). Notably, the assistance provided included food relief, health and social care, shelter, assistive devices such as spectacles, hearing aids and walking sticks, and life-saving information and counselling (Brennan 2020).

While the pandemic response might unintentionally be shrinking the spaces for civic participation and thus increasing inequalities in access to vital services among PWDs, it is also creating new opportunities for CSOs to remain relevant in advocating for marginalised groups. CSOs are adapting and innovating under the weight of the pandemic containment policies and practices. This is widening the space for CSOs' civic participation, making them versatile and relevant in advocating for the vulnerable and marginalised. However, due to capacity and resource constraints for conducting impact assessments, it is quite difficult to assess with precision, the impact of CSOs on the lives of those they serve (Tageo et al. 2021).

Nevertheless, the visibility of PWDs is contingent on the activities and presence of the CSOs that represent them (Interview with CSO official, 12 September 2021). Outside of this axis, it would be difficult to locate PWDs or even recognise their struggles, especially since both PWDs and CSOs depend on each other to galvanise public attention and support. On one hand, without institutional backing, PWDs often struggle to lodge themselves within a fast-changing civic space, as was the case during the pandemic. On the other, CSOs risk losing influence if they are not seen to be closely collaborating with PWDs.

Turning to the question of how shrinking civic space created an opportunity in favour of PWDs, we inquired how they helped themselves during the pandemic. From the few empirical examples above, it is obvious that PWDs are facing challenges during the pandemic. However, PWDs are showing resilience in their ability to adapt and innovate in collaboration with CSOs (Humanity and Inclusion 2020). In the interviews, various PWDs suggested that they are fully aware of their rights and associated privileges. They are aware of their legal, civil or political representation as constitutionally provided for in Ugandan law in all spheres of public life. They appreciate the fact that the pandemic containment measures introduced sudden social changes that collectively affected how society organises in terms of social relations and how peoples' lives have been altered to accommodate the COVID-19 prevention measures. Human rights awareness became a vital element in the PWDs adaptation as this knowledge empowered them to guard against possible violations of their own human rights.

In one narrative, it was revealed how a woman with disabilities almost lost her land to opportunists who thought they could take advantage of both her husband's absence and her disability. With advice from her group of PDWs, she successfully engaged a lawyer in claiming her land rights and she was also able to defend her land from landgrabbers (Interview with a PWD, 14 August 2021).

In another development, having realised that rights come with responsibilities, a group of PWDs organised themselves and deliberated on what they could do to supplement and contribute to the fulfilment of their right to financial assistance (Wickenden et al. 2021). They agreed to use their savings to breed rare birds, and in five months they raised more than 300 birds. Since farming was an activity permitted during the lockdown, the PDW group used the proceeds from the sale of birds to hire people to farm for them. They produced 18 bags of ground nuts to generate additional income (Interview with a PWD, 20 August 2021). Hence, adopting a rights-based approach is a fitting response to the pandemic in terms of opening civic spaces for collaborations, advocacy, innovations and adaptations in order to *leave no one behind*.

CSOs' rights-based approaches

CSOs' application of rights-based approaches in assisting the vulnerable and marginalised in society did not start with the COVID-19 pandemic. In the African context, CSOs in South Africa have construed the effects of HIV/

AIDs on society in terms of various human rights violations, such as denial, stigma and discrimination, in contradiction with the spirit of the UN Universal Declaration of Human Rights (Jönsson and Jönsson 2012). Nelson and Dorsey (2008) discuss at length how CSOs play an active role in applying a rights-based approach to health-related crises.

How do CSOs adapt and innovate? Adaptation and innovation often manifest through CSO programmes and activities. For instance, since the beginning of the pandemic and subsequent nationwide lockdowns, most CSOs ensure that their staffing/recruitment policies are inclusive, and they make a point of employing and including PWDs in programme design and implementation (Interview with Humanity and Inclusion official, 6 October 2021). While we consider this an element of innovation and adaptability, it is also the CSOs' means of aligning their operations with existing government policies in order to continue working directly with PWDs in terms of their representation and visibility. This reflects the arguments by Nelson and Dorsey (2008), who suggest that by putting PWDs at the centre of their programmes, CSOs apply right-based strategies as opportunities for staying relevant during public health crises.

The UN Convention on the Rights of People With Disabilities recognises how human rights apply equally to all people including those with disabilities. In a special way, the UN Convention promotes access to services for people with disabilities in various contexts and environments and encourages all organisations working with PWDs to promote and monitor those rights (Geiser et al. 2011). The Danish Refugee Council (DRC 2020) maintains that measures to prevent the spread of COVID-19 ought to uphold human rights, be strictly necessary, proportionate, limited in time and non-discriminatory, which includes equitable access to information, basic services and humanitarian assistance. In terms of adaptability, the DRC (2020: 28) used the term 'programme criticality analysis' to identify the strength in its internal mechanisms to adapt its operations to a new reality in record time.

Critically, the right to health, food, education, information and protection are among the prominent rights considered during the pandemic. Masks, soap, handwashing devices and sanitisers were distributed by CSOs to PWDs and their caregivers. Various humanitarian organisations delivered food items to PWDs.

An integrated approach calls for the localisation and contextualisation of health communications and the involvement of local and social media in widening the spaces for inclusive participation of PWDs. We visualise

that rights-based approaches to COVID-19 responses might strengthen multisectoral collaborations and foster a more coherent, inclusive and sustained fight against the pandemic.

Humanity and Inclusion is an international organisation that helps PWDs with mental health issues and services, socio-economic inclusion, inclusive education and physical rehabilitation. It makes conscious use of the human-rights lens to craft, implement, monitor and evaluate all interventions aimed at addressing the plight of PWDs. The DRC leads a multisectoral response targeting displacement-affected persons, host communities and local populations. Its interventions include resilience building; livelihoods support; water, sanitation and hygiene programmes; cash-based interventions; shelter and infrastructure; armed violence reduction programmes; peacebuilding and conflict management training; and individual protection and community services.

The human rights principles that guide these organisations include participation, accountability, non-discrimination and equality, empowerment and legality ('PANEL'). Non-discrimination is reflected in active and informed participation of all stakeholders in matters of concern to all (Malagala 2011). Thus, the application of a rights-based approach is normally construed as an explicit integration of human rights principles and gender equality into the internal policies and operational activities of CSOs (Broberg and Sano 2018). The operations of the CSOs become more inclusive and participatory in terms of respecting, protecting and fulfilling the full range of human rights (TASCO 2021).

These humanitarian organisations agreed to coordinate, collaborate and adapt their strategies to accommodate the plight of PWDs. All programmes were to include a component of the concern for PWDs irrespective of whether a partner in question works with PWDs or not. The partners introduced a referral strategy whereby some PWDs would be referred to a particular partner that had the capability to handle a certain need of the PWDs. To reach people in rural settlements, they used village community-based volunteers to mobilise communities and disseminate information about the virus and containment measures, drug abuse, forced marriages and teenage pregnancies. They translated messages into various languages such as Arabic, Kawa, Dinka, Lokoya, Nuer, Bari and used local radio stations near settlements, especially during market days (Interview with CSO official, 6 July 2021).

Although adaptability amidst donor-funding cuts became more costly for CSOs, they managed to design programmes or interventions at short notice

while other activities were delayed or completely shelved. Some workers had to operate from their homes or in rotational shifts. Surveys were carried out to identify the needs of women, girls and men with disabilities and what they thought was best. Civil rights sensitisation and awareness creation projects were conducted so that PWDs could be in a position to articulate their rights.

Conclusion

No one can claim to have been prepared for the COVID -19 pandemic. The implementation of restrictive measures to contain COVID-19 in Uganda has resulted in reduced donor funding to CSOs, shrinking the spaces for both CSOs and the PWDs they serve. Despite the Ugandan government's policies and legal frameworks for upholding the rights and dignity of all, including PWDs, less attention seemed to have been paid to PWDs during the implementation of the pandemic containment measures, and the evidence reveals a large gap between policy and practice. It has been demonstrated how the implementation of those measures has caused PWDs to suffer during the pandemic. However, by placing the PWDs at the centre of their programming and implementation, CSOs have succeeded in innovatively adapting the application of right-based approaches to address the plight of PWDs. Relatedly, human-rights awareness enabled the PWDs interviewed to claim their rights to land and contributed to the realisation of their right to financial assistance through investment in farming. Thus, rights-based approaches offer the opportunity for inclusive planning and for the implementation of containment measures for the benefit of all in similar crises in the future.

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CHAPTER 9

COVID-19's impact on women's civic participation in Uganda

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Summary

In Uganda, the outbreak of the COVID-19 pandemic coincided with an election season within the context of a deeply patriarchal society. Restrictions to curb the spread of COVID-19 were used to limit public campaigning and the period around the general elections saw a severe clampdown on civil society. In the midst of this, and notwithstanding the expansive legal and policy framework which protects women's rights in Uganda, women have faced widespread rights violations. Women's avenues for civic participation were greatly affected by the pandemic considering that greater reliance was placed on online means of organising while the majority of the population who lack access to the internet are female. Economic downturn, movement restrictions, a surge in domestic and gender-based violence, and an increased care burden created additional barriers for women's civic participation.

This chapter critically analyses how the measures imposed to curb the spread of COVID-19 have affected the rights of women in Uganda in the context of a tumultuous election season. The chapter relies on both primary

and secondary sources to consider how the avenues for civic and political engagement for women in Uganda have been affected by such measures. The chapter also showcases initiatives undertaken by women's groups in Uganda seeking out new avenues and opportunities for civic participation in the face of crisis and shrinking civil society space. The chapter finds that the measures imposed to curb the spread of COVID-19 had the effect of drastically limiting women's enjoyment of their civic rights. It further observes that women's groups and civil society organisations are still grappling with the effects of the COVID-19 pandemic and that new avenues for women's participation have been few and far between.

Introduction

Women's participation in civic and political arenas is an aspiration shared by individuals and agencies that promote meaningful development in society. Internationally, the promotion of women's participation in different development spaces is reflected in the drafting of policies and frameworks such as the Treaty for the Establishment of the East African Community (1999, Article 6), the African Union Agenda 2063 (Goal 17) and the United Nations Sustainable Development Goals (SDG 5). Uganda is a member and signatory of many such international agendas concerning gender equality and has taken steps to ensure that national laws and policies are in line with these international laws and principles.[1]

However, much as women's participation is rightly viewed as an essential aspect of progress, gender parity in civic participation has remained elusive (Ndidde et al. 2019; USAID 2017). The COVID-19 pandemic has laid bare the struggle to promote civic participation of women in governance issues at various levels (Aghajanian and Page 2020; Lampi 2021).

In this chapter, we focus on the impact of COVID-19 on the civic participation of women in Uganda, mainly during the 2021 election period. We aim to answer the question as to how COVID-19 measures have empowered or marginalised women in Uganda; and how women, women's groups, non-governmental and civil society organisations (NGOs, CSOs) created opportunities to increase women's participation in civic activities despite the shrinking of these spaces that has been exacerbated by the COVID-19 pandemic.

1 See, for example, Article 33 of the Constitution of the Republic of Uganda, 1995; the Equal Opportunities Commission Act, 2007; the Domestic Violence Act, 2010; and the Prohibition of Female Genital Mutilation Act, 2010.

The chapter is based on both primary and secondary research. The primary data was collected from semi-structured interviews with contact persons of four CSOs working with women and women's groups in various parts of Uganda, namely the Uganda Association of Women Lawyers (FIDA Uganda); Uganda Women's Network (UWONET); Uganda Network on Law, Ethics and HIV/AIDS (UGANET); and a Kampala-based organisation that promotes the labour rights of vulnerable workers. Secondary data was collected by analysing various published articles and reports concerning women's participation in civic activities in Uganda around the onset of the COVID-19 pandemic.

