LOCALISATION AND SHRINKING CIVIC SPACE: TYING UP THE LOOSE ENDS

Kristina Roepstorff

May 2020

Abstract

Local actors are increasingly considered principal agents in responses to humanitarian crises. Since the World Humanitarian Summit (WHS) in 2016, the call for localising humanitarian action has gained significant momentum in the humanitarian sector. Though the label 'local' may refer to a variety of actors, it is civil society organisations that are most often key in orchestrating local responses. However it is increasingly clear that these actors are now facing an increasing curtailment of their space for action. While debate on localisation is vibrant, it has so far hardly linked questions of how to enhance localisation and empower local actors to the issue of shrinking humanitarian space in general, and the shrinking civic space in particular. This paper argues that a better understanding of the interface between localisation and shrinking humanitarian civic space is urgently needed for a meaningful discourse on, and implementation of, localisation. If localisation is to be taken seriously, the humanitarian sector and international partner organisations need to develop novel ways to protect not only the humanitarian space generally, but also defend the humanitarian civic space particularly.

Introduction

Localisation is a buzzword within the humanitarian sector and at the core of many current reform efforts. It aims at increasing visibility, participation and integration of local efforts in response to the various humanitarian crises the world is witnessing. Though the label 'local' is used in reference to a variety of actors, next to national and local authorities, it is civil society organisations at the national and community level that are considered principal actors in these local responses. A local response is considered as being more effective, legitimate and appropriate than outside intervention. This is due to the linguistic and cultural proximity of local actors which means that they are more trusted by the affected population and, as a result, will have better access to people in need. Side-lining local actors minimises aid effectiveness and sustainable capacity strengthening at the national and local level. In doing so, it also hinders the development of resilient communities. Moreover, through the empowerment of local actors it is hoped that the unequal power relations prevalent in the humanitarian sector, where powerful international actors continue to dominate and determine the allocation of funds and aid priorities, will be addressed. Calls for a greater inclusion of local actors into the humanitarian response have thus prompted a fruitful debate on new modes of more equitable partnerships, funding of local humanitarian actors, the needs for capacity strengthening of local partners and analyses of obstacles to localisation.

Despite the importance ascribed to the role of local civil society actors in responding to humanitarian needs, especially non-governmental organisations (NGOs), little consideration has been given to their space for action in specific humanitarian contexts. The issue of a shrinking space for humanitarian action has received significant attention within the humanitarian community, but its impact on the space for local humanitarian actors has only been discussed at the periphery. However, for localisation to work it is essential to connect both the local and the global debates, otherwise the humanitarian sector runs the risk of pushing for localisation in contexts where there is limited room for local actors to provide life-saving services, – thus making any efforts for localisation futile or even counter-productive. It is thus argued here that since local NGOs are deeply embedded in the respective civil society of their country, a shrinking civic space naturally also affects their ability to manoeuvre within the humanitarian space.

The purpose of this paper is to stimulate the debate surrounding localisation and a shrinking (humanitarian) civic space. This will be illustrated by reference to three contexts in which a limitation of the space for civil society action can be observed: migration and asylum policies, counter-terrorism measures and current lockdown practices to fight the Covid-19 pandemic. It is argued that in order to localise humanitarian action and support local partners in meaningful ways, international counterparts need to be aware of how their local partners' room for action is being infringed upon in specific contexts and thus find novel ways to protect the humanitarian civic space around the world.

Localising the Humanitarian Response

Since the World Humanitarian Summit (WHS) in 2016, the call for localising humanitarian action has gained momentum.[1] Localisation draws attention to the important role various actors at national and local levels play in saving lives and alleviating suffering in the midst of crises. Indeed, when disasters hit or conflicts erupt, it is the affected population that is first to respond, this includes national and local authorities, civil society organisations, ad hoc volunteer groups and neighbours (Roepstorff 2020). They are also the ones that stay after international attention and funding shifts to the next crisis.

Several international documents such as the Charter for Change (2015),[2] the Agenda for Humanity (2016),[3] or the Grand Bargain (2016)[4] now acknowledge the important contribution of these actors and have identified ways to put local humanitarian actors and the affected population at the centre of the humanitarian response. What is envisioned is a fairer distribution of funds, implementation of training programmes to strengthen the capacities of local actors and new forms of partnership in order to empower and allow for more equitable relationships.

The call for
localising
humanitarian
action has
gained
momentum.

To enable localisation, seven dimensions for action have been identified (Van Brabant and Patel 2018):

1. funding,
2. partnerships,
3. capacity,
4. participation,
5. coordination,
6. visibility
7. and policy.

What precisely is meant by "localising humanitarian action?"

