

# Closing Civil Society Space: What Environmental Funders Need to Know



## INTRODUCTION

Environmental and conservation funders are pursuing ambitious goals around the world. Climate change mitigation and adaptation, biodiversity conservation, and landscape protection are among the most critical and urgent challenges facing the world today.

Achieving these environmental and conservation outcomes is increasingly jeopardized by the marginalization and silencing of those most committed to environmental protection. As environmental groups gain influence and public support, creating larger impacts, they must also reckon with a new reality of restrictions on their work that are rapidly increasing in scope and scale.

These restrictions – ranging from bureaucratic hurdles and public stigmatization to halting

foreign funding, closing organizations, and imprisonment or even murder – impede environmental and conservation outcomes around the world.

Data from CIVICUS Monitor shows that civil society is under serious attack in 111 countries, almost six in 10 countries worldwide. Over 200 environmental leaders are killed annually, and Global Witness reports that the number has been increasing steadily in recent years.

Durable conservation success requires action to support civil society space so that environmental actors can achieve and sustain conservation gains. Environmental groups and their funders must be creative, resilient, and collaborative to achieve their climate, biodiversity, and landscape conservation goals.

This briefing paper summarizes how the closing of civil society space is impeding environmental and conservation initiatives around the world, the drivers behind these increased restrictions, and how funders are starting to address these challenges.

Funders' Initiative for Civil Society

at Global Dialogue



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## THREATS TO CONSERVATION ADVOCATES

Increasing restrictions on civil society are impacting environmental initiatives around the world.

### MEXICO

Indigenous communities working to protect forests by securing land rights face **increasing conflicts over land and natural resources**, sometimes from extractive industry and other times from organized crime, which profits from both drug trafficking and illegal logging. Perpetrators of **violent crimes** have not been held accountable, allowing for increased attacks on land defenders. Mexico's laws to protect human rights are poorly implemented. **Government corruption** and the failure to implement **Free, Prior, and Informed Consent** prior to logging projects underpin these abuses and associated forest loss.

### BRAZIL

Brazil is home to a vibrant civil society and to rainforests that are critical to **biodiversity conservation and climate change mitigation**. Brazil is also the **most dangerous country** to be a land defender – at least 57 land defenders were killed in 2017 alone, primarily due to conflicts over logging and agribusiness. Brazil's President Jair Bolsonaro threatened in his campaign to “put a final stop to all forms of activism in Brazil.” In his first days in office, he undermined **Indigenous rights** to demarcate lands and mandated the government to “supervise, coordinate, monitor and accompany” NGOs in Brazil.

### CHINA

In 2016, China adopted a law that regulates the presence and activity of foreign NGOs within China. To operate legally, a **foreign NGO must have a government sponsor** which must approve their annual plans and reports. Meanwhile, the Chinese government selectively restricts environmental protests. **Crackdowns on environmental protest** have the potential to prevent public calls to reduce climate emissions related to air pollution.

### RUSSIA

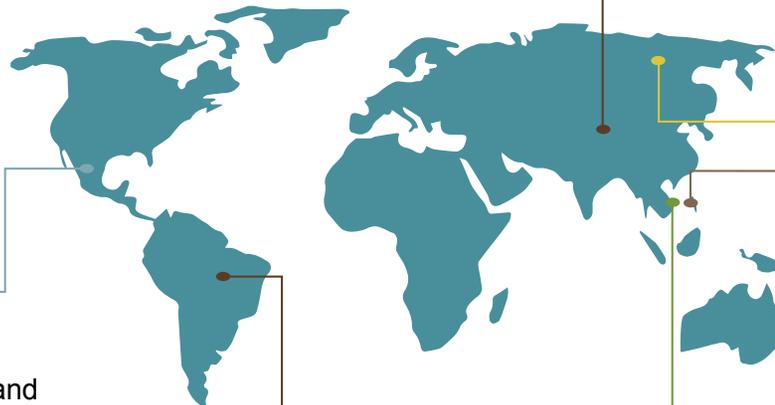
The Russian government requires NGOs that receive foreign funding and conduct vaguely defined “political” activities to register as **“foreign agents.”** The law has been applied selectively against environmental and Indigenous Peoples' organizations that question government policies, **forcing some groups to close** and others to reject foreign funding. Some **foreign foundations have been listed as “undesirable”** by the Russian government, blocking their efforts in Russia; in 2018, for the first time a foreign environmental organization was listed as “undesirable.”