The authors have approached this research from a feminist perspective and acknowledge that their findings are made through lenses of privilege and power. While all the authors are women, we are all highly educated and one of the authors is a white South African. We recognise the limitation that our respective backgrounds and experiences present and do not claim to present a first-hand account of the impact of COVID-19 measures on the civic participation of the average woman in Uganda. A further limitation of this study is the short period within which it was conducted, which meant that only four women's rights organisations could be interviewed and included in the study. Since so few organisations were included in the study, the findings of this chapter cannot be generalised to other organisations within the country.

Civic space and COVID-19 measures

The active engagement of citizens in governance and political processes has been highlighted in various development discourses as a strong component of democratic processes and practices (Lichterman and Eliasoph 2014; Schlozman et al. 1999). For instance, de Tocqueville (1994) emphasised how a participatory citizenry active in a multiplicity of associations can promote political democracy. One of the indicators of a democratic state is the strength with which civic rights that empower populations to voice their interests are promoted and protected (National Democratic Institute n.d.). Uganda is categorised as a 'hybrid regime' by the Economist Intelligence Unit (2021: 40), which means that aspects of democracy and authoritarianism are both present (Tripp 2010). In line with hybrid regimes, we observe that Uganda has frequently held elections where voters are given a chance to decide who governs them at various levels, but this takes place amidst election violence and other election malpractices (Khisa 2019). In step

with the global trend, we observe that civic space in Uganda has gradually been shrinking over the course of the past two decades (Freedom House 2020) as the ruling party and state president have increasingly resorted to intimidation and force in order to hold on to power (Khisa 2019).

In March 2020, almost a year before the elections, the Government of Uganda responded to the COVID-19 pandemic by imposing a total lockdown which lasted for five weeks (Daily Monitor 2020). This lockdown included the prohibition of all public and private means of transport, closure of all shopping malls and shops apart from those selling food, and a curfew from 7pm to 630am (Reuters 2020a). These lockdown measures were gradually eased from May 2020 onwards (GardaWorld 2020); however, a similarly strict lockdown was again imposed in June 2021 following the outbreak of the second wave of COVID-19 in the country (Daily Monitor 2021a).

Some observers have noted that restrictions to curb the spread of COVID-19 served to limit opposition candidates' public campaigning and were applied unequally (Economist Intelligence Unit 2021; Human Rights Watch 2020). Unequal political ground between the incumbent National Resistance Movement and the opposition had been a recurrent complaint over the past two decades (Human Rights Watch 2016), and COVID-19 availed the ruling party with a new opportunity to curtail opposition candidates from reaching out to the voters. President Museveni, in an address to the nation in March 2020, stated that any opposition leader who distributes food relief during the lockdown period would be charged with 'attempted murder' since such antics toward gaining 'cheap popularity' were bound to draw crowds and facilitate the spread of COVID-19 (Museveni, 2020). Peaceful protests against the slow rate of food distribution to the most needy and the loss of livelihoods due to the containment measures and the sustained political clampdown during the period – disguised as 'enforcement of lockdown measures' – were met with arrests, and crowds were often dispersed by the firing of live ammunition (CIVICUS 2020).

Impact on women's civic participation

Uganda has ratified the key international and regional legal instruments which promote and protect women's rights (CEDAW 1979, ICCPR 1966, ICESCR 1966, UDHR 1984)[2] and has adopted a progressive domestic legal

2 The Convention on the Elimination of all forms Discrimination Against Women (CEDAW), 1979, was ratified

framework in this regard (Constitution of the Republic of Uganda, 1995; Domestic Violence Act, 2010; Prohibition of Female Genital Mutilation Act, 2010).[3] This legal framework notwithstanding, women's rights to exercise their civil and political freedoms in Uganda have been highly constrained, even before the COVID-19 pandemic, by economic, social-cultural and structural factors (UNFPA 2017). Recent studies show that women continue to face severe barriers to participation in political life, which fuels a cycle of underrepresentation of women at all levels of governance (Kitamirike and Kisaakye 2020). This is due to indirect and structural barriers related to economic and socio-cultural factors facing women such as low control of economic resources, limited access to credit sources, lack of regular income and limited access to information (WOUGNET et al. 2016).

The lockdown measures imposed from April 2020 onwards were mostly gender blind and resulted in large-scale violations of women's rights, including their civil and political rights. Between 2019 and 2020, there was a 29% increase in the number of reported cases of domestic violence (Uganda Police Force 2021; UN Women 2020).[4] Murder as a result of domestic violence increased by 16.1% (Uganda Police Force 2021). Due to the severe economic strain caused by the lockdown measures, the acceptance level of domestic violence against women increased (Interview with E. Zakumumpa, FIDA Uganda, 23 June 2021; Ssali 2020). Women tended to be more willing to live with domestic violence as long as there was some provision from the man of the house for her and her children. The ban on cross-border migration between the different districts in Uganda limited women's access to gender-based violence (GBV) services and to places of safety such as the homes of relatives and friends (Interview with L. Atto, FIDA Uganda, 23 June 2021).

The closure of schools greatly increased the vulnerability of girls to sexual violence and unwanted pregnancy, which in turn made it difficult for them to return to school once these were reopened (Daily Monitor 2021b).[5] Girls

by Uganda in 1985 and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003, was ratified by Uganda in 2010. Uganda is also party to the Universal Declaration of Human Rights (UDHR), 1948; the International Convention on Civil and Political Rights (ICCPR), 1966; and the International Convention on Economic, Social and Cultural Rights, 1966.

3 See Article 33 of the Constitution of the Republic of Uganda, 1995, which places an obligation on the state to protect women and their rights; it also prohibits laws, cultures, customs or traditions which undermine the status of women, or which impair their dignity, welfare or interests.

4 In 2019, a total of 13,639 cases of domestic violence were reported, which increased to a total of 17,664 in 2020.

5 Schools were closed on 18 March 2020 and were reopened in a phased manner from 15 October 2020. By February 2021, only candidates had returned to school. Sub-candidates only returned to school on 1 March 2021 (The Independent 2021a). However, schools were once again closed on 7 June 2021 after the second wave of COVID-19 erupted in Uganda (CGTN 2021).

who are unable to complete their schooling face limited opportunities to work outside of the informal sector and to take up positions of leadership in organisational and political arenas. Women's sexual and reproductive health rights were also violated during the pandemic since public transport could only be accessed with special permits, which resulted in a large number of pregnant women failing to receive medical attention after going into labour (Reuters 2020b).

The lockdown measures have severely affected women's livelihoods, especially for women who live on daily incomes. Women who work in food markets were allowed to keep their stalls open on condition that they camped in the market and did not commute from their homes. These same women are often also the ones who head their households, which led to an increase in child-headed households and the vulnerability of children. The women who camped in the food markets were also more vulnerable to GBV since they did not have the protection offered by their homes and communities (Ssali 2020). A limited category of transport was allowed during the lockdown, namely trucks, 'boda-boda' motorcycles and bicycles – means that are by and large used and operated by men (Interview with N. Isa, FIDA Uganda, 23 June 2021; Potgieter et al. 2006). The means of transportation used more frequently by women were simply not available, which limited the capacity of women to continue economic activity during the lockdown.

In response to the economic downturn, the Government of Uganda offered economic stimulus packages to small and medium enterprises (SMEs) through the Uganda Development Bank. However, in order to receive funds through this programme, the SMEs had to have a bank account in the name of the business and be registered, which excluded the businesses of many women entrepreneurs, who are largely based in the informal economic sector. The requirements for businesses to be able to receive loans were also difficult to meet for most women-owned businesses: not many women who are business owners are able to rely on land titles to use as collateral. Microfinance support offered by the government required the formation of savings and credit cooperative societies rather than reliance on women's groups which already existed under the Uganda Women Entrepreneurship Programme. Relief measures for business owners servicing loans were focused on those who have bank loans, excluding women who have loans through business cooperatives (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021; UN Women 2017).

Due to the lack of economic empowerment of women in Uganda, the COVID-19 pandemic had a severe impact on women's capacity for civic participation, as will be explored in detail in the next section.

Civic participation through women's groups and associations

Women's groups and associations are platforms of civic participation which empower women to become active participants in social, political and cultural life, beyond offering economic benefits. These women's groups, such as the Village Savings and Loan Association (VSLA), create a structure for women to save money, but also establish a social network for members where they can access peer support, gain new skills, and share and access information on matters of concern at community and national levels (African Centre for Systematic Reviews et al. 2021).

In terms of political participation, the groups form a community support structure that builds the capacity of women to take up leadership roles, and the groups often rally around a certain candidate for political positions. The lockdown restrictions on gatherings and movement prevented these groups from meeting and thereby cut women off from information, support and community action (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021). Women were also hindered from continuing their joint savings ventures, since mobile money fees are unaffordable for most women in rural areas in particular, and many members were unable to continue their regular contributions (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021; African Centre for Systematic Reviews et al. 2021).

Civic participation through women's CSOs

Even before the COVID-19 pandemic, CSOs faced challenges to their free and unfettered operation in Uganda (Bethke and Wolff 2020; Khisa 2019). CSOs have been accused by the government of engaging in 'subversive activities' and pursuing a 'foreign agenda' rather than having goals that align with the development and well-being of the country as a whole (Jjuuko and du Toit 2017: 9; Smidt 2018: 8).

The period around the general election saw a severe clampdown on civil society, with various CSOs suffering unfounded arrests of their leaders and the freezing of their bank accounts (The Guardian 2020; Vanguard News 2021). The bank accounts of UWONET were frozen in December 2020, which impaired the efforts of the organisation to ensure gender equality

in the election process and to train women candidates at district level (The Independent 2020a). In January 2021, President Museveni ordered the suspension of the Democratic Governance Facility (DGF), a fund created by the European Union and various European governments to provide funding and technical guidance to more than 50 Ugandan CSOs (Daily Monitor 2021c). Even though the suspension of the DGF was lifted two months later, the surprising and decisive action of suspending a major source of technical and financial support to both state and non-state actors in the areas of democracy, human rights and the rule of law sheds light on the precarious position of civil society within Uganda. In the months after the suspension was lifted, women's CSOs funded by the DGF remained careful not to undertake activities under its banner that were intended to draw the attention of the authorities, such as media campaigns or engagements with policy-makers. The suspension thus continued to limit the freedom of speech and expression of these organisations even after the DGF was allowed to function again (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021).

In August 2021, Uganda's NGO Bureau under the Ministry of Internal Affairs publicly suspended operations of 54 NGOs on various grounds without any prior notice or consultation with the organisations (The Independent 2021b). A clear message has been sent to civil society, including women's organisations, to either 'walk on eggshells, or face the consequences' (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021).

The COVID-19 measures further limited the operation of women's rights CSOs in Uganda. Organisations providing legal aid and other essential services to women and survivors of GBV were not categorised as 'essential' during the first phase of the lockdown and were severely restricted from providing services and platforms of expression to their target groups (Legal Empowerment Network 2021). The Government of Uganda's initial response to the COVID-19 pandemic lacked gender sensitivity to the point of being gender blind, which speaks volumes about the levels of female engagement in high-level decision-making in the country (Aghajanian and Page 2020).