The slogan "as local as possible, as international as necessary" guides the current reform efforts, but it does leave a number of questions unanswered. Apart from the question as to who is considered a local actor (Roepstorff 2020), what precisely is meant by "localising humanitarian action?" Does it mean that local actors should be allowed greater participation in the international response? Or does it mean that local actors should themselves carry out the response, while international organisations only step in where resources, capacities and support are needed (and requested)?[5] Thus, disagreement exists about the exact interpretation of localisation. One attempt to define localisation describes it as "a process of recognising, respecting and strengthening the leadership by local authorities and the capacity of local civil society in humanitarian action, in order to better address the needs of affected populations and to prepare national actors for future humanitarian responses" (Fabre 2017). Although a general confusion of the term 'local' and neglect of key social and cultural dimensions have prevented an adequate conceptualisation of localisation (Apthorpe and Borton 2019: 138), what becomes clear from this definition is that civil society actors are considered crucial agents in a localised response.[6]

Indeed, though the term 'local' encompasses a whole range of different actors, it is civil society actors that have dominated the discussion on localisation. For instance, the Charter4Change defines local actors as national and local NGOs in the Global South.[7] This focus on NGOs is not only apparent in a number of documents, reports and studies by humanitarian organisations, but more so in the ways localisation is practiced – namely, by international non-governmental organisations (INGOs) enhancing their partnerships with local NGOs. This makes sense, as local NGOs often respond to humanitarian needs even before international actors appear on the scene. They are commonly among the first responders to sudden-onset disasters (Zyck and Krebs 2015), are organised and operate over a longer period of time – more so than ad hoc volunteers.

It is against this background that another crucial yet so far underexposed issue arises: the particular contexts in which local actors operate, including their space for action. With rising concerns about a shrinking space for civil

society and mounting reports on repressive government actions against civil society organisations around the world,[8] this begs the question as to how this affects the operation and function of local NGOs in the humanitarian space. As Cunningham and Tibbett note in one of the very few attempts to raise awareness of this matter: "(i)dentified as an almost global issue, this has significant implications for local humanitarian action by NGOs... Despite these concerns, the interface between localization and shrinking civic space has yet to be discussed widely, particularly related to how local and national actors may be coping with more restrictive government policies or increased military action" (2018: 11). Indeed, a number of new laws, policies and practices by governments to restrict civil society have been reported in all parts of the world, including in established democracies.

Shrinking Humanitarian Civic Space

Around the world, civil society organisations[9] are calling attention to the ways their space for action is being limited by a number of government measures.[10] Restrictive laws and policies coupled with funding restrictions, administrative hurdles, general hostility towards civil society organisations, fuelled by populist rhetoric, media reports, legal prosecution and physical attacks on individuals and political interference in the work of NGOs are just some of the factors that limit civil society action in many countries (Oram and Doane 2017). As a result, civic space is shrinking and so to, therefore, the space for humanitarian action.[11]

The notion of humanitarian space is central to humanitarian action. Though no agreed definition of humanitarian space exists, the concept is generally used to describe the access of humanitarian organisations to the affected population, the nature of the operating environment for the humanitarian response, the ability of humanitarian actors to adhere to the core principles of humanitarian action, namely humanity, neutrality, impartiality and independence, as well as the ability of the affected population to access lifesaving assistance and protection (Collinson and Elhawary 2012).

Over the last few years, humanitarian organisations have called attention to the shrinking of the humanitarian space. A declining respect for international humanitarian law (IHL), increased security risks for aid workers, limited access to populations in need and a politicisation of humanitarian action due to increasingly blurred boundaries between humanitarian and other objectives, such as military objectives, are key factors that limit the humanitarian space (Brassard-Bourdreau and Hubert 2010) and therefore the work of humanitarian organisations.

Linking the humanitarian space to the space for civil society action, Cunningham and Tibbett (2018: 2) observe that "a humanitarian crisis will add a layer of complication to the underlying, pre-crisis, civic space, through enactment

of new NGO laws and regulations, often deteriorating state-civil society relations, and a general decreasing quality of the operating environment for NGOs." This may result in difficulties when NGOs try to register or receive work permits - the latter often granted only for a few months. This is further complicated by the fact that registration and permit processes may change daily.[12] Restrictive practices affect both local and international NGOs, although the latter are arguably worse hit. (Cunningham and Tibbett 2018).