### THE PHILIPPINES

Increased **military control** in regions rich in natural resources is leading to increased conflict. In 2017, 48 land defenders were killed, almost half as a result of agribusiness expansion. **The government is using anti-terror laws** to crack down on activists; prominent Indigenous rights activists have been falsely accused of terrorism.

### VIETNAM

With a long and ecologically valuable coastline, Vietnam plays an especially important role in marine conservation. Several environmental bloggers reporting on toxic spills have been **jailed for anti-state propaganda**, receiving sentences for up to 20 years for social media posts about marine environmental pollution.



## THREATS TO CONSERVATION ADVOCATES

### UNITED STATES

The U.S. climate movement is critical in efforts to encourage the world's largest economy to take meaningful action. Yet in response to highly publicized climate-related protests by Native American and environmental justice organizers, proposed bills in at least 8 states aim to **limit environmental protests** against "critical infrastructure" such as oil and gas pipelines. Some bills have been accompanied by rhetoric accusing environmental campaigners of **terrorism**. U.S. organizations are finding international grantmaking more difficult due to **increased government banking regulation**.

### FRANCE

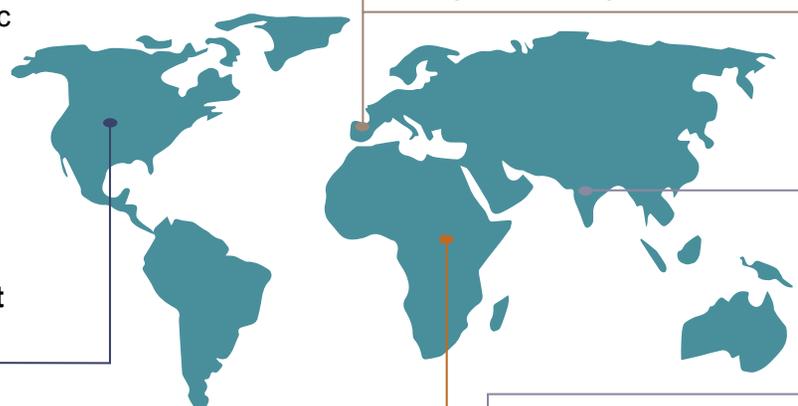
Host to the UN Climate Conference meeting that produced the Paris agreement, France is a global environmental leader. Yet in 2015, the French Government used **state of emergency powers** to place two dozen environmental demonstrators under **house arrest** during the UN Climate Conference. French multinationals have targeted environmental organizations through lawsuits, known as **Strategic Lawsuits Against Public Participation (SLAPP)**, forcing several organizations to spend significant time and resources on legal defense against defamation suits.

### INDIA

Since 2015, more than 20,000 civil society organizations have reportedly **lost their licenses to receive foreign funding** due to tightened financial reporting regulations. It has become extremely **difficult for international funders** to get money to Indian NGOs that challenge government policy or large corporate projects. The government has **targeted organizations working on climate change**, including Greenpeace India, 350.org, and ClimateWorks Foundation. Indian NGOs report high levels of **intimidation, vilification, and surveillance of NGOs by government**.

### DEMOCRATIC REPUBLIC OF CONGO

This highly biodiverse and resource-rich country suffers from government crackdowns on civil society and **free expression** and from **violence committed by armed groups** that fund their activities by exploiting natural resources – even against pro-environment government officials. **Park rangers in protected national forests** battle militias who profit from wildlife poaching and illegal mining. Twelve park rangers were killed in 2017; more than 160 have been killed in the last 15 years.



## CONTINUUM OF RESTRICTIONS ON CITIZEN ACTION



# What's behind these threats? Why are they happening?



### ABUSE OF LAND AND RESOURCE RIGHTS

Conflicts over rights to land and resources drive many of the restrictions faced by environmental organizers. Governments often pursue **natural resource exploitation projects** as paths to prosperity, regardless of threats to biodiversity, climate change mitigation, and the rights of Indigenous Peoples and other communities. **Failure to get consent** for natural resource projects from those who live there lead many people to use advocacy approaches to protect their interests. Faced with conflict, governments often **jail advocates** or **close organizations** vocal in environmental protection and defending rights.