In the course of the pandemic, organisations have placed greater reliance on online means of organising and sharing information. Considering the gendered digital divide in Uganda, this meant exclusion for women who do not have their own cell phones or means to purchase airtime, data and the additional 'over the top' social media tax (CIPESA 2019: 3). Approximately 44% of women in Uganda own cell phones, as opposed to 62% of men (Uganda Communications Commission 2015; WOUGNET 2020). This figure decreases

to 25% of women in the rural areas of the country, such as the Acholi and Karamoja sub-regions in the Northern Region (de Hoop et al. 2020). Regular power outages, unstable networks, a total internet shutdown during the elections, and the fact that women who are targeted with CSO programming are often illiterate, created further barriers to civic participation through CSOs. Government also blocked social media platforms during and after the election season and up to July 2021. Facebook could not be accessed without the use of a virtual private network (BBC News 2021). The COVID-19 measures thus limited women's engagement in CSO-led information and service campaigns, and dialogues where these existed moved online. In order for CSOs to ensure inclusivity and access to services during the pandemic, especially for women facing GBV, it was essential to develop grassroots interventions that responded to the needs and realities of the women at community level, such as door-to-door information campaigns and the mobilisation of community paralegals (Legal Empowerment Network 2021). These crisis-driven innovations were often limited to responding to the most urgent health, safety and justice needs of women, and did not go as far as to ensure their civic participation.

Women's participation in governance and elections

The COVID-19 pandemic has affected women's effective participation in governance issues, such as electoral processes for the 2021 elections including voter registration, candidate nomination, voter education, electoral campaigning and voting (IDEA 2021). The Electoral Commission (2020) adjusted the election guidelines to embrace the Ministry of Health's standard operating procedures to combat the spread of COVID-19, which reduced the opportunity of the electoral candidates and voters to interact with one another.

The use of online platforms for political campaigning and sharing information about candidates and parties limited women's participation in the elections. Women in Uganda mainly acquire and share information regarding their community aspirations, elections and governance in physical spaces such as at meetings, religious gatherings, conferences and rallies, which were all closed down through COVID-19 mitigation measures (Bethke and Wolff 2020).

Even before the pandemic, women in Uganda spent more than twice the amount of time spent by men on unpaid care work (30 hours versus 12 hours on average) (UBOS 2017). The COVID-curbing measures increased the care burden on women since children were not going to school and members of their households who fell sick needed care (CARE International 2020).

Women had even less time to use social media, listen to the radio or even talk with friends, limiting their access to information. Furthermore, as household heads, men are the ones who control the radio, television stations and mobile devices – women mostly did not get to watch the campaigns of their political candidates of choice. In the absence of control over or access to electronic devices, women had to follow the political leanings of their husbands and elders while lacking the information and fora for debate in which they could refine their own opinions (Interview with R. Aywello, FIDA Uganda, 23 June 2021).

The censoring of both social media and traditional mass media by the regulatory authority, along with the total internet shutdown during the election period, made access to or imparting information even more difficult. Considering the threats posed by possible election violence as well as the continued spread of COVID-19, many women felt that there was simply too much at stake to justify taking the risk of voting in the elections. Overall, the increased rights violations and economic difficulty brought about by the elections moved 'political participation' a few places lower on the priority lists of many women in the country: 'At the end of the day, one focuses on the immediate needs and political participation is put in the back seat. So COVID-19 has obviously affected women's participation in civic and political activities' (Interview with a representative of a Kampala-based organisation which promotes the rights of vulnerable workers, 20 September 2021).

Women's participation in the elections as candidates was also limited. At district level, woman candidates did not have the same level of camaraderie and support from women's groups as was possible in previous elections (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021). Women aspiring for political positions also faced an initial hurdle in that the Electoral Commission announced that aspirants whose names on their academic documents differ from the names stated on their national identification cards would not be eligible for nomination (The Independent 2020b). In Uganda, it is customary for women to take on the names of their husbands after marriage. Since the national identification and registration authority was only established in 2014 and all national identity documents have been issued within the past seven years, many women have only applied for their national identification documents after they got married. Their identification documents would therefore reflect their married names while their academic certificates, which many women may have acquired before getting married, would not include the new or additional names.

In response to this decision of the Electoral Commission and its impact on women, the female Speaker of Parliament lobbied to ensure that women would not be unfairly excluded from contesting in the elections (Parliament of Uganda 2020).

Male candidates are generally better funded to run campaigns and women candidates often resort to social media campaigns. However, in a season of online campaigning, mainstream and social media did not favour coverage of female candidates and newcomers like Nancy Kalemba struggled to gain airtime (IDEA 2021). Women candidates furthermore suffered online sexual harassment and were discouraged from furthering their campaigns by the dissemination of humiliating edited photographs of them (Westminster Foundation for Democracy 2021). As a result, fewer women have been elected to leadership positions at all levels of governance, decreasing the likelihood for the development and adoption of gender-sensitive laws and policies.

New opportunities for civic participation for women

It is our observation from the reviewed literature and primary sources that, currently, success stories and opportunities created by women, women's groups and CSOs during and beyond the pandemic are still evolving and there are not many to speak of so far. For instance, statements by one of the CSO interviewees concerning new opportunities created by women and women's groups as a result of COVID-19 pandemic are telling: 'I really do not see opportunities instead things are harder and harder. I have no success to share because COVID-19 has made everything difficult' (Interview with Pereth Niwahereza, UWONET, 20 September 2021).

Despite the severe challenges and limitations that the COVID-19 pandemic presents, the women's movement is resiliently creating spaces to ensure that women's rights are promoted and respected in matters of governance and political processes. During the election period, UWONET brought together different CSOs that promote gender equality and hosted the Women's Situation Room (WSR) in order to mobilise women and the youth to promote active participation in promoting peaceful electoral processes (Women's International Peace Centre n.d.). As part of the WSR initiative, many women who were arrested in their pursuit of election observation were supported by lawyers from women's rights organisations in order to be released from police custody and represented in court. Women 4UG led a fundraising and sisterhood campaign to support fellow women especially in the

parliamentary race during the 2021 election season. This was a non-partisan drive and some of the women candidates supported by the campaign were elected (VIDC 2021).

The COVID-19 measures created new avenues for women's organisations to be involved in policy development at national and district level. FIDA Uganda joined the national COVID-19 taskforce as well as the district task forces in Luweero, Mbale and Kotido (Legal Empowerment Network 2021). These fora provided an opportunity for incorporating a gender perspective in some of the government policies and guidelines while strengthening collaboration with government actors in responding to cases of GBV. In particular, the inclusion of women's organisations on the national task force led to an easing of restrictions on movement for pregnant women as well as the establishment of a sexual and gender-based violence (SGBV) task force which amplifies referral pathways for SGBV survivors and serves as a platform for advocacy to increase the budget apportioned to address domestic violence and SGBV generally (Interview with L. Adriko, CEO of FIDA Uganda, 22 July 2021).

The fruits of these engagements and collaboration of women's organisations in COVID-19 task forces was evident when the second wave of the pandemic broke out in Uganda in May 2021. Although a second strict lockdown was imposed in June 2021, legal-aid service providers were not prevented from continuing their service delivery. At the district level, FIDA Uganda's offices followed a simple and quick administrative process to be granted movement permits which enabled work to continue at the district level, almost without skipping a beat (Interview with L. Adriko, CEO of FIDA Uganda, 22 July 2021). The partnerships formed between CSOs, law enforcement and district leadership who were part of the district COVID-19 task forces during the first wave of the pandemic continued after the first lockdown was lifted and were mostly still in place when the second wave broke out. These partnerships enabled a sharing of resources between law enforcement and civil society in addressing women's justice issues. For example, FIDA Uganda's officers in Mbale were able to hold small public meetings with the protection of the police, and FIDA allowed the police to make use of their office vehicle since the police could not access public transport as they normally would (Legal Empowerment Network 2021). Overall, the spaces for participation which the pandemic created through its task forces at various levels have served to strengthen the voice and influence of women's organisations, at district level in particular.

CSOs have had to adapt to possibilities for information exchange amongst

civil society actors and methods of raising awareness through new online civic spaces (Buyse 2018). While online working has posed limitations in terms of including women who do not have access to the internet, it also opened up more cost-effective working methods and ways to reach broader audiences. FIDA Uganda has found that leaders in government ministries are more willing to make themselves available and engage in online platforms as opposed to committing to attend in-person meetings (Interview with E. Kemigisha, FIDA Uganda, 28 June 2021). The organisation has also embraced tele-mediation as a working method, which allows lawyers to lead and guide the resolution of community conflicts over land and other issues without travelling long distances, and only requiring a single smart device and internet connection among community justice actors in the area where the conflict arose. These methods, once refined, have the potential to enhance women's access to justice and, in turn, enable greater measures of civic participation.

Conclusion

In Uganda, restrictions imposed to curb the spread of COVID-19 were used to limit civic space ahead of the general elections. Due to these measures, and in the context of a deeply patriarchal society, women faced widespread rights violations and their avenues for civic participation were also greatly affected. Women's groups and associations as well as women's CSOs were prevented from engaging in civic space during an election season to the same extent as they had prior to COVID-19.

Considering the widespread rights violations, increased care burden, gendered digital divide and loss of income faced by women, the gender-blind COVID-19 restrictions, with few exceptions, have led to a withdrawal from civic participation for women in Uganda.

The COVID-19 pandemic directly and indirectly affected the economic progress of vulnerable groups, which prevented women from participating in civic activities and elections in particular since they were focusing on livelihood and survival needs. The restrictions as instituted and implemented by the state in Uganda directly affected the physical spaces in which women exchange information. Lack of access to information was further exacerbated by the costs required to use digital technologies to dispense or access civic information by women given the existing digital divide between men and women.

Despite the confluence of factors which decreased the opportunity for women's civic participation around the 2021 election season, women

and women's groups in Uganda nevertheless sought out and found new opportunities to exercise their civil and political rights. The fora for political participation at both the national and local level were taken up by the women's groups and organisations that successfully advocated for the adoption of a gender lens in the COVID-19 measures. Small steps have been taken by development organisations and CSOs to address the gendered digital divide by equipping women's groups with digital devices that can enhance their economic activity, their access to justice and services, and their civic participation in an 'online' world.

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CHAPTER 10

Safeguarding migrant rights during COVID-19: Innovative CSO approaches in East Africa

Johanna Bögel and Smita Nagi

Summary

COVID-19 arrived in East Africa in March 2020 and brought sudden changes to a fragile region as national governments imposed restrictions to slow down the spread of the virus. And while each country reacted differently to the crisis, migrants were among the most vulnerable groups throughout the region. Civil society organisations (CSOs) in East Africa had already been working to safeguard the rights of vulnerable migrants and victims of trafficking and they remained committed to doing so during the pandemic. However, they now faced a triple challenge: (1) a worsening situation for vulnerable migrants; (2) shrinking civic space due to the pandemic; and (3) a shifting focus on the political agenda towards public health at the expense of migration. Realising they faced similar COVID-related challenges, regional CSOs working on migration were brought closer together during the pandemic. This chapter addresses how the management of COVID-19

has affected vulnerable migrants in East Africa, and identifies the strategies regional CSOs have adopted to adapt to the changing environment. It aims to illustrate that, in order to address the multiple challenges, CSOs adopted a successful strategy of increased cooperation.

Introduction

COVID-19 arrived in East Africa in March 2020.[1] Borders were closed, lockdowns imposed and elections postponed. While each country reacted differently to the crisis, migrants were among the most vulnerable groups throughout the region. CSOs in East Africa remained committed to safeguarding the rights of vulnerable migrants and victims of trafficking. However, CSOs faced a triple challenge: (1) a worsening situation for vulnerable migrants; (2) shrinking civic space due to the pandemic; and (3) a shifting focus on the political agenda towards public health at the expense of migration. Realising they faced similar challenges, regional CSOs working on migration were brought closer together during the pandemic. Since the onset of the pandemic, a loosely formed network of CSOs – the Regional CSOs Network – held regular exchanges on how COVID-19 affected their work. These CSOs summarised their analysis and recommendations in a joint Awareness Briefing (Regional CSOs Network 2020a) that they presented at a regional political forum.