While INGOs suffer from these restrictive practices, local humanitarian actors may be more directly affected by national laws and government pressure. This does not mean that INGOs avoid being the targets of smear campaigns, physical attacks and restrictive measures. Indeed, they might even be specifically targeted, being perceived as foreign intruders with an imperial and neo-colonial agenda. Local NGOs, on the other hand, may benefit from being embedded in local structures and networks. They have better expertise of how to navigate the space and assess risks and opportunities. However, unlike their international counterparts, they have to register under national laws, are dependent on national funding channels and regulations, and are more vulnerable to physical attacks and legal prosecution. One factor is that they are usually smaller – meaning they have less leverage to fight repressive measures. They become easy targets for smear campaigns as well as hostile bureaucratic and funding policies.[13] Embedded in local and national structures, these organisations are more likely to be considered partisan, with close ties to political, religious or ethnic groups, making them easier targets for governments. They may be also vilified for their attempts to negotiate access with non-state armed groups or seen as accomplices of donors. Moreover, most local organisations are not purely humanitarian, but work on human rights issues, environmental issues or fight against social injustices. This raises questions of their neutrality, impartiality and independence when responding to humanitarian crises. It is not by chance that local aid workers make up the highest number of aid workers killed worldwide.[14]

Governments, who function as gatekeepers for affected populations, can, through policy and legislation, create either an enabling or disabling environment for civil action and local humanitarian response (Cunningham and Tibbett 2018: 3). Similarly, the role and influence of other actors, such as the private sector or non-state armed groups, in shaping the humanitarian civic space should not be underestimated (ibid.). Non-state armed groups might de facto govern the area in which local NGOs operate. Private businesses may well have their own vested interests and use their power and networks to obstruct the work of local NGOs or influence the government.

In order to understand the space for action in different national contexts, an assessment of each country's laws and regulations that govern the non-profit sector is therefore required (Anheier 2005: 40). A good understanding of the organisation and set-up of the civil society is also essential to unravel

While INGOs suffer from these restrictive practices, local humanitarian actors may be more directly affected by national laws and government pressure.

the overt or tacit power plays and religious, political, ethnic, ideological and caste/class affiliations of at play. Some questions that need to be asked are: what is the capacity of local NGOs to manoeuvre the civic space? Do governments favour or disapprove of certain ethnic or religious communities or political groups and associated NGOs? What are the implications of partnering with them? (Cunningham and Tibbett, 2018).

It is clear that international actors, seeking partnerships with local NGOs, need to fully understand the space for civil society action. Particularly as increasingly restrictive environments for civil society action result in governments hindering INGOs from working together with certain national or local NGOs (ibid.).

Shrinking Humanitarian Civic Space: counter-terrorism, migration and the Covid-19 pandemic

As previously stated, civil society organisations are confronted with a number of measures that limit their space for action, mainly dictated and regulated by governments, but not exclusively so. The restriction and contestation of the civic space also has repercussions for their capacities to engage in humanitarian action. Restrictive laws and policies are often justified on the basis of security concerns, such as combatting terrorism and human trafficking, managing migration crises or in responding to epidemics.

Counter-terrorism and shrinking humanitarian civic space

Counter-terrorism measures have considerable impact on humanitarian action and the humanitarian space. Since September 11, 2001, concerns over the potential for terrorist groups to use NGOs for money laundering have led to increasing restrictions on NGO access to the financial system, including delayed transfers, the freezing of funds and, in some cases, the complete closure of bank accounts (Oram and Doane 2017). The implementation of multi-faceted counter-terrorism laws and policies, measures against money laundering and criminal financing, the wish to control 'foreign' funding flows, and other vested interests of states and powerful individuals contribute to an ever more restrictive environment for humanitarian action (ibid.).

Within the humanitarian sector the impacts of counter-terrorism laws and regulations are mainly discussed in relation to the work of INGOs and international legal and policy frameworks. Local NGOs from the Global South are however also – if not more - affected than the large international organisations who often pass responsibility on to their local partner organisations and local employees via flow-down clauses in contracts and partnership agreements (Roepstorff et al. 2020). So far, very little attention is paid to how national laws in countries such as Nigeria, Pakistan or the Philippines

The implementation of multi-faceted counter-terrorism laws and policies [...] contribute to an ever more restrictive environment for humanitarian action.

impact on the work of local actors engaged in the humanitarian response. Measures to fight terrorism, insurgencies and extremism are implemented in many countries, having huge impacts on the space for civil society action in response to humanitarian emergencies.