### CORPORATE POWER

Companies seeking to profit

from development projects can spur restrictions on civil society. In many resource-rich countries, **collusion between corporations and government** leads to higher risk for environmental actors, especially when companies – often with the **help of police or military** – repress communities advocating against extractive projects. These projects are regularly backed by public or private investors. While some financial institutions have **instituted safeguards** to prevent the financing of the most egregious projects, most have not taken adequate action to protect those that are calling for adherence to these safeguards.



### POOR GOVERNMENT OVERSIGHT

Lack of enforcement of existing laws in the

public interest allows for restrictions on environmental leadership to proliferate. In many countries, a **lack of rule of law** pervades regulation of resource development projects. **Corruption** at all levels makes proper government oversight more difficult. Countries with weak judicial systems fail to protect environmental defenders from **frivolous lawsuits, administrative harassment, and arrest**. Meanwhile, governments feel **pressure to deliver on “development”** for increased tax revenue and employment, weakening commitments to protect biodiversity and human health. Temptation to exploit natural resources even extends into protected areas, resulting in **“paper parks,”** in which conservation laws are not enforced. **Harassment and assassination of park rangers and community members** – both government and civil society – are common in these cases.

## ROOT CAUSES



### NEGATIVE AND POPULIST NARRATIVES

In order to undermine civil society arguments against destructive development, governments and corporations **malign environmentalists as anti-development, anti-patriotic, foreign agents, criminals, and even terrorists**. Those working on climate change are particularly susceptible to these negative narratives when they challenge economic orthodoxy about exploitation of forests, agriculture, and fossil fuels. Populist politicians encourage narratives that environmentalists are stooges of foreign funders, rather than citizens protecting their own environments. This belief is falsely used to argue that public environmental concerns are only brought up in order to harm a nation's economy and to represent foreign financial interests. These arguments are used as excuses to justify **restrictive legislation, increased legal repression, and limits on the ability to raise funds abroad**.



### RACISM AND INEQUALITY

Societies

divided by wealth and ethnicity allow the more powerful to dominate other groups. Racism and inequality especially harm **Indigenous Peoples'** efforts to secure rights over customary lands and resources. Local communities and Indigenous Peoples often **do not have adequate access to resources** that can assist them when they come under threat. As a result, many governments and corporations fail to abide by Indigenous Peoples' right to **Free, Prior, and Informed Consent** as codified in the UN Declaration on the Rights of Indigenous Peoples.



### LACK OF SOLIDARITY

Like all movements, the environmental movement is strengthened by its diversity. However, environmental organizations have a range of approaches to working with governments, especially since some organizations depend on **government permits or approval** to implement conservation efforts. Leaders can be divided by government support or can find it difficult to speak up on controversial issues without putting their own **conservation work in peril**. When leaders in the environmental movement do not stand up for each other, or when the **environmental movement fails to collaborate** with other movements on human rights and Indigenous Peoples, risks to environmental leaders are increased and it becomes more difficult to defend against growing restrictions on environmental protection. Meanwhile, some environmental foundations exit countries with high risk or restrictions, **which makes it harder for local organizations to implement conservation initiatives**.

# What Funders are Doing

In the face of growing restrictions on environmental action, funders are starting to adapt approaches to ensure that they can achieve ambitious climate, biodiversity, and landscape conservation goals. **It is important for funders to find ways to engage and intervene at the earliest stages of the continuum of restrictions on civil society, when conservation advocates are faced with public stigmatization and bureaucratic hurdles, rather than waiting until they are jailed or murdered.** We acknowledge that more research and analysis is needed to explore and evaluate these approaches further.

## RESILIENT FUNDERS

Funders are developing practices that are resilient to civil society restrictions. Resilient approaches include finding more flexible ways of funding on-the-ground conservation by providing support to **new forms of organizations, offering core support, working through intermediaries, and supporting groups to meet new administrative burdens.**

## CONNECTION

Environmental funders are **engaging with human rights, democracy, women's rights, LGBTI, digital, and development funders** to explore these questions in a connected manner through networks like the Funders' Initiative for Civil Society, which has launched an Environmental Funders Working Group.