Through an analysis of the cooperation between regional CSOs, this chapter addresses how the management of COVID-19 has affected vulnerable migrants in East Africa. It goes on to identify the strategies regional CSOs have adopted to adapt to the changing environment. It aims to illustrate the multiple challenges CSOs faced and how these were addressed. This chapter argues that CSOs in East Africa, faced with a challenging environment due to COVID-19 and the national responses towards managing it, adopted a strategy of increased cooperation. Simply put, increased cooperation allowed regional CSOs to better address joint challenges. Notably, this trend towards increased regional cooperation stands in contrast to governmental responses to COVID-19, which follow an inherently national logic (Bigo et al. 2021). As such, this chapter adds an East African perspective to the emerging body of literature examining civil society actors and their role in safeguarding the rights of vulnerable populations during the pandemic.

1 In the context of this chapter, East Africa refers to Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. Eritrea, while being part of the region, is excluded since it does not have any relevant CSOs that the Regional CSOs Network cooperates with.

Since 2017, certain CSOs working with victims of human trafficking and vulnerable migrants in East Africa have coalesced into the Regional CSOs Network. The Network and its activities are logistically supported by the Better Migration Management Programme (BMM), which is funded by the European Commission and the Federal German Government (BMZ). At the time of writing, this body comprises over 60 organisations from Djibouti, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. The Network is further divided into national CSO coalitions, each coordinated by a coalition leader. At the onset of the pandemic, the principal coordinators decided to meet more regularly to discuss the impact of COVID-19 on their work, and they subsequently summarised their findings and recommendations in the afore-mentioned joint Awareness Briefing (Regional CSOs Network 2020a). In addition to the monthly calls, all CSO members exchanged best practices at an annual forum, the Regional Civil Society Organisation Forum for Safe and Fair Migration. While these interchanges were already taking place in some form before the pandemic, since April 2020, they have been more focused on pandemic-related topics. The insights arising from this collaboration are the major source of this chapter.

Effects on anti-trafficking CSOs

The onset of COVID-19 in East Africa confronted CSOs working with vulnerable migrants and victims of trafficking with a triple challenge. First, COVID-19 made the situation for vulnerable migrants in East Africa more precarious. Cross-border mobility is essential for local populations and the sudden border closures heavily disrupted daily life for border-area populations (Regional CSOs Network 2020b). Mobility across borders has deep historical roots in the region and is a cornerstone of the regional economy (Kessides 2012). Border closures trapped many migrants in transit, leaving them without access to essential services and unable to proceed to their destinations or return home (Regional CSOs 2020a). Additionally, the worsening economic situation brought on by the virus and national lockdowns increased migration pressures. With regular pathways for migration cut off by border closures, the subsequent irregular migration became more costly and dangerous. This made already vulnerable populations more vulnerable to human trafficking – a trend that is as observable in East Africa (Regional CSOs Network 2020a) as it is globally (Guibert 2020; Sanchez and Achilli 2020). At the same time, CSOs were less able to implement prevention and protection

initiatives due to the restrictions on meetings and movement. Significantly, school closures made children particularly vulnerable to exploitation and trafficking; and CSOs across the region observed a trend of online trafficking especially targeting younger victims (Regional CSOs 2020c). Unsurprisingly, a majority of regional CSOs agree that COVID-19 has led to more human trafficking (see Figure 10.1).[2]

The second challenge is that COVID-19 also strongly affected the civic space in which CSOs work (see Figure 10.1). The Freedom House (n.d.) map that rates global freedom categorises most countries in East Africa as 'not free', with the exception of Kenya and Somaliland, which are categorised as 'partly free'. While civic space has been shrinking worldwide since the early 2000s (Carothers and Brechenmacher 2014), COVID-19 has vastly accelerated this trend: 'COVID-19 has provoked an unprecedented, global wave of civic space restrictions' (Bethke and Wolff 2020: 365). This trend is stronger in countries where civic space was already shrinking before the onset of COVID-19 (Bethke and Wolff 2020). However, even in liberal states, COVID-19 can fuel 'illiberal practices' (Bigo et al. 2021: 472). Mitigating the spread of the virus also bears the inherent risk of 'governmental overreach' (Rutzen and Dutta 2020). This is clearly observable in the continental context, where 'reports […] show that most African countries have been subject to civic space restrictions' and 'authorities across the continent continue to use the pandemic as a cover to breach fundamental human rights regulations' (Ainembabazi et al. 2020: 5, 6). Analyses of East African countries in this context discuss, for example, the intimidation of civil society actors in South Sudan (van den Berg and Huseman 2020), the presidential elections in Uganda (Ainembabazi et al. 2020), and excessive police brutality in Kenya (Kagumire 2020; Regional CSOs Network 2020a) and Somalia (Aljazeera 2020).

Finally, the third challenge concerns the fact that the global pandemic has redirected the efforts of governments and donors towards public health measures to the exclusion of other social issues. Topics that were previously high on the political agenda such as migration have been demoted due to the overwhelming needs of the public health sector (Newland 2020). CSOs in East Africa have seen their funding 'often diverted towards COVID-19 efforts, or simply not forthcoming as donors have suspended their own programmes until the pandemic passes' (Regional CSOs Network 2020a). Significantly,

2 The question asked during the event refers to the same geographical scope as our working definition of East Africa mentioned above.

Figure 10.1 'How has COVID-19 affected your work?': responses from 29 CSOs, ranked via Mentimeter

Source: BMM (2021)

regional CSOs have found they can obtain new funding (see Figure 10.1) by including public health activities within their proposals (BMM 2021).

Innovative CSO responses

COVID-19 has severely constricted CSOs' working environment and has tested civil society's efforts towards promoting peacebuilding, conflict resolution, gender equality, democracy and the defence of human rights. Traditional channels for sustaining community dialogue have been interrupted. At the same time, the pandemic has shattered many assumptions and brought hard lessons. However, as CSOs deal with the COVID-19 crisis, these lessons have also re-affirmed the power of partnerships and cooperation for advancing the protection of migrants and their rights.

The effective protection of vulnerable migrants requires genuine partnerships, collaboration and alliances among all the relevant stakeholders, which can only be built on repeated interactions of trust and respect, and reaffirmed through discussion, reflection, deliberation and the exchange of perspectives. The Regional CSOs Network is a perfect illustration of a platform that connects like-minded organisations. The Network provides a forum and dialogue space for a diversity of voices to share valuable input and to address issues relating to anti-trafficking and the protection of vulnerable migrants in East Africa.

Since its inception in 2017, the Regional CSOs Network hosts monthly calls in an interactive webinar format on a specific migration-related topic. The calls have been facilitated by the Network coalition leaders on a

rotating basis, with technical support provided by the BMM/BMZ through the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).[3] The webinars provide an opportunity for CSOs to learn from each other, to exchange their experiences within the region and to seek mutual inspiration and advice. Since the onset of the pandemic, the national Network leaders have held additional monthly exchanges to discuss how COVID-19 has affected the situation of vulnerable migrants and victims of trafficking and the work of CSOs throughout the region. It was alarming to learn that COVID-19 has further amplified regional challenges. East Africa faces a climate crisis and marginalised communities have found themselves in vulnerable circumstances as a result of their displacement due to floods, drought, famine and conflict. There has also been a spike in children's rights violations, with a particular increase in cases of female genital mutilation, child exploitation, sexual violence and child marriage.

Through the additional monthly calls between Network leaders, CSOs realised that COVID-19 confronted them with similar challenges. This led to the idea of documenting best practice and the lessons learned from working in the novel pandemic setting in an Awareness Brief titled 'Impact of COVID-19 on Human Trafficking and Vulnerable Migrants in East and Horn of Africa – A regional perspective from CSOs for CSOs' (Regional CSOs Network 2020a). The document summarises the CSOs' observations and their insights into emerging trends with respect to vulnerable migrants and victims of trafficking in the region. It also highlights the work regional CSOs are doing on the ground. A list of recommendations outline lessons learned on addressing the crisis, which include cornerstones such as: building partnerships for joint funding and embracing digital communication and organisational learning. The aim of the document is to raise awareness of COVID-19 as a game-changer, to identify important regional trends and to provide CSOs with other CSOs' recommendations.

The Awareness Brief was presented to the Regional CSOs Network, with CSOs promoting it on their own websites, social media channels and in their newsletters using a common hashtag in a roll-out campaign from 12–16 October 2020. In addition, the BMM distributed and promoted the Awareness Briefing via all channels at its disposal.

CSOs also expressed their interest in participating in discussions on migration-related issues at a broader regional level. Based on strong CSO

3 See https://www.giz.de/en/worldwide/40602.html

advocacy, the BMM facilitated CSO participation in the Inter-Governmental Authority on Development (IGAD) Regional Consultative Process (RCP). The IGAD-RCP is an important regional forum for governments from IGAD member states to foster regional dialogue and cooperation on migration by providing a platform for discussions on various migration issues. Dialogue takes place among IGAD member states, transit and destination countries as well as other stakeholders in the migration sector. These efforts bore fruit when the IGAD-RCP extended an invitation to the Regional CSOs Network to participate in the 13th Meeting of the IGAD-RCP. The 'Regional Review of the Global Compact for Safe, Orderly and Regular Migration in the Intergovernmental Authority on Development Region' took place from 18–19 August 2021 in Addis Ababa, Ethiopia, and discussions were held on the implementation of and follow-ups to the Global Compact on Migration (GCM) in the region. At this meeting, the Regional CSOs Network presented themselves, their best practices and recommendations, such as more direct funding for services for victims of trafficking, strengthening national referral mechanisms, and collecting and sharing data on human trafficking in the region. Showcasing their successes and drawing governments' attention to important migration-related topics was a significant achievement for the regional CSOs. It also increased the recognition of CSOs in general as core partners among government stakeholders and helped to build momentum for better cooperation. IGAD, in turn, highlighted the positive contributions of the CSOs to the RCP in their presentation to the Continental Review of the GCM's implementation on 1 September 2021.

With civic space shrinking, in part due to COVID-19, CSOs have had to adapt and create new ways to sustain their efforts to address issues relating to anti-trafficking and the protection of vulnerable migrants in East Africa in these tough times and beyond, namely through networks and alliances. The inherent value of collaborative partnerships has resonated deeply with CSOs within the Regional CSOs Network, which has led to a collective vision of catalysing transformative social change through showcasing and disseminating best practices and innovative initiatives – both to each other as well as to governments on a regional level.

Conclusion

COVID-19 confronted CSOs working with vulnerable migrants and victims of trafficking in East Africa with the triple challenge of a worsening situation

on the ground, shrinking civic space and less funding. CSOs rose to these challenges by embracing partnerships and collaboration on a regional level, building on a pre-existing regional CSO network. The CSOs applied innovative ways of reclaiming civic space through exchanging best practices and lessons learned, specifically on COVID-19.

The pandemic has opened the door to new possibilities for taking collective action to devise innovative strategies and initiate constructive dialogue towards advancing the rights and protection of vulnerable migrants. To better achieve this, international cooperation systems and their societies need to recognise the contributions of CSOs. More importantly, they need to ensure an open civic space, where civil and political rights are guaranteed.

Many of the lessons learned in the East African migration context are applicable more widely. Embracing digital technologies in CSO work and building strong coalitions emerged as cornerstone strategies for overcoming the challenges posed by COVID-19 elsewhere (see Gros and Eisen 2021; van den Berg and Huseman 2020). In these extraordinary and challenging times, CSOs in the East Africa region will continue, first, to advocate for the advancement of gender equality, the protection of vulnerable and marginalised communities and the promotion of human rights; and second, to protect the gains they have made.