Many countries in Africa, such as Kenya, Nigeria, Sudan, Ethiopia, Tunisia and Egypt have made efforts to counter terrorism and money-laundering that amount to anti-NGO measures. For example, in Kenya, where a local NGO faced a defamation lawsuit, several local NGOs were challenged before the court and counter-terrorism and money-laundering legislation were used to successfully bring down critical NGOs by means of de-registration, listing procedures and/or the freezing of assets/funds.[15] The governments of Sudan, Ethiopia and Egypt have actively prosecuted local NGO activists using security laws. By accusing these NGOs of belonging to terrorist organisations, they have stopped many NGOs from working.[16] Some governments, as in Sudan, use a combination of security-related laws to arrest, detain or prosecute local NGO leaders for offences that include terrorism.[17] Again, while these laws and measures also affect the work of international organisations, it is often the local actors that carry the higher risk of prosecution, physical attack or the closure of funding channels. Local NGOs routinely suffer as they often lack political leverage, are not protected by international networks and are unlikely to be the beneficiaries of third state intervention.

Migration and shrinking humanitarian civic space

Likewise, in the context of migrant and refugee protection, both local and international humanitarian action faces increasing hostility. In many parts of the world, humanitarian organisations aiming to help people on the move face the criminalisation of their activities, bureaucratic hurdles and a hostile incorporation of their activities into national security strategies (Roepstorff 2019, Hammerl 2019, Atger 2019). At the local level, the space for civil society action is increasingly limited due to ever more restrictive national migration and asylum policies and anti-trafficking laws.

The shrinking space for civil society action in the context of migration is particularly visible in Europe. With some of the big international organisations shying away from engaging in this contested field, it was mainly the local civil society that helped migrants stranded at sea, borders or in cities (della Porta 2018, Lèon 2018, Feischmidt et al. 2019). However, their access to migrants on land and sea is obstructed in many different ways. Intimidation strategies, legal prosecution and administrative obstacles have all been used to impede humanitarian work (Léon 2018). These methods have been particularly visible in the civilian maritime search and rescue (SAR) activities in the Mediterranean. A law that the Italian parliament adopted in August 2019 – and that just presents another row in a list of ever more restrictive national laws and measures - has been criticised by the United Nations and by humanitari-

The shrinking space for civil society action in the context of migration is particularly visible in Europe.

an organisations as a "declaration of war against the NGOs who are saving lives at sea."[18] The law gives more authority to the government against NGOs active in the Mediterranean Sea, establishing fines of up to 50,000 euros for captains, owners and operators of vessels entering Italian territorial waters without authorisation.[19] More so, rescuers at sea have been subject to "smear campaigns, criminal investigations, forced to follow a code of conduct which can delay rescues and left stranded at sea without a safe port to disembark the people they rescue."[20] The misuse of laws to restrict activities of NGO ships has also been reported in Spain and Greece.

Shrinking civic space is not only limited to actions at sea, but is also observed across European countries (Roepstorff 2019). This includes the misuse of laws and regulations, originally intended to counter criminal smuggling networks, against civil society actors who are helping migrants. In Croatia, for instance, the NGO Are You Syrious and the Centre for Peace Studies have been harassed, intimidated and prosecuted for "facilitating irregular migration" after documenting and reporting on people being pushed back with excessive force by police at the borders with Bosnia and Herzegovina and Serbia.[21] Hungary, like Russia, has passed a law requiring organisations receiving more than a certain amount of money from abroad (including EU member states) to register as "organisations receiving foreign funding" and pay a 25% punitive tax for "propaganda activities that indicate positive aspects of migration" (Roepstorff 2019). These and other measures seriously hamper the humanitarian activities of local NGOs.

Although the same laws and measures also affect the (few) bigger international organisations that are active in this space, their international standing and leverage makes them less vulnerable to national repressive actions and are less dependent on national funding. It is also worth noting that national authorities will be cautious about prosecuting the big, resource rich INGOs who are therefore more likely to be accepted as humanitarian actors. Consequently, in hotspots, such as Lesbos or other migrant disembarkation ports, it is normally representatives of the 'big five'[22] such as Save the Children or MSF – and of course the UN agencies - which gain access and receive work permits, with local humanitarian actors being marginalised.

Covid-19 and shrinking humanitarian civic space

Some see the current Covid-19 pandemic as a window of opportunity to advance the localisation agenda[23] and indeed, the Global Humanitarian Response Plan (GHRP) for Covid-19 highlights the need to partner and support national and local actors (ICVA 2020). However, some caution is needed. The humanitarian sector has not been spared travel restrictions and the drastic measures put in place globally to fight the pandemic. INGOs have reacted by evacuating staff and remote management of their humanitarian response.[24] For example, in Afghanistan international aid workers have been evacuated due to concerns about the local health system and liability issues, while local staff (already making up the majority of staff) stay and continue their humanitarian activities.[25]