## WOMEN LEADERS

Funders are supporting **women's leadership in environmental action.** Women environmental leaders face gender-specific threats, such as exclusion from decision-making, gendered verbal abuse, stigmatization, sexualized and gendered threats, sexual abuse, and rape. It is important for funders to understand and address these specific threats when funding environmental initiatives.

## DIGITAL SECURITY

Funders are **reviewing their practices and conducting digital audits** to make sure they are protecting grantee information.

# What Funders are Doing

## RULE OF LAW

Funders are supporting **legal strategies** to defend civil society space, to assist communities to defend their environment, and to hold perpetrators accountable for attacks, for failing to consult communities, and for non-compliance with environmental and social standards.

## CHANGING CORPORATE AND BANK BEHAVIOR

Funders are supporting efforts to **engage and influence corporate actors and financial institutions**, both to change corporate and bank behavior with regards to the environment, and to address new financial regulations and best practices for foreign funding of civil society.

## MANAGING RISK TOGETHER

Recognizing that people will continue to act to defend their environmental interests no matter what, funders are **discussing risks with their grantees to make sure that communities are supported**. Funders that commit to support in countries with high risk to civil society are linchpins for both civil society and other funders.

## WHAT'S WORKING

### CANADA

Buoyed by a politically motivated blogger, in 2012 government ministers vilified environmental groups and U.S. funders for their campaigns against oil and gas extraction and in favor of renewable energy. As a result, the Canadian government initiated extensive Canadian Revenue Agency audits against several environmental groups. Environmental groups and other civil society organizations **waged public relations campaigns to highlight their work, engaged with government officials, and defended their policy activities in court**. Spurred by a favourable court ruling supporting civil society advocacy, Canada's Department of Finance has now proposed legislation to remove a cap on "political activities" by charitable organizations.

### ENVIRONMENTAL DEFENDERS COLLABORATIVE

A group of funders have partnered to create the Environmental Defenders Collaborative, a **pooled fund designed to stop attacks on environmental activists**. The Collaborative funds work to protect defenders through urgent response grants and security trainings, to prevent attacks by supporting legal action, to reveal the drivers and actors behind the attacks, and to secure justice by enabling communities to seek redress.

### KENYA AND KYRGYZSTAN

Proposed bills in both Kenya and Kyrgyzstan, two countries with significant foreign funding focused on the environment, would have restricted access of domestic NGOs to international funding. **Using petitions, expert analyses, demonstrations, public relations campaigns, and education of individual members of parliament, civil society coalitions supported by international NGOs defeated both bills**. In both countries, early action prevented the need to defend citizen action after restrictive legislation was already in place.

# Environmental Funders Working Group on Civil Society

The Environmental Funders Working Group on Civil Society is a group of more than thirty environmental funders working to understand how an enabling environment for environmental protection can help to underpin crucial climate, biodiversity, and landscape conservation goals. By exchanging experiences and strategies, commissioning targeted research and analysis, and trialing new and innovative approaches, we aim to build our capacity as a sector to respond to the evolving threats and restrictions faced by civil society and environmental activists around the world. The Working Group is supported by the Funders' Initiative for Civil Society and Global Greengrants Fund.

Established in 2016, the Funders' Initiative for Civil Society brings together private philanthropy from around the world to help ensure that the space for civil society is free and open, with engaged citizen participation that is free of restriction from governments.

Global Greengrants Fund supports grassroots-led efforts to protect the planet and the rights of people through a decentralized grantmaking model, in which a network of volunteer advisors identifies and funds community-based initiatives, in particular those led by women, youth, and Indigenous Peoples.

To join the working group or find out more  
Email [FICS@global-dialogue.eu](mailto:FICS@global-dialogue.eu)  
Visit [global-dialogue.eu](http://global-dialogue.eu)  
Visit [greengrants.org](http://greengrants.org)



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## ADDITIONAL RESOURCES

**Heinrich Böll Stiftung, *Tricky Business, Space for Civil Society in Natural Resource Struggles***

**CIVICUS and Publish What You Pay, *Against all odds: The perils of fighting for natural resource justice***

**Global Witness, *At What Cost? Irresponsible business and the murder of land and environmental defenders in 2017***

**Environmental Defenders Collaborative**