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CHAPTER 11

COVID-19 responses, civil society and the informal sector in Nigeria

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Summary

Mounting evidence indicates that COVID-19 lockdowns exacerbated the vulnerabilities of the informal sector in sub-Saharan Africa. Beyond shrinking civic space, and exacting a high economic cost on those who rely on daily hustling to make a living, the resultant economic hardship exposed the huge social security gaps in a country like Nigeria. Movement restrictions enforced by security operatives led to human rights violations and the extortion of those pushed out of their homes by hunger. As a result, a critical segment of the population – women and the youth, who largely constitute the informal economy – had limited access to basic services and suffered pauperisation bordering on food insecurity. The absence of transparency and accountability mechanisms to track security officials that enforced the lockdowns, as well as the government's interventionist safety nets (known as 'palliatives'), opened up a strategic gap for civil society organisation (CSO) engagement. Using the third sector theory as a framework of analysis and secondary data generated from policy briefs, media reports and publications

of reputable institutions, this chapter notes that poor oversight of state actors during the lockdowns morphed into impunity by security forces and led to a diversion of COVID-19 relief funds by public officials. The result is that COVID-19 default responses shifted many into extreme poverty and stoked smouldering youth grievances against the government. This chapter concludes that the Nigerian government should further mainstream CSOs as gatekeepers in the management of future emergencies and in holding leaders accountable.

Introduction

COVID-19 lockdowns evidenced in social distancing, travel restrictions, school closures, and outright bans on large gatherings for social, political and economic purposes, brought about a contraction of gross domestic product (GDP) in most African states (OECD 2020; World Economic Forum 2020). This is particularly worrying given that 66% of total employment in sub-Saharan Africa is in the informal sector (ILO 2018). The negative ripple effects in Nigeria, with over 80% of workers employed in the informal sector, were damning (Obiakor 2020). With a near absence of deliberate and functional state policies on social safety nets, the existing vulnerabilities of income inequalities, social exclusion, extreme poverty, food insecurity, violent crime and other forms of state fragility became exacerbated (World Bank 2020).

The enforcement of movement restrictions as part of the governmental response to curtail the spread of COVID-19 made the conditions of informal workers more precarious. Obiakor (2020) notes that more people plunged below the poverty line, social ills and unrest increased, while hunger occasioned by job losses heightened social tension as Nigeria has no sustainable institutional mechanisms of social protection for the economically marginalised. Palliative measures – through funds disbursements and the distribution of food items to the vulnerable and the poorest of the poor – to cushion the effects of ruptures in economic activity were enmeshed in controversies of corruption, the opaque management of funds, the hoarding of palliatives for profiteering, and the outright hijacking and diversion of food handouts for selfish and political ends. Also, most of the security officers that enforced the lockdowns were implicated in brazen human rights abuses and 'extortionate policing' (Onuoha et al. 2021).

The accountability gap evidenced in the Nigerian government's response in curbing the spread of COVID-19 raises policy concerns around the

mainstreaming of civil society actors as a watchdog, especially in times of emergencies. Usually, most government officials in Nigeria do not involve CSOs in policy design, drafting and implementation. CSOs were excluded from the national and sub-national interventionist measures for mitigating the effects of COVID-19. Action Aid Nigeria was constrained to publicly urge the government to bring CSOs on board, with a view to giving more attention to the effects of the pandemic on vulnerable groups (Vanguard 2020). Out of the 57 inquiry letters sent to 27 state agencies by a youth-led NGO, Follow the Money, only six states supplied 'sparse information, assuring that palliatives were distributed accordingly, even though there were no details of distribution and evidence of the same' (Onyeji 2021). Thus, the cold shoulder given to CSOs before the health crisis was extended and consolidated during the pandemic.

Specifically, this chapter sets out to address the following questions: Did women and the youth, who constitute the majority of the informal economy, suffer further marginalisation during COVID-19 lockdowns? What was the state of CSO–government relationships during the COVID-19 restrictions? Did the COVID-19 control measures open or limit civic space in Nigeria?

Theoretical framework

This chapter is anchored in third sector theory. In the United States, the third sector is known as the non-profit sector, which represents the organisational infrastructure for civil society (Powell and Bromley 2020). Anheier (2014) notes that the third sector is located between the state (the first sector) and the market (the second sector). Essentially, the third sector connotes voluntary associations, charities, community groups and a diverse range of groups that are independent, privately owned and not profit-driven (Anheier 2014). The third sector aggregates the interests of diverse members of society and can be referred to as non-governmental and/or civil society organisations. In developing economies, this sector's growing significance manifests as service providers, cohesion builders and social innovators (Anheier and Toepler 2019). Thus, the role of the third sector is about debate, contention and engagement (Powell and Bromley 2020).

Given the authoritarian character of most post-colonial states like Nigeria (Ake 1981), it behoves civil society (the third sector) to act as a countervailing force to the 'rapacious, repressive, corrupt, unaccountable, crisis-ridden and failing state' (Ikelegbu 2013: 12). A notable CSO intervention at the peak of the pandemic in Nigeria was that of the Centre for Citizens with Disabilities

(CCD). The CCD exploited a data-driven strategy, raised the voices of 25 million persons with disabilities, and tackled the systemic and attitudinal hurdles that affected their access to COVID-19 vaccines, as well as bringing to attention policy gaps pertaining to their well-being (Ojewale 2021). Shrinking civic space has brought to the fore the role of CSOs in checking power abuses and holding leaders to account for their deeds in Nigeria.

CSO–state relationships and the COVID-19 response

The gap between the government and CSOs in Nigeria remains wide. The disconnect is a hangover from the aberrational military interregnum in politics. Despite the return to civil rule in 1999, civil society has remained under huge strain with the emergence of new elites. The relationship has been 'characterised with acrimony and harmony depending on the role and environment' (Sule et al. 2021: 2), but demanding accountability certainly breeds hostility. In the present dispensation, Nigeria's power brokers adopt a less confrontational approach to weaken CSOs. They sponsor pro-government CSOs that masquerade 'as authentic civil society groups, singing the praises of top officials and attacking their critics' (Page 2021: 1). Hence, the emergence of 360 pro-government CSOs since the ascendancy of President Buhari in 2015 (Page 2021) suggests a growing culture of disdain for mainstream CSOs by self-proclaimed democrats in the corridors of power. As a corollary, the ruling elites employ arm-twisting subterfuge, including intimidation, blackmail and legislative antics to co-opt civil society. This was already the scenario before COVID-19 reared its head.

Nigeria recorded the first case of COVID-19 on 27 February 2020, and on 9 March, President Buhari established the Presidential Task Force on COVID-19 to coordinate and supervise all multisectoral and intergovernmental efforts to curb the spread of the virus in Nigeria. The federal government took a number of measures in line with the advice of the World Health Organisation's International Health Regulations Emergency Committee to contain the spread of the virus and to mitigate its effects. At the sub-national level, state governments took their cue from the federal government and deployed some policy instruments to curtail human-to-human contact. They also distributed palliatives in the form of food items to ameliorate the attendant economic dislocations. Some of these measures were draconian, inhibitive, sectional and devoid of accountability. Noticeably, there was no deliberate attempt to involve CSOs in the distribution of palliatives.

The Central Bank of Nigeria (CBN) liaised with the private sector to form the Coalition against COVID-19 (CACOVID), and over 200 individuals and companies raised roughly 39.7 billion naira, about (USD96 million) in support of COVID-19 relief efforts (CBN 2020). The IMF (n.d.) has reported that the 'CBN has disbursed a total of N3.5 trillion in intervention funds since the onset of the COVID-19 pandemic, including N73.7 billion in targeted credit facilities to help households and small and medium enterprises exceeding their initial plans of N50 billion'. Unfortunately, most businesses in the informal sector, which are unregistered, did not benefit because of their lack of formal recognition.

Beyond the interventions in health matters, CACOVID food palliatives distributed through state governments were targeted at 1.7 million households, the equivalent of 8 million poor and vulnerable Nigerians (CBN 2021). However, there were complaints of hoarding and the diversion of food palliatives by state governments, which led a reputable CSO – the Socio-Economic Rights and Accountability Project (SERAP) – to petition an anti-graft body, the Independent Corrupt Practices and Other Related Offences Commission, in October 2020, asking it 'to investigate the circumstances surrounding the alleged hoarding of COVID-19 palliatives in warehouses in several states' (Premium Times 2020). The petition was a fallout from the invasion of warehouses during the 'End SARS' protests,[1] months after the lockdowns had been relaxed; however, the deprivations suffered by vulnerable youth and households continued. In that regard, government failed to work with CSOs that already had a database of the most in need to ensure that their interventions reached the poorest of the poor, the aged and informal workers.

In addition, an Economic Sustainability Plan (ESP) was packaged to address the challenges posed by the pandemic. Justifying the significance of the ESP, the Economic Sustainability Committee (2020: 16) noted that 'with over 40% of the population being already classified as poor, i.e., earning less than N137,000 per annum, the COVID-19 crisis is set to multiply the misery, if left unchecked'. The ESP measures that specifically targeted the informal sector included: no charge for registering small businesses, from which 245,000 companies benefited (Ukpe 2021); the expansion of ongoing social investment programmes; and the strengthening of the social safety net. However, the plan to create jobs in critical sectors, which would ordinarily

1 See https://en.wikipedia.org/wiki/End_SARS

benefit informal workers, had no delivery timelines. Thus, the informal sector was not prioritised as a critical player in the economy in need of a financial lifeline.

Although the ESP has ensured that 'the social register was increased by 1 million households to 3.6 million to help cushion the effect of the lockdown' (IMF n.d.), this is less than adequate when taking into consideration the fact that the informal sector employs about 90% of the workforce in Nigeria (Bank of Industry 2018). Currently, the country has 30 million people from 7 million poor and vulnerable households in its National Social Register, updated from 699 local government areas across the 36 states (Vanguard 2021). These pittances in the form of cash transfers, if they eventually reached the targets, were meant for the poorest of the poor, and not necessarily for informal players. In fact, the revelation that only 4% of 40 million micro, small and medium enterprises in Nigeria have access to credit facilities (Adekoya 2021) depicts the plight of the informal economy.

The enforcement of lockdowns bred negative attitudes as extrajudicial killings by security agencies became deadlier than COVID-19 (Okolie-Osemene 2021). Within the first three weeks of the lockdown that started on 30 March, security operatives had killed 18 persons while enforcing the stay-at-home order (BBC News 2020). Noting that the officers and personnel of various security agencies – the police, the military, the civil defence corps, road safety corps, etc. – were implicated in extortion and human rights violations, Onuoha et al. (2021) opine that the 'lack of effective internal and external processes and mechanisms for holding personnel accountable' morphed to impunity of security operatives.

Beyond extortion, the rights abuses were evidenced in the numerous cases of assault, rape, torture and prolonged detention (Ibezim-Ohaeri 2021). Some state governors' controversial executive orders gave rise to police abuses. The death of Hamilton Obazee, who was arrested and tortured to death in March 2020 by a notorious unit of the police, F-SARS, triggered unprecedented demonstrations across Nigeria in October 2020 (Obaji 2020). Those at the receiving end of the clampdown and the brutal confrontation between the youth and state security forces were largely the poor and informal workers who had defied the ban on movement to make ends meet. Indeed, the pandemic exposed the yawning gap and mutual suspicion that underpin CSO–state relationships in Nigeria.

COVID-19 lockdowns and the informal economy

The informal sector of the economy represents employees and/or self-employed persons who work outside the domain of legal formality and bureaucracy. The sector operates on the fringes of the formal economy. Across countries, workers in the informal sector share similar characteristics, such as: low levels of skills; low productivity; limited access to finance; limited savings; and a dependency on cash transactions. Olubiyi (2021) notes that the sector is characterised by 'low or irregular incomes, long working hours and lack of access to information, markets, finance, training and technology'. They include but are not limited to, vendors, artisans, street traders, subsistence farmers, commercial transporters, market traders, domestic workers, micro businesses and subsistence farmers.