However, seeing the solution in increased action and responsibility on part of local actors seems short-sighted. The measures put in place by governments to fight the pandemic impact on the space for civil action, not only in European countries, but also in other countries affected by humanitarian crises. For instance, in Bangladesh, where it is feared that the pandemic may spread in the congested camps that host almost one million Rohingya, most international and local NGOs are under lockdown. Access to the camps is highly restricted, limited to the most basic services.[26] The government's policy to ban Internet and restrict phone usage in the camps has also had severe consequences. The policy, which was introduced in September 2019 as a security measure, prevents the affected population of receiving life-saving information on the virus and obstructs communication with local NGOs who are unable to access the camps.[27] The coronavirus restrictions, especially lockdowns and quarantine measures, have slowed the humanitarian response in many countries, for example in the case of Cyclone Harold which hit four Pacific Island Nations in April.[28]

On Lesbos and Lampedusa civil society actors are not able to continue their work due to measures to fight the pandemic. With strict lockdowns in Italy, civil society actors that have previously helped at the ports are now confined to their houses on Lampedusa.[29] Civil society actors who were already forced to reduce or close their services in the Moria camp on Lesbos due to increasing attacks by vigilantes and anti-migrant groups are now also affected by the lockdown measures of the Greek government.[30] In April 2020, the Italian government announced that the country's ports could no longer be considered safe and closed all ports to civilian SAR ships for the duration of the Covid-19 national emergency.[31] Malta issued a similar decree, also closing its ports.[32] Several NGOs within Europe have therefore raised alarm that nation's COVID-19 measures can cause support services to shut down and emergency laws could be used to enforce contested policies.[33]

Apart from the suspension of the freedom of assembly due to distancing measures, governments have passed laws that may have long-term negative effects on news media and freedom of expression.[34] Indeed, governments often use a crisis, such as a pandemic, as a reason to infringe fundamental rights and freedoms, with a danger of these restrictions becoming permanent.[35] The UN has thus warned that the Covid-19 pandemic is fast becoming a human rights crisis: "Against the background of rising ethno-nationalism, populism, authoritarianism and a pushback against human rights in some countries, the crisis can provide a pretext to adopt repressive measures for purposes unrelated to the pandemic".[36]

Whilst recognising the potential of relying on local actors, one needs to take account of the way in which civic space is affected by government measures because it transfers risk from international to local actors in countries with weak health systems, high probability of infection due to population density and a lack of medical protection equipment. Increased remote-management may put local humanitarian actors at the centre of the response, giving them more power in decision-making and transferring additional resources to them (ICVA 2020). However, it may also mean that international actors leave their local counterparts alone with the challenges of maintaining life-saving assistance with inadequate protection thus putting them at risk.

Take-aways and preliminary thoughts

What can we take away from this? Firstly, the interface between localisation and shrinking civic space has to be urgently discussed if the localisation agenda is to be taken seriously. This calls for a greater awareness of the interconnectedness of humanitarian space and civic space in order to gain a better understanding of the particular challenges and capacity of local NGOs to manoeuvre within the humanitarian space, as the above examples show.

Secondly, given the context of shrinking civil space, discussion on how international partners can support local NGOs in defending their space for humanitarian action is needed. Similarly the problem of risk transfer should be transparently discussed with all stakeholders. One way in which international actors could support local actors given the shrinking civic space is to avoid flow-down clauses in contracts with local partners. This would mean that risk and responsibility for project failure is not (exclusively) transferred to local partners in the event of government restrictions and criminalisation of actions.

> Governments often use a crisis, such as a pandemic, as a reason to infringe fundamental rights and freedoms, with a danger of these restrictions becoming permanent.

Thirdly, it also requires a sustained dialogue between local NGOs and governments "to show how principled humanitarian action in an independent and protected space can be complementary rather than confrontational".[37] Such a dialogue can be supported by international actors, who could offer: legal counseling and training; capacity strengthening in the field of humanitarian negotiations and mediation; and the technical and financial support of NGO fora as crucial platforms for local NGOs to network, form alliances and act collectively to defend their humanitarian civic space (Cunningham and Tibbett, 2018; ICVA 2020).

All this, however, raises difficult questions concerning the potential politicisation of aid, since this could mean that INGOs get involved in domestic struggles to defend the civic space. As most local NGOs are not purely humanitarian, but also work on human rights and development issues, this bears the risk of politicising aid, potentially jeopardising the humanitarian principles of neutrality and impartiality. An option could be to work together with multi-mandated international organisations or INGOs from other sectors to raise awareness of the shrinking civic space and support local NGOs through international advocacy work. Best practice from different countries to counter the infringements upon the humanitarian civic space could be compiled and shared with local NGOs around the world. In this way, INGOs would not directly become involved in local and national politics, while still pressurising governments to respect the humanitarian civic space through international advocacy campaigns.

Finally, information on localisation, its commitments as well as exchange on best practice, including views from local civil society, need to be disseminated beyond the current small circles in the Global North (Van Brabant and Patel 2018: 4).

Endnotes

1 Though the importance of local actors has already been acknowledged in UN Resolution 46/182 (1991), the Code of Conduct of the Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994), as well as in the Principles of Good Humanitarian Donorship (2003) and the Principles of Partnership (2007), calls for a greater inclusion of local actors have become omnipresent in the wake of the World Humanitarian Summit (WHS) that was held in Istanbul in May 2016.

2 The Charter4Change is an initiative of various humanitarian NGOs, intended to increase funding for local NGOs from the Global South by 20% until the year 2018. Moreover, it demands to more systemically involve local and national partners in the development and implementation of projects and to acknowledge the efforts of local actors through better public visibility.

3 See: https://www.agendaforhumanity.org/agendaforhumanity?referer=home, last accessed 31.3.2020.

4 In the Grand Bargain, a number of donors and humanitarian organisations have committed themselves to making the humanitarian response as local as possible, notably by channelling up to 25% of the funds directly to local and national actors by 2020.

5 These different views on localisation are well reflected in the distinction between either a localised or a locally-led response, as discussed by Wall and Hedlund (2016).

6 It hast o be noted that the lacking critical reflection of the conceptualisation of the local is not only a theoretical exercise, but has important implications for humanitarian practice. For further discussion of this, see Roepstorff (2020).

7 Charter4Change, https://charter4change.files.wordpress.com/2019/06/charter4change-2019.pdf, last accessed 30.3.2020.

8 For an overview see the CIVICUS monitor, available at: https://monitor.civicus.org, last accessed 9.4.2020.

9 With a number of different definitions of civil society in circulation, there is no agreement on its precise meaning. Most definitions however encompass some shared core conceptual components, defining civil society as "the sum of institutions, organizations, and individuals located between the family, the state, and the market, in which people associate voluntarily to advance common interests", whereby "the nonprofit sector provides the organizational infrastructure of civil society" (Anheier 2005: 9). Or in other words: ""the nonprofit sector refers to private action for public benefit, and civil society is the self-organizing capacity of society outside the realms of family, market, and state." (ibid.). Engaged at different levels (local, national, international and global), civil society actors are important agents of community-building and empowerment; in the welfare, health care, and educational sector; and as international non-governmental organisations (INGOS) and transnational actors their activities "span many countries and continents" (ibid., 11).

10 The civic space can be understood as "the place, physical, virtual, and legal, where people exercise their rights to freedom of association, expression, and peaceful assembly. By forming associations, by speaking out on issues of public concern, by gathering together in online and offline fora, and by participating in public decision-making, individuals use civic space to solve problems and improve lives. A robust and protected civic space forms the cornerstone of accountable, responsive democratic governance and stable societies." (CIVICUS 2011).

11 See: https://www.civicus.org/index.php/fr/component/tags/tag/icva, last accessed 30.3.2020.

12 See: https://www.civicus.org/index.php/fr/component/tags/tag/icva, last accessed 30.3.2020.

13 This does not mean that INGOs are not targets of smear campaigns and restrictive measures. Indeed, they might be even specifically targeted, being perceived as foreign intruders with an imperial and neo-colonialist political agenda. Local NGOs, on the other hand, may benefit from their embeddedness in the local structures and their networks. They better know how to navigate the space.

14 This becomes apparent in the statistics published by the Aid Worker Security Database (AWSD), a project of Humanitarian Outcomes. The latest statistics are obtainable here: https://aidworkersecurity.org/incidents/report/summary, last accessed 9.4.2020.

15 See: https://freedomhouse.org/report/special-report/2019/spread-anti-ngo-measures-africa-freedoms-under-threat#footnote3_26c0k2f, last accessed 31.3.2020; Malemba Mkongo, "MUHURI loses compensation case over terrorist links Millions in Damages for Terror Link," Star (Nairobi), November 26, 2019, https://www.the-star.co.ke/counties/coast/2019-11-27-muhuri-loses-compensation-case-over-terror-links/; Jacqueline Kubania, "Muslim Human Rights Group Accuses Kenyan Government of Harassment," Guardian, June 23, 2015, https://www.theguardian.com/world/2015/jun/23/muslim-human-rights-group-accuses-kenyan-government-of-harassment; Kenya Human Rights Commission v Non-Governmental Organisations Co-Ordination Board [2016] eKLR, available at http://kenyalaw.org/caselaw/cases/view/121717/; Muslims for Human Rights (MUHURI) & another v The Inspector-General of Police & 5 others [2015] eKLR, available at http://kenyalaw.org/caselaw/cases/view/116382/, all last accessed 31.3.2020.