The underestimated computation of the informal sector's contribution to GDP has led experts to describe it as a 'shadow' economy. For Nigeria, the informal sector accounts for GDP as high as 65% (Medina et al. 2017). A region or country with the lowest level of GDP per capita is likely to have the highest level of informal economy (ILO 2018). In the last two decades, the informal economy in Nigeria has increased exponentially as a result of escalating poverty, rapid urbanisation, low levels of education, neoliberal economic reforms, population explosion, a rise in unemployment, a widening gulf between the rich and the poor, as well as weak policy instruments. The key driver of the informality is that such businesses do not need to register with government agencies and can still operate unhindered.

Women and the youth are key players in the informal economy. In more than 90% of states in sub-Sharan Africa, women are over-represented in the informal economy as a result of the cultural apathy of sending women to formal education, as well as their imposed roles as home managers: 'lower levels of education, traditional gender roles, discrimination, and gender-biased laws may curtail women's possibilities of working in the formal sector' (Malta et al. 2019: 5). Onokala and Banwo (2015) note that a lack of adequate employment in the formal sector, lopsided academic curricula that do not produce entrepreneurial skills and a system of tenured apprenticeship are factors that push the youth into the informal sector.

As already noted, the lockdowns and ruptures in economic activity impacted the informal sector severely. As daily or weekly wage earners who move to certain physical locations to generate income, the disruption in food

supply chains, panic-buying and the high cost of food made the situation excruciating. The abrupt cessation of income streams without savings and social safety nets left many informal workers' homes in dire straits. A glaring example described by Onyishi et al. (2021: 1242) indicates that irrespective of there being about 1 million waste pickers in Nigeria's cities, 'they remain excluded in urban governance, especially during the era of COVID-19 pandemic'. In a country where a World Bank multidimensional assessment indicates that 47.3% of Nigerians, or 98 million people, are extremely poor, 'rising food prices exacerbate poverty because it reduces the real purchasing power of households and shifts expenditures away from essential items such as health, education and housing' (Onyeiwu 2021). Thus, COVID-19 furthered the marginalisation of the informal sector and exposed informal players to unforeseen economic strangulation.

COVID-19 and new civic spaces

The attempts to shrink civic space during COVID-19 bred unintended openings for robust interventions that serve the vulnerable. Ibezim-Ohaeri (2020) notes three trends exploited by state actors to limit civic space during COVID-19 lockdowns in Nigeria: (1) the excessive use of force by security operatives to enforce the lockdown; (2) state governments operated beyond their constitutional powers by exceeding their legal and administrative jurisdictions; and (3) the use of legal and regulatory tools to legitimise official restrictions on human rights. To counter abuses and to protect vulnerable groups, the MacArthur Foundation-Nigeria, made available a grant of more than USD900,000 to strengthen the capacity of 11 CSOs responding to the pandemic (MacArthur Foundation 2020). And, to arrest the slide into full-blown dictatorship by state actors, a coalition of six CSOs joined forces and rendered free legal services to those whose rights were violated (S4C 2020). Most of the violations were against the poor, the voiceless and the defenceless who defied the restrictions and struggled for survival on the streets.

Remarkably, the strategic gaps that emerged and surrounded the COVID-19 pandemic have opened greater space for civil society operations. For example, a coalition of CSOs – Follow-the-Money, BudgIT and Global Integrity – launched a website[2] for the COVID-19 Transparency &

2 https://www.connecteddevelopment.org/code-budgit-global-integrity-launch-covid-africa-tracking-website/

Accountability Project (CTAP) in seven focal countries in Africa: Ghana, Kenya, Malawi, Liberia, Sierra Leone, Cameroon and Nigeria. They indicate that,

> in tracking government's level of responsiveness, we have shown, through data on the CTAP website, overarching issues such as discrepancies in palliatives and cash transfer distributions, substandard healthcare compounded by the pandemic, disintegration of COVID data, vague procurement processes and blatant corruption by government officials. (CODE, 2021)

CTAP deployed digital tools to monitor the distribution of palliatives and tracked expenditures from the COVID-19 relief purse via a 'one-stop website'.[3] Citizens were urged by CSOs to engage with their governments about the exposed facts. The fallout from this amplification of discoveries of financial infractions has been an increased governmental and institutional response to citizens' demands for accountability. In Liberia, some public officials were sacked on account of exposed infractions over COVID-19 funds (CODE 2021). In Nigeria, although the CSOs have asked the government to give the details of USD8.9 billion donated by international agencies that was spent on the COVID-19 response, 'accessing information on palliatives distribution and COVID interventions has proven to be an uphill task' (Oghide 2021). Specifically, SERAP, in August 2021, filed a lawsuit to compel the federal government to provide the details of its claim of disbursing 729 billion naira (roughly USD1.775 billion) to 24.3 million poor Nigerians (Premium Times 2021). These CSO exposures of government malfeasance have empowered citizens to ask probing questions, to the extent that Nigerian youth are still tracking the COVID-19 funds and palliatives a year later. Oxfam (n.d.) notes that 'it is a testament to Africa's youth to look at the solidarity that is being borne out of this adversity'.

The Open Treasury Portal established by government to ensure transparency in public procurement helped Dataphyte (a data analytics CSO) to glean and mine data about the expenditure profiles of five government agencies. Nebulous and opaque transactions to the tune of 1.69 billion naira

3 https://www.covidfund.africa/

from COVID-19 funds were discovered (Ojekunle 2020). The agencies in the health and security sectors ripped off Nigerians by inflating the costs of hand sanitisers and face masks made for the citizens, especially those in the informal sector who have no formal institutions to access the free distributions. These revelations put the agencies on the spot and gave greater impetus for civic engagement.

In the domain of human rights violations, which largely affected informal workers, the CLEEN Foundation, through the COVID-19 Public Safety Support Virtual Centre, documented over 1,075 human rights abuses, and used the evidence to engage with the police authority, and consequently, 'operational guidelines on pandemic policing' were put in place (Ojewale 2021). Therefore, 'for open government advocates worldwide, the pandemic has lent a greater sense of relevance and urgency to their work' (Bellows and Zohdy 2020: 2). Clearly, mitigating the threats to civic space occasioned by COVID-19 is an opportunity which must not be frittered away.

Conclusion

Onyeji (2021) discerned five gaps in the management of COVID-19 in Nigeria: the initial slow response; opaque management of funds; weak enforcement of safety protocols; poor testing; and sketchy preparation for the COVID-19 vaccination campaign. These gaps are hinged on the failure of political leadership. The resultant outcry brought about a surge in demand for transparency and accountability in government. Consequently, a new vista for civic engagement has emerged in four respects.

First, policy gaps around a meaningful social safety net in Nigeria should be filled; no nation enjoys stability and social harmony when the marginalised suffer. Second, transparent and accountable government is the way forward, and hence CSOs must lead the way. Third, the informal sector, which was decimated by the pandemic, requires front-row strategic repositioning to elicit proper consideration by policy-makers. Fourth, COVID-19 inadvertently created multisectoral opportunities for spirited civic engagement.

CSOs should therefore close ranks within their community and open up strategic alliances with informal workers and other marginalised groups – in normal times as well as during emergencies – to constitute an effective watchdog.

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CHAPTER 12

Marginalised communities during COVID-19: Insights from a survey of CSOs in Africa

François van Schalkwyk, Felix Wünsche and Nannette Abrahams

Introduction

Habermas describes the public sphere as a 'space in which citizens deliberate about their common affairs' in 'an institutionalised arena of discursive interaction' distinct from the state (and the market economy) (quoted in Fraser 1990: 57). A criticism levelled at Habermas's notion of the public sphere is the claim that participation is both open and egalitarian. Habermas suggests that it is possible to 'bracket' the hierarchical status–structure of society when participating in the public sphere. Fraser (1990: 64) draws attention to what she argues is a serious flaw in suggesting that participation takes place on equal terms: 'Insofar as the bracketing of social qualities in deliberation means proceeding as if they don't exist when they do, this does not foster participatory parity. On the contrary, such bracketing usually works to the advantage of dominant groups in society and the disadvantage of subordinates.'

In broad terms, the inclusion of marginalised communities can be defined as the incorporation and participation in networks by those habitually excluded from those same networks. Importantly, incorporation and participation that does not account for the exercise and disruption of power is unlikely to produce the kind of change needed to improve the quality of their lives (van Schalkwyk and Canares 2020). It cannot be assumed that by expanding civic space or by making it more open that there will be any real, lasting impact unless there is also a change in the power dynamics that created the situation in the first place. Sope (2018: 143) argues that 'the usual approaches, such as improving enforcement, limiting discretion and increasing accountability mechanisms may not yield much fruit, as the officials and politicians responsible for enforcing these frameworks are themselves part of the problem'. Sope is effectively arguing for change by challenging existing power structures rather than relying on power to self-correct.

In the context of the COVID-19 pandemic, the question may well be asked whether those who traditionally exercise power in development networks, that is, governments and donors, took decisions which considered those most vulnerable to the effects of the pandemic, that is, marginalised communities. In terms of the particular interest of this book, a narrower question emerges about how the decisions of powerful stakeholders affected the operations of CSOs and their ability to support marginalised communities during the pandemic.

In this chapter, the effects of the COVID-19 pandemic on CSOs and on the marginalised communities served by those CSOs is explored via the responses of 41 CSOs in 14 countries across sub-Saharan Africa.[1]

Overview

CSOs were asked to indicate whether they worked with marginalised communities and, if so, to indicate the marginalised communities in question. Of the 41 CSOs, 35 (85%) indicated that they work with marginalised communities. Of these, 29 (71%) indicated that COVID-19 had resulted in an increase in the marginalisation of vulnerable communities, five (12%) indicated no change, and only one (2%) indicated that COVID-19 had

1 See Appendix 1 for a list of CSOs that completed the questionnaire. Numbers in square brackets in this chapter refer to the corresponding numbers of the CSOs listed in Appendix 1.

created opportunities for greater inclusion. The Zambian CSO that reported inclusionary effects pointed to opportunities for youth to participate in political processes as a result of the increased uptake of digital technologies during the pandemic:

> The pandemic has heightened the opportunities for young people to participate in governance and ask more questions. Young people could interact with their leaders with regard to governance in light of the pandemic and some of the adverse effects of COVID such as the increase in teenage pregnancies, school dropout rate and drug abuse. [25]

Figure 13.1 presents in the form of a word cloud the information provided by CSOs when asked to indicate which vulnerable communities they serve. It shows that women, girls, and youth in rural areas featured most prominently in the answers provided by CSOs. The words 'people' and 'disabilities' are separated in the word cloud, and when combined as 'people with disabilities' (PWDs) point to another marginalised community identified by CSOs.

Figure 13.1 Marginalised communities mentioned by CSOs (n=35)

The data from the survey shows that the impact of the COVID-19 pandemic on these communities was described by CSOs as follows:

- Women and girls (general): gender-based violence;
- Women (owners of small businesses and informal traders): economic hardship;
- Youth: economic hardship;
- Children: school closures and lost education; and
- PWDs: health risks and economic hardship.

The data from the survey does not reveal or support any clear relationships between, on one hand, marginalised communities and, on the other, CSO location, CSO focus or a reported change in civic space.