16 In Sudan, the 2006 Voluntary & Humanitarian (Organisation) Work Act is also used to starve NGOs of financial resources and the state generally employs laws to disrupt civil society activity and prosecute human rights defenders. This is also the case for the Ethiopian Charities & Societies Proclamation. Both pieces of legislation include a comprehensive set of rules designated to contain NGO. This is in close relation to (overly broad) national security measures, which also encompass counterterrorism efforts, lending governments legitimacy for these restricting measures. See: https://freedomhouse.org/report/special-report/2019/spread-anti-ngo-measures-africa-freedoms-under-threat#footnote3_26c0k2f; Horn of Africa Civil Society Forum, The Watch: A Review of Civil Society Conditions in the Horn of Africa, June 1, 2017, available at http://www.kacesudan.org/en/watch-civil-society/; and Country Reports on Human Rights Practices for 2017 (Washington: US State Department, Bureau of Democracy, Human Rights and Labor, 2018), https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/#wrapper, all last accessed 31.3.2020.

17 See: Horn of Africa Civil Society Forum, 'Sudan', in The Watch: A Review of Civil Society Conditions in the Horn of Africa, June 1, 2017, 41-43, available at http://www.kacesudan.org/en/watch-civil-society/, last accessed 31.3.2020.

18 See: https://www.theguardian.com/world/2019/jun/15/italy-adopts-decree-that-could-fine-migrant-rescue-ngo-aid-up-to-50000, last accessed 31.3.2020.

19 See: https://www.africanews.com/2019/08/13/italy-migrations-new-anti-ngo-law-the-morning-call/; https://www.thelocal.it/20190612/italy-to-fine-migrant-boats-up-to-50000-for-approaching-without-permission https://www.thelocal.it/20190806/security-decree-un-concerned-by-italy-new-law-to-fine-migrant-rescue-ships, all last accessed 31.3.2020.

20 Amnesty International, Punishing Compassion: Solidarity on Trial in Fortress Europe, 2020, available at https://www.amnesty.org/download/Documents/EUR0118282020ENGLISH.PDF, last accessed 31.3.2020;

21 For a discussion of how power and resources are concentrated in the hands of a few international humanitarian actors see: the 2015 report on the State oft he Humanitarian System, available at: https://reliefweb.int/sites/reliefweb.int/files/resources/alnap-sohs-2015-web.pdf, last accessed 9.4.2020.

22 See: https://www.icvanetwork.org/resources/covid-19-ngos-critical-delivery-principled-and-effective-humanitarian-assistance, last accessed 18.3.2020; and: https://www.thenewhumanitarian.org/

23 See: https://www.thenewhumanitarian.org/news/2020/03/26/coronavirus-humanitarian-aid-response, last accessed 26.3.2020.

24 See: https://www.thenewhumanitarian.org/news/2020/03/26/coronavirus-humanitarian-aid-response, last accessed 26.3.2020.

25 See: https://www.thenewhumanitarian.org/news/2020/03/26/coronavirus-humanitarian-aid-response, last accessed 31.3.2020.

26 Personal correspondence with representative of a national NGO working in the Kutupalong camp, March 11, 2020.

27 See: https://www.hrw.org/news/2020/03/26/bangladesh-internet-ban-risks-rohingya-lives, last accessed 8.4.2020.

28 See: https://www.thenewhumanitarian.org/news/2020/04/23/coronavirus-humanitarian-aid-response, last accessed 28.4.2020.

29 See: https://www.mediterraneanhope.com/2020/03/24/lampedusa-e-unisola-come-tutte-le-altre-o-forse-no/, last accessed 28.03.2020.

30 See: https://www.theguardian.com/global-development/2020/mar/11/lesbos-coronavirus-case-sparks-fears-for-refugee-camp-moria, last accessed 12.3.2020.

31 See: https://www.reuters.com/article/us-europe-migrants-italy-ports/italy-closes-ports-to-migrant-ships-because-of-coronavirus-idUSKBN21Q11C, last accessed 9.4.2020.

32 See: https://timesofmalta.com/articles/view/how-coronavirus-sparked-a-fresh-stand-off-in-the-mediterranean.785531, last accessed 20.4.2020.

33 See: https://www.theguardian.com/global-development/2020/mar/18/ngos-raise-alarm-as-coronavirus-strips-support-from-eu-refugees; https://www.ncuscr.org/media/podcast/coronavirus-impact-knup, last accessed 31.3.2020.

34 See an analysis by Reporters without Borders, available at: https://rsf.org/en/2020-world-press-freedom-index-entering-decisive-decade-journalism-exacerbated-coronavirus, last accessed 28.4.2020.