Effects attributable to government

Broadly speaking, the imposition of lockdown measures and, in particular, the restrictions on movement and on gatherings, were reported by several CSOs [2][5][7][17][21][24][34] as impacting on the services and support they provide to marginalised communities, most notably women, children and PWDs. CSOs from Kenya reported as follows when asked to name any impacts of COVID-19 measures on marginalised communities:

> Reduction in capacity-building programmes (e.g. training for social audits) due to limits on gatherings. Switch to virtual training impossible (poor connectivity and low digital literacy). Halting of non-essential services affected children, women and people with disabilities. [2]

> Low participation during public participation meetings both at the national and sub-national level due to restrictions, especially amongst special interest groups like women and PWDs. Most budgets are therefore not reflective of the needs of these particular groups. [5]

A CSO from Namibia makes a similar point about the effects of lockdown measures, in this case on informal traders and those living in informal settlements:

> Because of the state of emergency regulations, street vendors and open market sellers were removed from streets and markets. They

> lost their income [...] In general, due to the regulations of lockdown/ state of emergency, food insecurity and malnutrition increased dramatically in the informal settlements. Livelihoods of many shack dwellers were at risk. [7]

As was the case with restrictions on electioneering imposed under the guise of necessary COVID-related regulations (e.g. restrictions on movement and gatherings), CSOs in Uganda and Zambia reported similar government enforcement under the pretext of COVID-19 targeted at marginalised communities. As a CSO in Uganda working with LGBTQIA+ communities reported:

> Two LGBTQIA+ shelters have so far been raided by law enforcement officers under the pretext of upholding COVID-19 directives. A number of trans people have been forcefully evicted from their homes. [24]

Another CSO in Uganda:

> A number of CSOs in Uganda closed business and this affected their targeted groups including the poor and vulnerable. Both during and after the lockdown, there has been increased cases of human rights abuse especially by security agencies as they implement the government's standard operating procedures. [17]

A CSO in Côte d'Ivoire describes a particularly harrowing outcome of lockdown regulations and enforcement by government:

> [H]ere has been extortion of money from vulnerable citizens by health services and law enforcement because they were not wearing protective masks. There has been extortion of citizens by public transportation services. There was a food crisis. Inequalities have led to serious human rights violations, including the right to health, to decent work, to education, to healthy food, to security, to freedom of movement, to freedom of opinion and expression, to a healthy environment, etc. The situation in COVID-19 has accentuated corruption, arbitrariness and opacity in the management of public affairs. [34]

One CSO in Uganda [21] did report increased levels of participation in the national elections by women:

> During the pandemic, political participation opportunities for girls and women especially in the recent national elections, KWID's target group participated actively in voting and monitoring of the elections especially some KWID members who participated in election monitoring.

However, to the point raised in the introduction to this chapter about meaningful participation, the report suggests that women participated mainly in support roles during the national elections.

Effects attributable to donors

Several CSOs reported that a shift in donor priorities increased marginalisation [29][32][34][38]. For example, a CSO from Burkina Faso reported that they

> have lost other donors because of COVID-19. There are lines on some activities that have been redirected to COVID-19. Given the reorganization and the budgetary restrictions of the donors, there are certain groups that were forgotten such as women, children and MSM [men who have sex with men]. [29]

However, not all CSOs [30][31] agree that changes in donor funding led to increased marginalisation during the COVID-19 pandemic. As another CSO, also from Burkina Faso, reported: 'In no way are specific groups marginalised by the new trends in donor priorities' [30].

It is difficult to draw any definitive insights from the data with regard to the impact of donor partners on CSOs and on the marginalised communities supported by those CSOs. The impact is most likely more dependent on the actions of particular donors and in specific national, regional and local contexts than on any generally observable pattern or trend.

Effects attributable to technology

CSOs reported on the challenges of the forced switch to digital communication tools during the pandemic in order to maintain operations. In some cases, it was implied that this switch was attributable to expectations of donor partners, with exclusionary effects because of the switch:

> The changes/new trends in donor priorities have increased the marginalisation of local communities because they are not familiar with, and do not have the tools for, digitalisation. They have felt excluded and frustrated. Communities are not at all comfortable with digitalisation. [34]

A CSO from Uganda [15] pointed out that the outcome of the switch to digital communications also depended on the capacity and connectivity of CSOs themselves, thereby indirectly resulting in greater exclusion of marginalised communities because some CSOs were unable to make the transition.

The same effect was observed in Zambia [25] but for a different reason. The CSO there works with the youth, and it found it difficult to engage the youth using digital tools; not because the youth are not able to use or access digital communication technologies, but because the youth perceive technologies as being for entertainment purposes rather than for 'serious business including policy change' [25].

In Somalia, women were excluded from elections as a consequence of digital electioneering during the pandemic:

> Some women who would have stood for some political positions stepped down because campaigns were very expensive as they were digital. [11]

In sum, technology in general and digital communication solutions in particular were seen as both an enabler and as a barrier, depending on (1) the extent to which digital solutions were made available in place of physical meetings; (2) the capacity of both CSOs and marginalised communities to make use of the digital substitutes available; and (3) the availability of reliable infrastructure to make possible the use of the digital solutions on offer. Given these required conditions, technology and digital communication solutions were generally seen as further excluding marginalised communities during

the COVID-19 pandemic.

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CHAPTER 13

Conclusion

Felix Wünsche, François van Schalkwyk and Nannette Abrahams

This concluding chapter distils insights gained from the survey of 41 CSOs in 14 countries across Africa and from the chapter contributions submitted by academics and practitioners to answer the research question posed in Chapter 1: To what extent has the COVID-19 pandemic and the way it has been governed changed civic space in African countries?

In addition to synthesising insights from CSOs and observers about the impact of the COVID-19 pandemic on civic space to identify emerging themes, this chapter will also provide lessons learnt and strategies adopted by CSOs during the pandemic.

A clear theme that emerges is that civic space is often simultaneously opening and shrinking in many of the countries covered in this book. Thus, despite government regulations introduced to control the spread of COVID-19, as well as the abuse of those regulations for political purposes in some countries, civic space should be regarded as one that is fluid.

Three explanations are offered to account for how civic space can simultaneously expand and contract. The first relates to the level of governance. Civic space may contract at the national level but expand at the local level, or vice versa. This is more likely to occur in countries that

have successfully transitioned to devolved modes of governance (e.g. the devolution of governance to the county level in Kenya).

The second relates to the effects of digitisation, particularly the digitisation of community technologies. COVID-19 necessitated a change to the use of digital communication technologies such as Zoom to maintain operations, to engage with stakeholders and to deliver services to communities (where this was possible). Some authors and survey respondents have noted benefits of the use of digital communication technologies, supporting the claim made in the introduction to this book that digital communication makes possible a continuance of interaction despite limitations placed on physical space. For example: 'success is above all adaptation, through the use of digital technology and ICTs to continue implementing the activities' [37]. However, the use of digital communication technologies also excludes. Those who have neither means or the skills to participate in digital communication networks did not receive the benefits made possible by digital communication during the COVID-19 pandemic.

The third explanation for a simultaneous opening and shrinking of civic space relates to agency. At one level, CSOs have shown resilience: 'The greatest achievement has been our extraordinary resilience in the face of the health crisis' [34]. This may be attributable to increasing levels of professionalisation in the sector. At another level, as governments imposed restrictions that impinged on civic space, CSOs and citizens responded to and resisted the closure of civic space. This response took the form of new and innovative approaches to protecting civil rights in the face of the COVID-19 restrictions. In the section that follows, some of the approaches adopted by CSOs in Africa to protect civil rights are provided.

Lockdown restrictions typically limited the size of gatherings, with variation on the size of the gathering between countries and depending on the level of lockdown measures imposed. In Sierra Leone, where public gatherings were restricted to not more than 20 persons, one CSO [10] resorted to dividing their activities into smaller groups of no more than ten participants and two facilitators to maintain their project activities. CSOs in Burkina Faso [31], Somalia [11] and Uganda [23] report implementing a similar strategy. Some CSOs [10][23] note, however, that this strategy resulted in higher costs in terms of travel and facilitation. Two CSOs in Uganda report using talk radio as an effective substitute for larger gatherings held for the purpose of community dialogues. A CSO in Niger lamented the lack of a

community radio station as a medium for community dialogue [40]. One CSO [23] resorted to telephone calls and meeting in safe open spaces such as gardens.

Some respondents indicated that they were considering contingency budgeting, that is, putting aside funds for unexpected future crises [2][3][27]. Others suggested the development of broader risk-management plans:

> Develop a risk mitigation plan. We were all taken by storm by the COVID-19 pandemic, it may not be the last time, CSOs should develop a risk mitigation plan to mitigate future eventualities. [21]

Organisational governance was seen as important in enabling an effective response to crisis situations:

> Organisations should strengthen their organisational and governance structures in order to have proper strategic direction. [23]

Respondents reported that COVID-19 provided them (and other CSOs) with a unique advocacy niche [5][6][7]. A CSO in Namibia reported that the pandemic provided several new opportunities for the organisation:

> The times of the pandemic opened new opportunities for bottom-up upgrading in informal settlements. Four additional towns joined this process when restrictions were lifted. Within the time of the pandemic, 12 new SDFN savings groups were established in various regions of Namibia. The reason for this is that SDFN was very visible during the pandemic and awareness for COVID-19 was not only raised within the SDFN community but among communities at large. [7]

In addition to the above, the CSO exploited another opportune niche by successfully initiating a backyard gardening scheme. By June 2020, around 300 backyard gardens had been created and youth members were educating CSO and community members on sustainable backyard gardening.

However, a CSO in Somaliland reported that COVID-19 had the opposite effect by closing a critical, opportune advocacy niche, with an undesired outcome for women:

> The advocacy campaigns on women quota in the parliament was interrupted at a very crucial period. Women candidates were not given necessary support because of lack of funds as a result of COVID-19 [...] The proposed women quota in the parliament has been rejected by the parliament and women candidates who ran for this year's parliament have all lost. As a result of this, there will be no women representatives in the newly elected parliament. In addition to that, only three females were elected in local councils. [12]

A CSO in Uganda also reported the dire situation for women, pointing out that because the provision of services to victims of gender-based violence (GBV) was deemed non-essential by government, it was unable to provide the necessary support at a time when GBV was escalating because of the pandemic. Its answer to the question 'Was your organisation impacted by the policy measures implemented to combat COVID-19?' was as follows:

> Yes, during total lockdown, our services were not labelled as 'essential' – while an absolute crisis of gender-based violence exploded in the country. We were unable to move around and serve our clients facing GBV and domestic violence who were in desperate need of legal aid and essential services. Shelters, courts, prisons and health centres were also not available or accessible. Initially, the policies to curb the spread of COVID-19 greatly affected our work. FIDA U was only permitted to operate after the lockdown had continued for over five weeks. [18]

Whether COVID-19 created or closed opportune niches for advocacy and/or implementation appears to depend on timing; on whether an initiative was in progress and had to be halted; on whether an initiative could be mobilised because of the changing conditions brought about by the pandemic; or on how respective national governments defined 'essential services'.