35 See: https://www.justsecurity.org/69141/pandemics-and-human-rights/, last accessed 12.3.2020.

36 See: https://www.un.org/en/un-coronavirus-communications-team/we-are-all-together-human-rights-and-covid-19-response-and, last accessed 27.4.2020

37 See: https://www.civicus.org/index.php/fr/component/tags/tag/icva, last accessed 30.3.2020.

REFERENCES

Anheier. H. (2005), Nonprofit Organizations. Theory, management, policy, Abingdon: Routledge.

Apthorpe, R. and Borton, J. (2019), "Disaster-affected Populations and 'Localization': What Role for Anthropology Following the World Humanitarian Summit?", Public Anthropologist, 133-155.

Atger, A. (2019), "EU migration strategy: compromising principled humanitarian action". Forced Migration Review 61: 30-32.

Brassard-Broudreau, C. and Hubert, D. (2010), "Shrinking Humanitarian Space? Trends and Prospects on Security and Access", The Journal of Humanitarian Assistance.

Collinson, S. and Elhawary, S. (2012), "Humanitarian space: a review of trends and issues", HPG Report 32.

Cunningham, A. and Tibbett, S. (2018). Scoping Study on Civil Society Space in Humanitarian Action, ICVA.

Della Porta, D. (ed.) (2018), Solidarity Mobilizations in the 'Refugee Crisis'. Contentious Moves, Cham: Palgrave Macmillan.

Fabre, C. (2017), Localising the Response, Paris: OECD.

Feischmidt. M., Ludger Pries and Celine Cantat (eds.) (2019), Refugee Protection and Civil Society in Europe, Cham: Palgrave Macmillan.

Hammerl, S. (2019), "(In)Humanity: Asylum Criminalisation in Europe and Its Humanitarian Implications", United Against Inhumanity.

ICVA (2020), Reinforce, Reinforce, Reinforce: Localization in the Covid-19 Global Humanitarian Response, Geneva: ICVA.

Léon, V. (2018), "What room for manoeuvre is there in France today to provide assistance to migrants?" Key Messages. Plaisians: Groupe URD.

Oram, J. and Doane, D. (2017), "Why shrinking civil society space matters in international development and humanitarian action", European Foundation Centre (EFC) and the Funders' Initiative for Civil Society (FICS).

Roepstorff, K. (2020), "A Call for a Critical Reflection on the Localisation in Humanitarian Action", Third World Quarterly, 41(2): 284-301.

Roepstorff, K., Charlotte Faltas and Sonja Hövelmann (2020), Anti-Terror-massnahmen und Sanktionsregime: Shrinking Space für Humanitäre Hilfsorganisationen, Berlin: Centre for Humanitarian Action.

Roepstorff, K. (2019), "Migration and the Shrinking Humanitarian Space in Europe: From maritime search and rescue operations to contested humanitarian action in EU countries", Berlin: Centre for Humanitarian Action.

Van Brabant, K. and Patel, S. (2018), Localisation in Practice. Emerging Indicators & Practical Implications, Global Mentoring Initiative.

Wall, I. and Hedlund, K. (2016), Localisation and Locally-Led Crisis Response: A Literature Review, Copenhagen: Local2Global.

Zyck, S. and Krebs, H. (2015), "Localising humanitarianism: improving effectiveness through inclusive action", London: ODI.

IMPRINT

This paper is published as part of the CHA research project "Shrinking Humanitarian Space". It reflects the views of the author.

Dr Kristina Roepstorff is a Fellow at Centre for Humanitarian Action. She is currently working on her habilitation on "Local Humanitarian Action in Forced Migration Contexts" at the Otto von Guericke University of Magdeburg.

RECENT CHA PUBLICATIONS

DuBois, Marc. 2020. Triple Nexus – Threat or Opportunity for the Humanitarian Principles? Berlin: Centre for Humanitarian Action.

Roepstorff, Kristina, Charlotte Faltas, and Sonja Hövelmann. 2020. Counterterrorism Measures and Sanction Regimes: Shrinking Space for Humanitarian Aid Organisations. Berlin: Centre for Humanitarian Action.

Roepstorff, Kristina. 2019. Migration and the Shrinking Humanitarian Space in Europe. From maritime search and rescue operations to contested humanitarian action in EU countries. Berlin: Centre for Humanitarian Action.

Steinke, Andrea. 2020. Haiti Ten Years After Douz Janvye. Humanitarian perspectives and lessons learnt from the 2010 earthquake in Haiti. Berlin: Centre for Humanitarian Action.

Südhoff, Ralf, and Sonja Hövelmann. 2019. Where does German humanitarian assistance stand? Berlin: Centre for Humanitarian Action.