A second theme that emerges is the importance of alliances, associations and networks set up between CSOs to engage government with sufficient influence. To illustrate:

> *Uganda*: The Development Network of Indigenous Voluntary Associations (DENIVA) in collaboration with a number of civil society actors in Uganda have responded to the current challenge of thinking

civic spaces through building a strong and credible civil society that would effectively engage governments as well as empowering citizens to hold their governments accountable. [17]

East Africa: We have been hugely affected by the changing civil space for CSOs. Unlike before, there has been a need to form coalitions with civil societies operating within the same field so as to influence meaningful change. Initially, civil society organisations were viewed from an activism perspective. This made it difficult to engage meaningfully with the duty bearers. This narrative is slowly changing as we are moving towards working together with the duty bearers to ensure a win-win situation for the rights holders. [Anonymous]

Zambia: There is need for better collaboration and consensus building among those CSOs/NGOs in Zambia. Many are doing commendable work in various fields except they are fragmented which hinders the ability to optimise on resources while maximising on impact and outreach. [25]

Burkina Faso: I suggest that the CSOs work in synergy so that together we can achieve our objectives of socio-economic promotion of the population. [28]

Burkina Faso: Joining together as an umbrella organisation for more credibility and strength. To work in synergy of action. [30]

Côte d'Ivoire: These last years have clearly allowed civil society to realise the need to organise itself as an umbrella organisation, to federate their forces and to work in synergy of action. This has allowed the public authorities to be receptive to certain governance issues and debates in which civil society is now involved, notably issues related to the extractive sector. [34]

Lessons learnt

While many CSOs raised issues of a challenging environment to secure donor funding during the pandemic, some CSOs [10][12][34] also saw this challenge as a learning opportunity:

> Economically, it tells us that we are overdependent on donor funding coming from the western world. Because our funders from the western world are limiting their support towards us that is a serious concern for us to sustain ourselves. [10]

> [W]e have realised how often we are financially fragile and must develop other strategies for mobilising resources outside of the technical and financial partners on which we are entirely dependent. [34]

Some CSOs [21][23] reported that the pandemic helped them to sharpen their administrative procedures:

> KWID's biggest success is improving her internal management policies such as reviewing KWID policies including the constitution, finance, human resource and other organisational documents. Moreover, the streamlining of the policies and documents have resulted in KWID being accepted in several networks such as the Uganda NGO Forum, DENIVA and Girls Not Brides network. KWID was also linked to the district water and sanitation coordination committee which exposed her to other development partners in the region and a study tour in Lira District. [21]

> SSF has learned that having strong organisational and governance structures in place can give the organisation a sense of direction amidst challenges of the pandemic. [23]

Diversification, flexibility, adaptation and innovation are seen as key lessons learnt, and as critical for CSOs in the future:

> [T]here is need to diversify and change the way we think, do and see things. Innovation is paramount and key. [22]

> SSF has learned to setup other models of financing (social enterprises) in order to be financially autonomous rather than relying on donor aid and this will help the organisation to implement its activities as planned. The organisation has learned to work in consortiums partnerships with government, private institutions and

> individuals to implement development in the area [...] To always be prepared for eventualities like the COVID-19 global pandemic and embrace/adapt new changes based on available circumstances of life. [23]

> Flexibility is such a vital component for all CSOs especially in the periods of pandemics that may require changes in interventions and how different programmes have to be implemented, in other words embracing new trends in development programming. [23]

Concluding thoughts

It can be said that the reactions towards the pandemic and its effects were and are as unique as the circumstances and actors. Nevertheless, the common theme of the resilience of CSOs in sub-Saharan Africa is evident. Resilience assumes different forms in the context of a global health crisis and in response to measures which were not always designed to counter the health crisis itself but to shift power towards government and/or state actors.

As is apparent in this publication, CSOs throughout sub-Saharan Africa used their extensive experience in managing limited resources and dealing with often adverse governments to connect, find new modes of communication and operation, and ways to deliver on their mandate for their beneficiaries and constituencies. CSOs proved their invaluable role in providing services and support to communities, countries and societies at large through the relentless continuation of their operations under trying conditions.

There are cases where the fight against the curtailment of civic space and overbearing governments was more successful than in others, but the overall picture of the changing civic space due to the COVID-19 pandemic is diverse and less straightforward than one might assume. Furthermore, the COVID-19 pandemic was and is a learning experience for CSOs. Their readiness to deal with truly extraordinary circumstances was tested, as was their commitment and readiness to deal with the reaction of state actors to the pandemic.

Future research could consider how CSOs used the learnings and adaptations in response to the pandemic to support their everyday

operations in a non-pandemic environment. Additionally, there is further work to be done on whether CSOs gained a greater degree of independence from donors and their agendas, and on whether government actors' perceptions of CSOs have changed substantively as a consequence of the pandemic.

We hope that this publication and its accompanying handbook will contribute to the ongoing exchange and learning of different stakeholders invested in the success of civil society and in the protection of vibrant civic space on the African continent. Ultimately, we hope that the modest contribution of this publication will provide some insight into how to manage future crises on the continent.

APPENDIX 1

List of CSOs surveyed

Ref.	Name	Acronym	
1	Anonymous	–	Ghana
2	Centre for Enhancing Democracy and Good Governance	CEDGG	Kenya
3	Candle of Hope Foundation	COHF	
4	Lotus Kenya Action for Development Organization	LOKADO	
5	National Taxpayers Association	NTA	
6	Transparency International Kenya	TI	
7	Namibia Housing Action Group and Shack Dwellers Federation of Namibia	NHAG SDFN	Namibia
8	Centre for Democracy and Development	CDDWA	Nigeria
9	Centre for Sustainable Development and Education in Africa	CSDEA	
10	Network Movement for Justice and Development	NMJD	Sierra Leone
11	IIDA Women's Development Organisation	IIDA	Somalia
12	Anonymous	–	Somaliland
13	NAFIS Network	NAFIS	Anonymous
14	Sudan Family Planning Association	SFPA	Sudan
15	Amuria Civil Society Organizations Network	ACSONET	Uganda
16	Centre for Basic Research	CBR	
17	Development Network of Indigenous Voluntary Associations	DENIVA	
18	Uganda Association of Women Lawyers	FIDA Uganda	
19	Anonymous	–	
20	Anonymous	–	
21	Kigezi Women in Development	KWID	
22	Kirinda Youth Environmental Management and Poverty Alleviation Programme Uganda	KYEMPAPU	
23	Salama SHIELD Foundation	SSF	
24	Tranz Network Uganda	TNU	
25	Alliance for Accountability Advocates Zambia	AAAZ	Zambia
26	Restless Development	RD	
27	Zambia Federation of Disability Organisations	ZAFOD	

28	Commune de Diapangou	ATB	Burkina Faso
29	ATY	ATY	
30	Coordination Communale des Organisations de la Société Civile de Dano	CCOSC	
31	Communautaires pour le Développement	ICODEV	
32	Femmes Leaders pour la Paix et le Développement	RFL	
33	WOULTAA	WOULTAA	
34	Observatoire pour la Bonne Gouvernance du Secteur Extractif en Côte d'Ivoire	OBGSE-CI	Côte d'Ivoire
35	Groupe d'Action pour le Développement Communautaire	GADEC	Mauritania
36	IMAWAYANE	IMAWAYANE	Niger
37	Jeunesse Enfance Migration Developpement	JMED	
38	RLAS	RLAS	
39	Réseau Assamanay	ROA	
40	Reseau OSC Tchigaba	ROSC Tchigaba	
41	Tanat	Tanat	

APPENDIX 2

Survey questionnaire

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Questionnaire for Civil Society Organizations

Thank you for your participation!

General Introduction (Background of publication; structure):

A cluster of GIZ projects is planning a publication titled: "*Spaces for Civil Society in Africa in Times of Covid-19: Shrinking, Changing or Opening?". The* research question will explore to what extent the Covid-19 pandemic and the way it has been governed have affected spaces and opportunities for civil society actors in Africa. Whereas the focus in recent publications has been on shrinking space, this publication - in line with Sogge´s claim that civic space is not only shrinking but rather changing shape and often growing (Sogge, D., 2020) - intends to analyze the underlying dynamics and power relations. We are interested to explore the innovative solutions that different CSOs have developed on the African continent to counter dynamics of shrinking space especially in times of lockdowns and social distancing.

We are looking for YOUR input, lessons learnt and best-practices on how the Covid pandemic has changed the way you operate and participate in the political and societal context.

Part of the publication will be a handbook with valuable lessons from organisations from various countries. You will of course receive a version once published.

Overview of structure of publication:

PART 1: Spaces for Civil Society Participation in (Post-) Covid Africa: Shrinking, Changing or Opening? Relationship between state and CS

PART 2: The Effects of Covid-19 on Marginalized Groups in Africa

PART 3: Shrinking Space and the Donor Community: Expectations of Partners

Anonymity

YOUR safety and privacy have top priority to us. Therefore, please indicate if and what you would like to anonymize. Please fill and sign the attached consent form.

☐ **No** anonymisation necessary / the information provided can be used openly

☐ Anonymisation of name of organisation

☐ Anonymisation of place of organisation, e.g. city, region

☐ Anonymisation of country of organisation

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General information

Has your organisation or umbrella organisation you subscribe to ever worked or is currently working with GIZ / German Cooperation for International Cooperation?

☐ Yes ☐ No ☐ I do not know

Country or countries your organisation is working in:

Place of headquarters of your organisation:

Geographical context your organisation is operating in:

☐ Capital or mayor city ☐ Rural Setting

Name of organisation:

Type of organisation:

☐ NGO ☐ CBO ☐ FBO ☐ Business Association

☐ Farmer's Association ☐ Trade Union ☐ Other, please specify

Today's date: Klicken oder tippen Sie, um ein Datum einzugeben.

Date of official registration/ establishment of CSO/NGO: Klicken oder tippen Sie, um ein Datum einzugeben.

Thematic area of work:

Number of employees:

Your position with the organisation:

Topic 1: Country context

Please describe the political and societal country context you are working in and what your organization intends to impact on? *Please limit your answer to 1800 characters.*

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Please explain the role of your organization within the country, district, town or village. What have been major achievements of your work/ the impact of your work in your country, district, town or village? *Please limit your answer to 1800 characters.*

Do specific NGO/CSO laws exist? If so, which aspects have the greatest influence on your work? *Please limit your answer to 1800 characters.*

Which groups are most affected by Covid-19 in your country in general (and why)? *Please limit your answer to 900 characters.*

Topic 2: Changing or shrinking civil space:

Are you affected by shrinking/changing civil space for CSOs? If yes, how? Please elaborate.

E.g. How has your immediate ability and capacity to work, the use of established communication/cooperation mechanisms or opportunities to engage with government and other actors changed over the past 3-5 years?

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E.g. What challenges for civil society have emerged over the past 3-5 years and where do you see opportunities to improve your scope of action? *Please limit your answer to 1800 characters.*

Was your organization (or your target group) immediately affected by the Covid-19 pandemic and associated side effects? If yes, please elaborate how you did cope with the changes in your working environment. *Please limit your answer to 1800 characters.*

Was your organization affected by policy measures to combat Covid-19 (If yes, please elaborate)? *Please limit your answer to 900 characters.*

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Was your organization (or your target group) involved in designing, implementing or evaluating policy measures to counter Covid-19 to ensure citizen-centred / needs-based policy-making? *Please limit your answer to 1800 characters.*

Please explain the biggest challenges for your CSO before the outbreak of Covid-19. *Please limit your answer to 1800 characters.*

Please explain the biggest challenges for your CSO since the outbreak of Covid-19. *Please limit your answer to 1800 characters.*

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Topic 3: Concrete activities/initiatives

What is your target group? Who are your beneficiaries? *Please limit your answer to 900 characters.*

What are common activities your organization implements? *Please limit your answer to 900 characters.*

How did the situation for your target group evolve before 2020 (before Covid-19)? *Please limit your answer to 1800 characters.*

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How did the situation of your target group change after the outbreak of Covid-19? If possible, please differentiate between immediate effects of the pandemic and policy measures. Have, for example, inequalities increased, or human rights violations occurred? *Please limit your answer to 1800 characters.*

How have political participation opportunities for your target group changed since Covid-19? *Please limit your answer to 900 characters.*

Please explain if and how the pandemic has had financial effects on your work? *Please limit your answer to 900 characters.*

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Topic 4: Success stories and lessons learnt

What was your biggest success since the outbreak of Covid? *Please limit your answer to 1800 characters.*

What did you learn about your work in the context of a global pandemic? *Please limit your answer to 1800 characters.*

What would you like to improve regarding your work environment? *Please limit your answer to 900 characters.*

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Topic 5: Recommendations/ Support needed:

What do you expect from your government regarding your work for the aftermath of the pandemic? *Please limit your answer to 1800 characters.*

What do you expect from donors present in your country regarding your work? *Please limit your answer to 1800 characters.*

What kind of support did you most appreciate during the Covid-19 pandemic? *Please limit your answer to 900 characters.*

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Did donor priorities change since the outbreak of Covid? *Please limit your answer to 1800 characters.*

Did changes/ new trends in donor priorities have effects on increasing or decreasing marginalization processes for specific groups (e.g. trend towards digitalization in communication and organization)? If so, please elaborate. *Please limit your answer to 1800 characters.*

What recommendations do you have for other CSO working in your field in your or other countries? *Please limit your answer to 1800 characters.*